



14 June 2018

To All Councillors

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that the next Ordinary Meeting of Council will be held in the Council Chambers, on Wednesday, 20 June 2018 at 6.30 pm, for the purposes of transacting the undermentioned business.

**AGENDA:**

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- (1) **OPENING PRAYER**
- (2) **ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**
- (3) **RECEIPT OF APOLOGIES**  
Leave of absence has been granted to:  
Councillor Ian Olsen - 5 June 2018 to 8 July 2018 Inclusive
- (4) **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**  
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- (8) **CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBO OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS**
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**(18) COUNCILLORS' REPORTS**



## ***Principles for Local Government***

### **Exercise of functions generally**

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

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

### ***Council's Values***

- Integrity
- Accountability
- Respect
- Excellence
- Teamwork

### ***Our Community's Vision***

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

*Cessnock – thriving, attractive and welcoming.*

### ***Our Community's Desired Outcomes***

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



## ***Council 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, 6 JUNE 2018, COMMENCING AT  
6.30 PM**

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

**IN ATTENDANCE:** Acting General Manager (Director Works and Infrastructure)  
Director Planning and Environment  
Director Corporate and Community Services  
Acting Director Works and Infrastructure (Works and Operations Manager)  
Development Services Manager  
Strategic Planning Manager  
Economic Development Manager  
Senior Strategic Planner  
Manager Open Space & Community Facilities  
Recreation & Community Facilities Co-ordinator  
Strategic Recreation & Community Facilities Planner  
Internal Auditor  
Senior Media & Communication Officer  
Corporate Governance Officer

**LEAVE OF  
ABSENCE /  
APOLOGIES:**

**MOTION**                      **Moved:** Councillor Fitzgibbon  
**Seconded:** Councillor Suvaal

491

**RESOLVED** that the Leave of Absence tendered on behalf of Councillor Olsen from 5 June 2018 to 8 July 2018 be accepted.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**MOTION**

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

492

**RESOLVED** that Councillor Sander be granted a Leave of Absence from 5 July 2018 to 10 August 2018.

**FOR****AGAINST**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**MINUTES:****MOTION****Moved:** Councillor Burke**Seconded:** Councillor Dagg

493

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 16 May 2018, as circulated, be taken as read and confirmed as a correct record.

**FOR****AGAINST**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (12)****Total (0)****CARRIED UNANIMOUSLY**

## **DISCLOSURES OF INTEREST**

### **DISCLOSURES OF INTEREST NO. DI9/2018**

**SUBJECT: DISCLOSURES OF INTEREST**

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#### **RECOMMENDATION**

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

**PE35/2018 – Cessnock Local Environmental Plan 2011 - Planning Proposal to rezone land at Cliftleigh from RE1 Public Recreation to R2 Low Density Residential –** Councillor Gray declared a Non Pecuniary Interest - Significant Conflict for the reason that a family friend owns 43 Main Road, Cliftleigh. Councillor Gray advised that he would leave the Chamber and take no part in discussion and voting.

**WI42/2018 – Fees and Charges for Markets held on Council land –** Councillor Gray declared a Non Pecuniary Less than Significant Conflict for the reason that he regularly holds a stall at the Kurri Kurri Markets. Councillor Gray advised that he will remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because it does not affect his vote.

**PE33/2018 – Development Application 8/2017/438/1 proposing a 24 lot subdivision - 23 Phillips Lane, NULKABA –** Councillor Fitzgibbon declared a Non Pecuniary Significant Conflict for the reason that she is a part owner of adjoining land. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

**WI42/2018 – Fees and Charges for Markets held on Council land –** Councillor Burke declared a Non Pecuniary Interest - Less than Significant Conflict for the reason that he is associated with organisation who are involved in markets. Councillor Burke advised that he will remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because there is no impact in his role and will not influence his decision.

**WI41/2018 - 2017/2018 Aquatic Season Review –** Councillor Burke declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that he works for the Cessnock Chamber of Commerce. Councillor Burke advised that he will remain in the chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because it will not affect my ability to vote.

**WI40/2018 – Miller Park Masterplan –** Councillor Dagg declared a Non Pecuniary Interest - Significant Conflict for the reason that she is a board member of one of the affected user groups. Councillor Dagg advised that she would leave the chamber and take no part in discussion and voting.



## ***PETITIONS***

NIL

## **ADDRESS BY INVITED SPEAKERS**

The following people addressed the meeting of Council:

<b>Speakers</b>	<b>For / Against</b>	<b>Report</b>	<b>Page No.</b>	<b>Duration</b>
Mrs Linda Carter	Against Recommendation	PE32/2018 - Development Application 8/2017/148/1 - Extension of Trading Hours of the McDonald's Drive-thru Facility to Allow 24 Hours, 7 Days a Week Trading for a 12 Month Trial Period  12-14 Allandale Road, Cessnock	58	3 mins

### **EXTENSION OF TIME**

**Moved:**

Councillor Burke

**Seconded:**

Councillor Fitzgibbon

494

**RESOLVED** that an extension of 1 minute be given to allow Mrs Carter to complete her presentation.

### **FOR**

### **AGAINST**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

495

**Seconded:** Councillor Sander

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

Mr Ronald Eason	Against Recommendation	PE32/2018 - Development Application 8/2017/148/1 - Extension of Trading Hours of the McDonald's Drive-thru Facility to Allow 24 Hours, 7 Days a Week Trading for a 12 Month Trial Period  12-14 Allandale Road, Cessnock	58	3 mins
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**Moved:**

Councillor Doherty

**Seconded:**

Councillor Suvaal

496

**RESOLVED** that an extension of 1 minute be given to allow Mr Eason to complete his presentation.

## AGAINST

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

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Mr Patrick Quinlan & Ms Sarah Kevin representing McDonalds	For Recommendation	PE32/2018 - Development Application 8/2017/148/1 - Extension of Trading Hours of the McDonald's Drive-thru Facility to Allow 24 Hours, 7 Days a Week Trading for a 12 Month Trial Period  12-14 Allandale Road, Cessnock	58	3 mins
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**EXTENSION OF TIME**

**Moved:**  
**Seconded:**

Councillor Suvaal  
Councillor Gray

497

**RESOLVED** that an extension of 1 minute be given to allow Mr Quinlan & Ms Kevin to complete their presentation.

**FOR**

**AGAINST**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE32/2018**

**SUBJECT: DEVELOPMENT APPLICATION 8/2017/148/1 - EXTENSION OF TRADING HOURS OF THE MCDONALD'S DRIVE-THRU FACILITY TO ALLOW 24 HOURS, 7 DAYS A WEEK TRADING FOR A 12 MONTH TRIAL PERIOD**

**12-14 ALLANDALE ROAD, CESSNOCK**

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**MOTION**                      **Moved:**    Councillor Fitzgibbon    **Seconded:**    Councillor Dagg  
498

**RESOLVED**

1. That Council determine Development Application No. 8/2017/148/1 proposing the extension of trading hours of the McDonald's drive-thru facility to allow for 24 hours, 7 days a week trading for a 12 month trial period, at 12-14 Allandale Road (Lot 101 DP 828724) Cessnock, pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, by refusing to grant consent for the following reasons:
  1. The proposed extension of trading hours for the 12 month trial is likely to have a significant impact on the amenity of adjoining residential properties with respect to acoustic privacy, traffic, security and safety.
  2. The proposed development does not adequately address potential adverse social impacts such as increases in anti-social behavior, criminal activity and public order incidents.
  3. The Social Impact Assessment submitted with the application was not prepared in accordance with chapter C8 of the Cessnock Development Control Plan 2010.
  4. The subject land is not considered to be suitable for the proposed development given its location adjacent to an established residential area and motel development.
  5. The proposal is not considered to be in the public interest.
2. That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.

**FOR****AGAINST**

Councillor Doherty

Councillor Dunn

Councillor Fagg

Councillor Stapleford

Councillor Suvaal

Councillor Fitzgibbon

Councillor Gray

Councillor Dagg

Councillor Burke

Councillor Sander

Councillor Lyons

Councillor Pynsent

**Total (12)****Total (0)*****CARRIED UNANIMOUSLY***

*Councillor Fitzgibbon declared a Non Pecuniary Significant Conflict for the reason that she is a part owner of adjoining land. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.*

*Councillor Fitzgibbon left the meeting, the time being 7.07pm*

Mr Stephen Leathley	For Recommendation	PE33/2018 - Development Application 8/2017/438/1 proposing a 24 lot subdivision  23 Phillips Lane, Nulkaba	93	3 mins
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### **PLANNING AND ENVIRONMENT NO. PE33/2018**

**SUBJECT: DEVELOPMENT APPLICATION 8/2017/438/1 PROPOSING A 24 LOT SUBDIVISION**

**23 PHILLIPS LANE, NULKABA**

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
499  
**RESOLVED**

1. That Council determine Development Application No. 8/2017/438/1 proposing a 24 lot subdivision at 23 Phillips Lane, Nulkaba, pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979*, by the granting of consent subject to receipt of confirmation from the NSW Department of Planning and Environment that satisfactory arrangements have been made in respect of Clause 6.1 of Cessnock Local Environmental Plan 2011, and the 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.

## **CONDITIONS OF CONSENT**

### **SCHEDULE 1**

Within twenty-four months from the date of determination the proponent shall submit the following information/documentation, to the satisfaction of Council:

- *Evidence of the creation of 'Super Lot B', via consent 8/2009/268 is provided via release of the subdivision certificate.*

This consent will not operate until the applicant satisfies Council that the matter/s listed above have been complied with. Upon satisfactory evidence being provided that the matter/s listed above have been satisfied, Council will give notice to the applicant of the date from which the consent operates.

**Note:** Pursuant to section 4.45 of the Environmental Planning and Assessment Act 1979, this consent will lapse if the Applicant fails to satisfy the Council as to the matters listed in this deferred commencement condition within twenty-four months from the date of determination.

**SCHEDULE 2 –**  
**CONDITIONS OF CONSENT APPLICABLE AFTER SATISFACTION OF DEFERRED**  
**COMMENCEMENT CONDITION IN SCHEDULE 1**

**TERMS OF CONSENT**

**CONDITIONS OF CONSENT**

**1. General Terms of Approval**

All General Terms of Approval issued by the NSW RFS (dated 5 September 2017) shall be complied with prior, during and at the completion of the development, as required.

A copy of the General Terms of Approval is attached to this determination notice.

**2. Approved Plans and Documents**

Development must be carried out strictly in accordance with DA No. 8/2017/438/1 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

<b>Plan Reference</b>	<b>Drawn By</b>	<b>Dated</b>
Plan of Subdivision of proposed lot 224 (Part of Lot 3 DP 1201274), sheet 1 of 1.	Surveyor: Andrew Edward Daly	Undated

<b>Document Title</b>	<b>Prepared By</b>	<b>Dated</b>
Statement of Environmental Effects	Insite Planning	August 2017
Concept Stormwater Management Plan	Northrop	25 July 2017
Bushfire Hazard Assessment Report	Building Code & Bushfire Hazard Solutions Pty Ltd	28 July 2017
Traffic Impact Assessment	Intersect Traffic	July 2017

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

**The following conditions are to be complied with, to the satisfaction of the Principal Certifying Authority, prior to issue of a Construction Certificate.**

**3. Amended Plans Required**

The plans submitted in association of the CC application must incorporate the following:



- a) The plans are to include the details of the road to be constructed within the proposed road reserve. The plans are to be prepared in accordance with Council's Engineering Requirements for Development.
- b) The plans are to include the details of the proposed drainage system. The Plans are to show pipe sizes, grades, pit invert levels and surface levels. The plans are to be prepared in accordance with Council's Engineering Requirements for Development.
- c) The plans are to include details of the proposed access handles to access the proposed lots 409, 412, 413, 416, 417, 418 and 419. The plans are to be prepared in accordance with Council's Engineering Requirements for Development.

The plans must be submitted to and approved by the CA as satisfying these required amendments prior to the issue of the CC.

#### **4. Street Trees**

Prior to the issue of a CC, a Street Tree Planting Plan shall be submitted to and approved by Council.

Prior to submission of the Street Tree Planting Plan, the applicant is required to schedule a meeting with the relevant Council Officer to discuss species and location requirements relating to street trees. A fee is payable for this service in accordance with Council's adopted Fees and Charges.

#### **5. Payment of Fee**

Prior to the issue of a CC, Council imposes a requirement to lodge landscape plans which detail the introduction, removal or relocation of street trees. Vegetation and Civic Spaces Coordinator will recommend species and location requirements of the street trees as a condition of planning approval. Prior to Issue of subdivision certificate council officers will conduct inspections at both development consent stage as well as at completion stage to ensure compliance, in accordance with councils fees and charges at a fee of \$122.50 per hour minimum.

#### **6. Stormwater – Detailed Design Requirements**

The applicant shall provide an inter-allotment drainage easement to drain all Lots required to be drained by an inter-allotment drainage line. Construction of the drainage line, together with the necessary grated yard inlet pits, shall be carried out in accordance with Council's 'Engineering Requirements for Development' – full details shall be submitted to, and approved by, Council prior to release of the CC.

Note:

- a) A suitable 88B instrument creating the easement, in accordance with the requirements of the Conveyancing Act 1919, shall be submitted to Council, prior to endorsement of the surveyor's transparency.
- b) Construction shall be completed prior to endorsement of the surveyor's transparency.

## **PRIOR TO COMMENCEMENT OF WORKS**

**The following conditions are to be complied with prior to the commencement of works on the subject site/s.**

### **7. Soil and Water Management Plan**

The applicant must prepare a Soil and Water Management Plan, being compatible with the Construction Management and Traffic Management Plan referred to in this Development Consent and incorporating the following matters. The plan must be submitted to and approved by the CA as satisfying these matters prior to the commencement of works.

- a) Minimise the area of soils exposed at any one time
- b) Conservation of top soil
- c) Identify and protect proposed stockpile locations
- d) Preserve existing vegetation. Identify revegetation technique and materials
- e) Prevent soil, sand, sediments leaving the site in an uncontrolled manner
- f) Control surface water flows through the site in a manner that:
  - i) Diverts clean-runoff around disturbed areas
  - ii) Minimises slope gradient and flow distance within disturbed areas
  - iii) Ensures surface run-off occurs at non erodible velocities
  - iv) Ensures disturbed areas are promptly rehabilitated.
- g) Sediment and erosion control measures in place before work commences
- h) Materials are not tracked onto the road by vehicles entering or leaving the site.
- i) Details of drainage to protect and drain the site during works.

### **8. S138 Roads Act Approvals**

Under Section 138 of the *Roads Act 1993*, should any work on the verge, footpath, or public road reserve be required, a S138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The S138 application is to be submitted to, and approved by, Council prior to works commencing.

### **9. Soil and Water Management Plan Implemented**

The requirements of the Soil and Water Management Plan shall be in place prior to the commencement of demolition works and/or construction works and shall be maintained throughout the demolition and/or construction process.

## **DURING WORKS**

**The following conditions are to be complied with during works.**

### **10. Location of Council Pipes**

During all phases of demolition, excavation and construction, it is the full responsibility of the applicant and their contractors to:

- a) Ascertain the exact location of the Council stormwater drainage pipeline and associated pits traversing the site in the vicinity of the works;
- b) Take measures to protect the in-ground Council stormwater drainage pipeline and associated pits; and
- c) Ensure dedicated overland flow paths are satisfactorily maintained through the site.

Stormwater drainage pipes can be damaged through applying excessive loading (such as construction machinery, material storage, and the like). All proposed structures and construction activities must be sited fully clear of Council's stormwater drainage pipes, pits, easements, watercourses and overland flow paths on the site.

If the Council pipeline is uncovered during construction, all work must cease, and the PCA and Council must be contacted immediately for advice. Any damage caused to the Council stormwater drainage system must be immediately repaired in full as directed, and at no cost to Council.

### **11. Erosion and Sediment Controls**

The control of erosion, and the prevention of silt discharge into drainage systems and waterways, will be necessary in accordance with Council's "Engineering Requirements for Development", and Landcom's Soils and Construction Manual - April 2004. Erosion control measures are to be implemented prior to the commencement of any earthworks, and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

### **12. Stormwater Runoff**

Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

## **PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**

**The following conditions are to be complied with prior to issue of a Subdivision Certificate by Council.**

### **13. Road Construction**

Prior to the issue for the SC, construction of the road serving the subdivision approved via development consent 8/2009/268/5 is to be completed to the satisfaction of Council.

### **14. Internal road construction**

Prior to the issue of the SC, the construction of all access handles is to be completed to the satisfaction of Council.

## **15. Requirement for a Subdivision Certificate**

Prior to the issue of a SC, the applicant shall submit an original plan of subdivision plus six (6) copies for Council's endorsement. The plan of subdivision must show street names and house numbering as allocated by Council. The following details are also to be submitted:

- a) Evidence that all conditions of Development Consent have been satisfied;
- b) Evidence of payment of all relevant fees;
- c) The 88B instrument plus six (6) copies; and
- d) All surveyor's or engineer's certification required by the Development Consent.

## **16. Inspection and Payment of Fee Relating to Street Trees**

Prior to the issue of an SC, Council will undertake an inspection of the street tree planting to ensure compliance with the approved Street Tree Planting Plan, for which a fee is payable in accordance with Council's adopted Fees and Charges.

## **17. S94 Contributions Plan – Nulkaba**

A contribution pursuant to the provisions of Section 7.11 (cf previous s 94) of the *EP&A Act 1979* for the services detailed, and for the amount detailed, must be made to Council prior to the issue of a SC:

<b>Contribution Type</b>	<b>Amount Payable</b>
Open Space Recreational Sporting Facilities	\$43,830.18
Community Facilities	\$55,299.59
Road and Traffic Facilities	\$55,299.59
Plan Management Administration	\$2,886.50
<b>Total</b>	<b>\$157,315.86</b>

A copy of the Section 94 Contributions Plan – Nulkaba may be inspected at Council's Customer Service Section, Administrative Building, Vincent Street, Cessnock or can be accessed on Council's Website at [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

## **18. All Services Provided Within Lots**

A registered surveyor shall provide certification that all services (eg. drainage, stormwater, water supply, gas, electricity, telephone) as constructed are contained within each lot, or within appropriate easements to accommodate such services. The certification is to be provided to the PCA, prior to the issue of a Subdivision Certificate.

## **19. Works-As-Executed Plan**

Two (2) copies of a WAE Plan prepared by a registered surveyor (both marked up in red), must be submitted to, and approved by, Council clearly showing all aspects of the constructed drainage and / or OSD. The plan must include:

- a) Sufficient levels and dimensions to verify the constructed storage volumes;
- b) Location and surface levels of all pits;
- c) Invert levels of the tanks, internal drainage line, orifice plates fitted, and levels within the outlet control pit;
- d) Finished floor levels of all structures and driveways;
- e) Verification that trash screens and/or GPTs have been installed;
- f) Locations and levels of any overland flow paths;
- g) The WAE plan information should be shown on a stamped copy of the approved civil works drawings;
- h) Surface levels of pits and surrounding ground levels;
- i) Levels of spillways and surrounding kerb;
- j) Floor levels of buildings, including garages;
- k) Top of kerb levels at the front of the lot;
- l) Dimensions of stormwater basins and extent of inundation; and
- m) Calculation of actual detention storage volume provided.

The plan shall be accompanied by a report from the designer stating the conformance, or otherwise, of the as-constructed basins in relation to the approved design.

The WAE plan and report shall be submitted to, and approved by, Council prior to the release of the Subdivision Certificate.

## **20. 88B Certificate Required**

The Section 88B instrument will be submitted to Council with all relevant signatures and company seals (where applicable) prior to endorsement of the linen plan of subdivision and issue of the Subdivision Certificate. Alternatively, Council will accept, at their discretion, a copy of the Section 88B instrument with an accompanying letter from the acting solicitor or surveyor giving an undertaking that the Section 88B Instrument will be signed and submitted as presented to Council, unaltered, and registered with the linen plan of subdivision.

## **21. Road Dedication**

The proposed road within the subdivision shall be dedicated as a public road at no cost to Council. The public road shall be delineated on the final plan of subdivision submitted with the application for a Subdivision Certificate.

## **22. Section 50 – Hunter Water Act 1991**

Evidence shall be submitted to Council that the registered proprietors of the land on whose behalf the application was made have complied with the requirements of Section 50 of the Hunter Water Act 1991. Such evidence shall be submitted to Council prior to the release of the final plan of survey for the subdivision and the Subdivision Certificate.

## ONGOING USE

The following conditions are to be complied with as part of the ongoing use of the premises.

### 23. Stormwater – Impact on Adjoining Land

Filling shall not be placed in such a manner that obstructs natural drainage from adjoining land.

Filling shall not be placed on land in such a manner that surface water will be diverted to adjoining land.

### 24. Road – Advice

The applicant is advised that Council will not accept responsibility for the road access. In this respect, the care, control and maintenance thereof, is the sole responsibility of the user/s, in perpetuity.

FOR	AGAINST
Councillor Doherty	Councillor Suvaal
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (1)</b>

## CARRIED

*Councillor Fitzgibbon returned to the meeting, the time being 7.14pm*

*Councillor Gray declared a Non Pecuniary Interest - Significant Conflict for the reason that a family friend owns 43 Main Road, Cliftleigh. Councillor Gray left the Chamber and took no part in discussion and voting.*

*Councillor Gray left the meeting, the time being 7.14pm*

Mr Daniel Corbett representing various residents	For	PE35/2018 - Cessnock Local Environmental Plan 2011 - Planning Proposal to rezone land at Cliftleigh from RE1 Public Recreation to R2 Low Density Residential	142	3 mins
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**EXTENSION OF TIME**

**Moved:**

Councillor Stapleford

**Seconded:**

Councillor Suvaal

500

**RESOLVED** that an extension of 1 minute be given to Mr Corbett to complete his presentation.

**FOR**

**AGAINST**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (11)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE35/2018**

**SUBJECT: CESSNOCK LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL TO REZONE LAND AT CLIFTLEIGH FROM RE1 PUBLIC RECREATION TO R2 LOW DENSITY RESIDENTIAL**

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
501  
**RESOLVED**

1. That Council endorse the revised Planning Proposal to rezone Part of Lot 9492 DP1225029 and part of Lot 20 DP 1175757 to R2 Low Density Residential Zone and apply a minimum lot size of 450m<sup>2</sup> as an amendment to the *Cessnock Local Environmental Plan 2011*.
2. That Council notify people who made submissions of Council's decision.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

*Councillor Darrin Gray returned to the meeting, the time being 7.19pm*



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

**MOTION**                      **Moved:**    Councillor Burke                      **Seconded:**    Councillor Sander  
502

### **RESOLVED that the following reports:-**

NI2/2018	Notice of Intention to Deal With Matters in Confidential Session -
MM4/2018	Cessnock Hall of Fame
GMU13/2018	Minutes of the Audit Committee Meeting held 1 May 2018
PE34/2018	Cessnock Local Environmental Plan 2011 – Planning proposal to rezone land at 71 Branxton Street, Greta from RU2 Rural Landscape to R2 Low Density Residential and to reduce the minimum lot size from 40ha to 4520m2
CC39/2018	Minutes of the Aboriginal and Torres Strait Islander Committee of Cessnock City Council held on 18 May 2018
WI38/2018	Community Sponsorship & Fee Waiving Policy
WI39/2018	Contract for Supply of Electricity to Small Sites
WI42/2018	Fees and Charges for Markets held on Council land
CO17/2018	Former Wollombi Public School Site
CO18/2018	Hunter Joint Organisation

**Be dealt with englobo.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**MOTION**

503

**Moved:** Councillor Burke**Seconded:** Councillor Sander**RESOLVED that Report Numbers:-**

NI2/2018	Notice of Intention to Deal With Matters in Confidential Session -
MM4/2018	Cessnock Hall of Fame
GMU13/2018	Minutes of the Audit Committee Meeting held 1 May 2018
PE34/2018	Cessnock Local Environmental Plan 2011 – Planning proposal to rezone land at 71 Branxton Street, Greta from RU2 Rural Landscape to R2 Low Density Residential and to reduce the minimum lot size from 40ha to 4520m2
CC39/2018	Minutes of the Aboriginal and Torres Strait Islander Committee of Cessnock City Council held on 18 May 2018
WI38/2018	Community Sponsorship & Fee Waiving Policy
WI39/2018	Contract for Supply of Electricity to Small Sites
WI42/2018	Fees and Charges for Markets held on Council land
CO17/2018	Former Wollombi Public School Site
CO18/2018	Hunter Joint Organisation

**Be resolved as recommended.****FOR****AGAINST**

Councillor Doherty  
 Councillor Dunn  
 Councillor Fagg  
 Councillor Stapleford  
 Councillor Suvaal  
 Councillor Fitzgibbon  
 Councillor Gray  
 Councillor Dagg  
 Councillor Burke  
 Councillor Sander  
 Councillor Lyons  
 Councillor Pynsent  
**Total (12)**

**Total (0)****CARRIED UNANIMOUSLY**

# **NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION**

## **NOTICE OF INTENTION NO. NI2/2018**

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

**PE36/2018 - MINUTES OF THE STRATEGIC PROPERTY AND  
COMMUNITY FACILITIES MEETING HELD 9 MAY 2018**

**PE37/2018 - VINEYARD GROVE STAGE 8 DEVELOPMENT**

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**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
504  
**RESOLVED**

1. That Council consider in Confidential Session the following matters in accordance with Section 10A(2) (c) (di) (dii) of the Local Government Act 1993:

Report Numbers PE36/2018 – Minutes of the Strategic Property and Community Facilities Meeting held 9 May 2018 and PE37/2018 – Vineyard Grove Stage 8 Development as they deal with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council.

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

<b>FOR</b>	<b>AGAINST</b>
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	

**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## **MAYORAL MINUTES**

### **MAYORAL MINUTES NO. MM4/2018**

**SUBJECT: CESSNOCK HALL OF FAME**

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**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
505  
**RESOLVED**

**That Council endorse the removal of Philip Wilson from the Cessnock City Hall of Fame.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## ***MOTIONS OF URGENCY***

### ***MOTIONS OF URGENCY NO. MOU9/2018***

***SUBJECT: MOTIONS OF URGENCY***

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NIL

## **GENERAL MANAGER'S UNIT**

### **GENERAL MANAGER'S UNIT NO. GMU12/2018**

**SUBJECT: GROWING LOCAL ECONOMIES FUNDING - CESSNOCK AIRPORT UPGRADE APPLICATION**

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Dagg  
506  
**RESOLVED**

1. That Council endorse the submission of an Expression of Interest for the Cessnock Airport Upgrade project with a total project cost of \$7,622,000 that includes a co-contribution from Council of approximately \$1,905,500.
2. That Council accept the funding offer from the NSW Government to fund the preparation of a Business Case to support the full application to the Growing Local Economies funding stream, should the Expression of Interest proceed to the next stage.
3. That a further report describing the Business Case and Councils funding arrangements for the co-contribution, be considered by Council prior to the submission of a full application to the Growing Local Economies funding stream, should the Expression of Interest proceed to the next stage.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU13/2018**

**SUBJECT: MINUTES OF THE AUDIT COMMITTEE MEETING HELD 1 MAY 2018**

---

**MOTION**                      **Moved:** Councillor Burke                      **Seconded:** Councillor Sander

507

**RESOLVED**

1. That the Minutes of the Audit Committee Meeting of 1 May 2018 be adopted as a resolution of the Ordinary Council.
2. That Council endorse the Strategic Internal Audit Plan 2018 – 2021 and the Annual Internal Audit Plan 2018 – 2019.

<b>FOR</b>	<b>AGAINST</b>
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **PLANNING AND ENVIRONMENT**

### **PLANNING AND ENVIRONMENT NO. PE34/2018**

**SUBJECT:** **CESSNOCK LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL TO REZONE LAND AT 71 BRANXTON STREET, GRETA FROM RU2 RURAL LANDSCAPE TO R2 LOW DENSITY RESIDENTIAL AND TO REDUCE THE MINIMUM LOT SIZE FROM 40HA TO 450M2.**

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**MOTION**      **Moved:**    Councillor Burke      **Seconded:**    Councillor Sander  
508

#### **RESOLVED**

1. That Council include the area bounded by Branxton and Water Streets and Leconfield Road, Greta as an area for investigation within the new Cessnock City Wide Planning Strategy.
2. That Council, subject to the inclusion of the site in the new draft Cessnock City Wide Planning Strategy, sends the draft Planning Proposal to the Department of Planning and Environment requesting a Gateway determination.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC39/2018**

**SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE OF CESSNOCK CITY COUNCIL HELD ON 18 MAY 2018**

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**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
509  
**RESOLVED**

1. That the Minutes of the Aboriginal and Torres Strait Islander Committee held on 18 May 2018 be adopted as a resolution of the Ordinary Council.
2. That on the Gateway signage in areas where no concerns have been raised, an Acknowledgement of Country be incorporated onto the signs and the wording be 'Wonnarua Country'.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **WORKS AND INFRASTRUCTURE**

### **WORKS AND INFRASTRUCTURE NO. WI37/2018**

**SUBJECT: DRAFT POLICY FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE (CHARITABLE AND NOT FOR PROFIT ORGANISATIONS)**

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Fitzgibbon  
510  
**RESOLVED**

1. That Council place the draft Policy Financial Assistance for the Disposal of Waste (charitable and not for profit organisations) on public exhibition for a period of 28 days, and if there are no significant public submissions received, that the policy be automatically adopted at the end of the exhibition period and that the proposed fees be included in Council's Fees and Charges for 2018/19
2. That Council works with charities in the Cessnock LGA to implement strategies to minimise the amount of waste they need to dispose of, and implement a community education campaign that educates the public about what items are suitable, and not suitable, for donating to charity

<b>FOR</b>	<b>AGAINST</b>
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI38/2018**

**SUBJECT: COMMUNITY SPONSORSHIP & FEE WAIVING POLICY**

---

**MOTION**                      **Moved:** Councillor Burke                      **Seconded:** Councillor Sander

511

**RESOLVED**

That Council place the draft Community Sponsorship and Fee Waiving Policy on public exhibition for a period of 28 days and if there are no significant public submissions received that the policy be automatically adopted at the end of the exhibition period.

<b>FOR</b>	<b>AGAINST</b>
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI39/2018**

**SUBJECT: CONTRACT FOR SUPPLY OF ELECTRICITY TO SMALL SITES**

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
512  
**RESOLVED**

**That Council enter into a retail energy supply contract with Next Business Energy for a 24 month contract term for the supply of electricity to its small sites commencing 1 July 2018.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **WORKS AND INFRASTRUCTURE NO. WI40/2018**

**SUBJECT: MILLER PARK MASTERPLAN**

---

*Councillor Dagg declared a Non Pecuniary Interest - Significant Conflict for the reason that she is a board member of one of the affected user groups. Councillor Dagg left the Chamber and took no part in discussion and voting.*

*Councillor Dagg left the meeting, the time being 7.26pm*

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

513

### **RESOLVED**

1. That Council adopt the draft Miller Park Masterplan with addition of a third cricket wicket.
2. That Council notify persons who made a submission during the public exhibition period of Council's decision.
3. That Council makes provision for the implementation of the draft Miller Park Masterplan in consideration of priority and available resources including grant funding and development contributions.
4. That a draft Masterplan for Greta Central Oval be developed as a priority project in the 2018/2019 financial year.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (0)</b>

### **CARRIED UNANIMOUSLY**

*Councillor Dagg returned to the meeting, the time being 7.27pm*

## **WORKS AND INFRASTRUCTURE NO. WI41/2018**

**SUBJECT: 2017/2018 AQUATIC SEASON REVIEW**

---

*Councillor Burke declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that he works for the Cessnock Chamber of Commerce. Councillor Burke remained in the Chamber and took part in discussion and voting.*

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Gray

514

### **RESOLVED**

1. That Council note the information contained within the report.
2. That Council offer up to ten free family fun days at the Cessnock and Branxton Outdoor Pools and the Kurri Kurri Aquatic Centre during the 2018/2019 financial year, commencing on the first Sunday of Christmas school holidays and ending the last Sunday in February.
3. That Council increase the aquatics budget by \$40,000 for the 2018/2019 financial year.
4. That Branxton Pool and Cessnock Pool close at 12 noon on 24 December and 31 December each year.
5. That the Council work with Chambers of Commerce in the marketing of the Outdoor Pools Service Improvement Projects and Free Family Fun Days.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **WORKS AND INFRASTRUCTURE NO. WI42/2018**

**SUBJECT: FEES AND CHARGES FOR MARKETS HELD ON COUNCIL LAND**

---

*Councillor Gray declared a Non Pecuniary Less than Significant Conflict for the reason that he regularly holds a stall at the Kurri Kurri Markets. Councillor Gray remained in the Chamber and participated in discussion and voting.*

*Councillor Burke declared a Non Pecuniary Interest - Less than Significant Conflict for the reason that he is associated with organisation who are involved in markets. Councillor Burke remained in the Chamber and participated in discussion and voting.*

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
515  
**RESOLVED**

**That Council notes the information contained within the report.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN**

### **BUSINESS WITH NOTICE NO. BN14/2018**

**SUBJECT:       INSTALLATION OF FOOTPATHS AND PRAM RAMPS IN ASSOCIATION  
                    WITH DEVELOPMENT**

---

**MOTION           Moved:**   Councillor Fitzgibbon   **Seconded:**   Councillor Burke  
516  
**RESOLVED**

That Council undertakes a review of the Cessnock (2010) Development Control Plan (DCP) and associated *Engineering Guidelines for Development*, and consider including in the revised DCP a requirement to install footpath and pram ramps in all situations where kerb and guttering is required as part of a development.

<b>FOR</b>	<b>AGAINST</b>
------------	----------------

Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	

	<b>Total (0)</b>
--	------------------

**CARRIED UNANIMOUSLY**



**BUSINESS WITH NOTICE NO. BN15/2018**

**SUBJECT: COUNCILLOR ACCESS TO CUSTOMER REQUEST MANAGEMENT SYSTEM (CRM'S)**

---

**MOTION**      **Moved:** Councillor Gray      **Seconded:** Councillor Dagg  
517  
**RESOLVED**

**That the General Manager investigate the logistics and costs of giving Councillors access to the Customer Request Management System for historic research and policy development purposes and present this report to a Councillor briefing in July 2018.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**BUSINESS WITH NOTICE NO. BN16/2018**

**SUBJECT: WE WON'T WAIT - PAID DOMESTIC VIOLENCE LEAVE POLICY**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Burke

518

**RESOLVED**

1. That Council support the “We Won’t Wait!” campaign to end domestic violence.
2. That the General Manager bring back to Council a policy for consideration to implement paid domestic violence leave for employees based on the United Services Union’s policy “We won’t wait: Paid Domestic Violence Leave Policy”.
3. That this report and policy come back to Council by the end of July 2018.
4. That Council calls on everyone in the Cessnock LGA to help stop domestic violence in the community.

FOR	AGAINST
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**BUSINESS WITH NOTICE NO. BN17/2018**

**SUBJECT: COUNCILLOR NOTIFICATION OF DEVELOPMENT APPLICATIONS  
AND UPCOMING WORKS**

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

519

**RESOLVED**

**That Council extend to all Councillors an 'opt-in' or 'opt-out' program to notify Councillors of notified development applications and upcoming works.**

<b>FOR</b>	<b>AGAINST</b>
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	

<b>Total (0)</b>
------------------

**CARRIED UNANIMOUSLY**

**ANSWERS TO QUESTIONS FOR NEXT MEETING**

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ49/2018**

**SUBJECT: GUARD RAIL AT MAYBURY PEACE PARK BRIDGE**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ50/2018**

**SUBJECT: BAILEYS LANE ROADWORKS**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ51/2018**

**SUBJECT: LOSS OF CARPARKING SPACES AT WOOLWORTHS CARPARK**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ52/2018**

**SUBJECT: KURRI KURRI AMBULANCE HALL WORKS**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ53/2018**

**SUBJECT: KURRI KURRI COMMUNITY CENTRE WORKS**

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ54/2018***

***SUBJECT:     BUCKLAND AVENUE/HENDERSON AVENUE AND MARLTON STREET***

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ55/2018***

***SUBJECT:     VINTAGE BALANCE LANDS***

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ56/2018***

***SUBJECT:     HANDOVER - NEW ENGLAND HIGHWAY/MAITLAND STREET,  
                  BRANXTON***

---

The answer was noted.

## **QUESTIONS FOR NEXT MEETING**

*Councillor Anne Sander*

### **KURRI KURRI AMBULANCE HALL**

Councillor Sander asked when the repairs to the Ambulance Hall at Kurri Kurri are completed, what activities will be utilising this Community facility.

*Councillor Anne Sander*

### **BRIEFING - INCOMPLETE SCHEDULED WORKS**

Councillor Sander asked if a briefing could be scheduled before the end of June to advise what works Council will not complete and need to move into the next financial year.

*Councillor Darrin Gray*

### **INSTALLATION OF TRAFFIC LIGHTS HEDDON GRETA**

Councillor Gray asked for an update on the installation of traffic lights at Hebburn Street at Heddon Greta.

*Councillor Anthony Burke*

### **WI41/2018 – 2017/2018 AQUATIC SEASON REVIEW**

Councillor Burke asked if the midday closure at Christmas and the Staff Picnic Day could be added to the report.

*Councillor Mark Lyons*

### **CBD FREE WI-FI PROJECT**

Councillor Lyons asked for an update on the Cessnock CBD free wi-fi project.

## **CORRESPONDENCE**

### **CORRESPONDENCE NO. CO17/2018**

**SUBJECT: FORMER WOLLOMBI PUBLIC SCHOOL SITE**

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
520  
**RESOLVED:**

**That Council note the correspondence received.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORRESPONDENCE NO. CO18/2018**

**SUBJECT: HUNTER JOINT ORGANISATION**

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**MOTION**                      **Moved:**    Councillor Burke                      **Seconded:**    Councillor Sander

521

**RESOLVED:**

**That Council note the correspondence received.**

<b>FOR</b>	<b>AGAINST</b>
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	

<b>Total (0)</b>
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**CARRIED UNANIMOUSLY**



7.52PM

**Confidential reports (closed session)**

**MOTION**            **Moved:**    Councillor Burke            **Seconded:**    Councillor Stapleford  
522

**RESOLVED** that the meeting move into closed session in order to consider confidential items.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

7.54PM

**Open Session**

The meeting moved back into open session and the General Manager reported on the outcomes of the Closed Session.

**PLANNING AND ENVIRONMENT NO. PE36/2018**

**SUBJECT: MINUTES OF THE STRATEGIC PROPERTY AND COMMUNITY FACILITIES MEETING HELD 9 MAY 2018**

*This matter is considered to be confidential under Section 10A(2) (c) (di) (dii) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; AND 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.*

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Dagg  
523

**RESOLVED**

1. That the Minutes of the Strategic Property and Community Facilities Committee Meeting held on the 9 May 2018 be adopted as a resolution of the Ordinary Council.
2. That the Committee meet for a site inspection at 2pm on June 13, 2018 on site at Hebburn Estate.
3. That the Committee meet at 3.15pm on June 13, 2018 in the Ante Room for the next meeting of the Strategic Property Committee.

**FOR**

**AGAINST**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## **PLANNING AND ENVIRONMENT NO. PE37/2018**

### **SUBJECT: VINEYARD GROVE STAGE 8 DEVELOPMENT**

*This matter is considered to be confidential under Section 10A(2) (c) (di) (dii) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; AND 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.*

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**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Gray  
524

### **RESOLVED**

1. That Council note the information contained within this report.
2. That Council approve the funding of \$3,885,000 to undertake the Vineyard Grove Stage 8 Development with funding being collected from:
  - Property Investment Fund \$75,000 – 2017/18 existing allocation
  - Property Investment Fund \$40,000 – 2018/19 new allocation
  - Internal Borrowings \$3,770,000 – 2019 new allocation

<b>FOR</b>	<b>AGAINST</b>
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **COUNCILLORS REPORTS**

Councillor Dagg

Subsidence Advisory NSW

I recently took part in the meeting of the Mine Subsidence Board held 30 May 2018.

We received an update on the Newcastle Mines Grouting Fund, rezoning of Bargo in the southern coalfields, contentious claims and recurring pothole sites. I note SANSW will shortly be undertaking training with Cessnock Council staff to advise them on how best to deal with recurring potholes. SANSW responds to approximately ten mine subsidence related potholes per month. Potholes represent a significant risk to public safety and a targeted, proactive approach to mitigation and risk management is a priority for the agency. Additionally, the agency is continuing to prepare for the discontinuance of s15B certificates for compliance from the coal mine subsidence compensation framework. Discontinuance of s15B certificates from 1 January 2019 will not impact the right of property owners to claim compensation from the Fund for damage to improvements which comply with SANSW requirements. Legislative amendment is recommended to extend the discretion of the SANSW Chief Executive to allow compensation claims for damage to protect unwitting property owners. A draft policy has been created to detail this process and as a Board Member I will be reviewing that document prior to the next meeting with a view to considering the potential liability of councils once these changes come into effect.

Councillor Gray

Bushfire Management Committee Meeting

Councillor Gray advised of his attendance at the Bushfire Management Committee Meeting where the following areas have been nominated to be burnt between 2018 – 2019 Hazard Reduction Cycle – Heddon Street, Kurri Kurri; Crown Land at Kearsley; Wilkinson's Place near Kearsley; Yango National Park at Bagnalls Creek; Yango National Park at Sandy Creek; the Werakata National Park at Pelton; First Street in the Werakata National Park, Weston and Harlt Street and church Street, Weston

Councillor Lyons

Austar Community Consultation Committee

Councillor Lyons advised that the Mine is solving some geological problems in the B6 section of the mine which means that mining in that section has been stopped. B7 Section will not be mined. Union has been kept in close contact with what is happening and there will not be any job losses. Community member and employee Gary Mulhearn has moved and was farewelled. Councillor Lyons also asked if Councillors could have an inspection of the mine.

*The Meeting Was Declared Closed at 7.59pm*

**CONFIRMED AND SIGNED** at the meeting held on 20 June 2018

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

**Disclosures Of Interest**

**Report No. DI10/2018**

**Corporate and Community Services**



**SUBJECT:** *DISCLOSURES OF INTEREST*

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

**RECOMMENDATION**

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

**SUMMARY**

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

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

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

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

**ENCLOSURES**

There are no enclosures for this report.

Mayoral Minute

Report No. MM5/2018

General Manager's Unit



## ***MAYORAL MINUTE No. MM5/2018***

***SUBJECT: CESSNOCK RACECOURSE - SUPPORT FOR THE DEVELOPMENT OF A PRE TRAINING FACILITY IN CESSNOCK***

### ***RECOMMENDATION***

1. That the General Manager writes to the Newcastle Jockey Club, Racing NSW and the Minister for Racing, the Hon. Paul Toole, MP outlining Councils support for a pre-training facility at Cessnock Racecourse.
2. That copies of the correspondence outlining Councils support for a pre-training facility at Cessnock Racecourse be made available to Clayton Barr, MP, State Member for Cessnock; Scot MacDonald, MLC, Parliamentary Secretary for Planning, the Central Coast and the Hunter; and the Department of Premier and Cabinet NSW.

### ***REPORT/PROPOSAL***

Racing NSW has been using industry forums to identify key issues and priorities for the next three to five years to guide the development of a strategic plan, which is due to be released in August 2018.

The Newcastle Jockey Club (NJC) proposed that the Cessnock Racecourse, which is owned by the NJC, become a regional pre-training centre with the track considered to be an ideal site for such a purpose, particularly given its location and scope for development.

Racing has a long and proud history in the Cessnock LGA, with the current facility featuring both a turf and sand training track. The course is the base for up to 20 trainers and it currently hosts 10 meetings per year.

I believe it prudent that Council show leadership by illustrating its support for the NJC proposal, which has the potential to create jobs in the Cessnock LGA.

An article in the Newcastle Herald references this issue and can be viewed at <https://www.theherald.com.au/story/5460584/njc-boss-hopes-for-support-in-building-cessnock-pre-training-centre/>

### ***ENCLOSURES***

There are no enclosures for this report

**Motions of Urgency**

**Report No. MOU10/2018**

**Corporate and Community Services**



**SUBJECT: MOTIONS OF URGENCY**

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

**RECOMMENDATION**

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

**SUMMARY**

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

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

**ENCLOSURES**

There are no enclosures for this report.



General Manager's Unit  
Report No. GMU14/2018  
General Manager's Unit



**SUBJECT:** *MINUTES OF THE TOWN COORDINATORS REVIEW  
COMMITTEE OF CESSNOCK CITY COUNCIL HELD ON 21  
MARCH 2018*

**RESPONSIBLE OFFICER:** *Economic Development Manager - Jane Holdsworth*

---

**RECOMMENDATION**

1. That the Minutes of the Town Coordinators Review Committee held on 23 May 2018 be adopted as a resolution of the Ordinary Council.
2. That Council maintain the current funding arrangements for Town Coordinators, with a review of reportable criteria/KPI's to be determined by the Town Coordinators Review Committee.

***MINUTES OF TOWN COORDINATORS REVIEW COMMITTEE OF THE CESSNOCK CITY  
COUNCIL HELD IN GMMR ON WEDNESDAY, 23 MAY 2018, COMMENCING AT 3.30 PM***

**PRESENT:** The Mayor, Councillor Pynsent  
Councillor Doherty  
Councillor Fitzgibbon  
Councillor Dagg  
Councillor Stapleford

**IN ATTENDANCE:** Stephen Glen – General Manager  
Jane Holdsworth – Economic Development Manager  
Robert Maginnity – Director Corporate & Community Services  
Melanie Parker – Executive Assistant to General Manager  
Councillor Gray (Alternate Delegate)  
Councillor Lyons

**INVITEES:** *NIL*

***APOLOGIES***

Councillor Doherty

General Manager's Unit  
Report No. GMU14/2018  
General Manager's Unit



## **CONFIRMATION OF MINUTES**

### **MINUTES:**

**RECOMMENDED** that the Minutes of the Town Coordinators Review Committee held on 21 March 2018, as adopted at the Ordinary Council meeting of 4 April 2018, be taken as read and confirmed as a correct record.

## **LISTED MATTERS**

### **LISTED MATTERS - COMMITTEE NO. CLM2/2018**

**SUBJECT: TOWN COORDINATORS FUNDING - REVIEW OF OPTIONS ANALYSIS**

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Stapleford

### **RECOMMENDATION**

1. That Council maintain the current funding arrangements for Town Coordinators.
2. That a review of criteria that Town Coordinators would need to satisfy/be undertaken to be granted money from Council.
3. That a meeting with Business Chambers and Towns with Heart be held within 2 weeks.
4. The Town Coordinator Committee convene a workshop in 1 week to determine the criteria for the Town Coordinator role.

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE**

Nil

## **GENERAL BUSINESS**

Nil

*The Meeting Was Declared Closed at 4.10 pm*

### **ENCLOSURES**

There are no enclosures for this report.

Corporate and Community

Report No. CC40/2018

Corporate and Community Services



**SUBJECT:** *ADOPTION OF THE 2018-19 OPERATIONAL PLAN*

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

## **SUMMARY**

Section 405 of the *Local Government Act 1993* requires Council to adopt an Operational Plan prior to 30 June each year.

Council adopted the draft 2018-19 Operational Plan (including the draft budget) for public exhibition on 2 May 2018 (Report CC30/2018) and 5 public submissions were received. Internal reviews of the draft documents highlighted a number of proposed changes to the draft 2018-19 Operational Plan and are detailed in this report for Council's consideration.

Clause 211 of the Local Government (General) Regulation 2005 requires Council to authorise expenditure for 2018-19.

## **RECOMMENDATION**

1. That Council note feedback obtained from residents and ratepayers during the Public Exhibition period and relevant information reflected in the Federal budget 2018-19, Council resolutions during the Public Exhibition period and NSW Valuer General Weekly Supplementary listings.
2. That Council adopt the 2018-19 Operational Plan, as exhibited, with the amendments outlined in this report, including:

### **2018-19 Budget**

- Increase in rates income of \$370,000 (due to additional land values on subdivisions).
- Include \$140,000 for Council website update project.
- Increase swimming pool funding by \$40,000 (detailed in Council Report WI41/2018 adopted 6 June 2018).
- Financial Assistance Grant – exclude the advance payment in June 2019 of \$3,573,300 to align with the May 2018 Federal Budget for 2018-19.
- Include \$3,770,000 to fund Vineyard Grove Stage 8 development costs and appropriate funding from internal reserve borrowings (detailed in Council Report PE37/2018 adopted 6 June 2018).
- Increase in Mayoral and Councillor fees by \$2,540 (detailed in Council Report CC36/2018 adopted 16 May 2018)

### **2018-19 Capital Works Program**

- Amend the 2018-19 Capital Works Program as detailed in Table 2 of this report.

**Actions**

- Add action 4.1.5a Progress the trail concept development for the Richmond Vale Trail.

**Interest on Overdue Rates**

- The rate of interest payable on overdue rates and charges be set at 7.5%.

**Ad Valorem Amount (Cents in the \$) and Expected Rate Yields**

- Amend the ad valorem amount (cents in the \$) and expected rate yields as detailed in Table 2 of this report.

**Setting of Levy for Hunter Catchment Contribution**

- Change the levy for the Hunter Catchment Contribution to 0.0111 cent in the dollar on the current land value of the land within the Council area for 2018-19.

**Revenue Policy - Statement of Charges Proposed to be Levied**

- Change fee for Additional Domestic Waste Management Service Charge – Recycling from \$51.00 to \$55.00
  - Change fee for Additional Domestic Waste Management Service Charge – Garden Organics from \$76.00 to \$75.00
  - Change fee for Additional Waste Management Service Charge (Commercial) – Recycling from \$51.00 to \$55.00
  - Change fee for Additional Waste Management Service Charge (Commercial) – Garden Organics from \$76.00 to \$75.00
3. That Council set the Fees and Charges for 2018-19 as detailed in the Draft Operational Plan with the amendments outlined in table 4 of this report.
  4. That Council approve the expenditure for the year commencing 1 July 2018 as detailed in the adopted 2018-19 Operational Plan and that funds be voted to meet expenditure in accordance with Clause 211 of the Local Government (General) Regulation 2005.

***BACKGROUND***

Council has exhibited the draft 2018-19 Operational Plan in accordance with the provisions of Section 405 of the Local Government Act 1993.

The draft 2018-19 Operational Plan is structured around the community's five desired outcomes from the Community Strategic Plan, *Cessnock 2027*:

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

**Corporate and Community**

**Report No. CC40/2018**

**Corporate and Community Services**



The draft 2018-19 Operational Plan provides information to the community about Council's ongoing activities and the key initiatives to implement Council's 2017-21 Delivery Program. It also incorporates the 2018-19 budget, Capital Works Program and Revenue Policy.

Details of the draft 2018-19 Fees & Charges (which are part of the Revenue Policy) are presented in a separate volume.

The draft documents were placed on public exhibition between 9 May 2018 and 5 June 2018. Copies of the plan were available for viewing at the Council Administration Centre and at Cessnock and Kurri Kurri Libraries. In addition, the draft documents were available on Council's website and posted on social media.

**REPORT/PROPOSAL**

In accordance with Section 405 of the Local Government Act 1993 Council must adopt an Operational Plan after a draft has been prepared and exhibited. In deciding on the final plan to be adopted Council must take into consideration any submissions that have been made concerning the Draft Operational Plan.

Council received 5 public submissions on the draft 2018-19 Operational Plan. Full copies of the submissions are attached as an enclosure to this report and a summary provided below:

**Table 1 Summary of Public Submissions**

<b>Summary</b>	<b>Response</b>
Submission is generally accepting of the plan requesting that Council consider including Pelaw Main streets in future reconstruction programs should funds become available.	Priorities will be reviewed annually, to allow for ranking of existing projects and consideration of new projects based on changed circumstances, public demand, and funding grants that may be received. Details of this request have been recorded for use in future annual reviews.
4 submissions expressed concern regarding Delivery Program 2017-21 item 4.1.5 Richmond Vale Trail having "No Programmed Action for 2018-19"	Include the following actions in the Operational Plan for 2018-19:- 4.1.5a Progress the trail concept development for the Richmond Vale Trail. Include within the Pathway Construction Program:- Richmond Vale Trail concept development (Grant Funding Dependent)

Internal reviews of the draft document, as well as other influences such as the Federal budget, grant applications and Council resolutions have also necessitated proposed changes, and these changes are highlighted within the report.

**Operational Plan Overview**

The draft 2018-19 Operational Plan includes:

- Introduction and background on the planning framework and the Local Government Area;

## Corporate and Community

## Report No. CC40/2018

## Corporate and Community Services



- Details of Council's operational actions to work towards achieving the community's desired outcomes;
- Financial forecasts;
- Capital Works Program; and
- Revenue Policy.

The Draft Fees & Charges are part of the Operational Plan and are presented in a separate volume.

### Summary of Changes Impacting on 2018-19 Operational Plan

There are three changes to the Operational Plan 2018-19 which have the most material impact on Council's financial position. Additional information became available during the public exhibition period that required these changes to be considered. These are:

1. An increase in rates income of \$370,000 due to an increase in land values arising from subdivisions within the Local Government Area (LGA). The NSW Valuer General Supplementary List weekly reports, particularly for May 2018 which recognised increases totalling approximately \$18m in land value within the LGA.
2. The pre-payment of the 2019-20 Financial Assistance Grant (FAG) should be excluded from the 2018-19 Operational Plan as a consequence of the recent Federal Budget. This has an adverse budgetary impact of \$3,573,300 to Council's Operating Position however has no material impact to Council's cash position in the longer term as this is purely a timing impact arising from when the grant is paid. The Federal budget papers included the following table extract from Budget Paper No. 3 which notes the reduction in budgeted Financial Assistance Grant for 2018-19.

#### *Budget Paper No. 3*

#### Financial assistance to local governments — Financial Assistance Grant program

\$million	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
<b>2017-18</b>									
General purpose component	533.3	437.7	334.1	168.8	117.3	35.4	28.4	16.7	1,671.7
Local road component	215.2	152.9	139.0	113.4	40.8	39.3	23.8	17.4	741.8
Total financial assistance to local governments	748.5	590.6	473.1	282.2	158.1	74.7	52.2	34.0	2,413.4
<b>2018-19</b>									
General purpose component	272.1	219.6	170.6	89.0	59.4	18.0	14.2	8.4	851.3
Local road component	109.6	77.9	70.8	57.8	20.8	20.0	12.1	8.8	377.7
Total financial assistance to local governments	381.7	297.5	241.4	146.7	80.1	38.0	26.3	17.3	1,229.0
<b>2019-20</b>									
General purpose component	567.1	460.0	355.0	184.3	122.6	37.0	29.6	17.3	1,772.9
Local road component	228.2	162.2	147.4	120.3	43.2	41.7	25.2	18.4	786.7
Total financial assistance to local governments	795.3	622.2	502.4	304.6	165.8	78.7	54.8	35.7	2,559.6

## Corporate and Community

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## Corporate and Community Services



3. Council endorsed the Vineyard Grove Stage 8 development which included \$3.77m required to fund the development sourced from internal reserve borrowings (detailed in Council Report PE37/2018 adopted 6 June 2018).

**Summary of Impact on the 2018-19 Operational Plan**

The impact on the Operational Plan of all the changes can be divided into the following categories:

1. **Operating Position (before capital grants and contributions).** Council will now incur an operating loss due to the timing of the Financial Assistance Grant. The advance payment received in June 2018 for the 2018-19 financial year will be carried forward to be used in 2018-19.

Operating result – (surplus)/loss in exhibition document	\$418,273
Additional rates income	(\$370,000)
Website update project	\$140,000
Increase swimming pool budget	\$40,000
Increase in Mayoral and Councillor fees	\$2,540
Delete advance financial assistance grant payment	\$3,573,300
<b>Operating loss before capital grants and contributions</b>	<b>\$3,804,113</b>

2. **Capital Works Program.** The capital works program has increased by \$2,204,093 (from the exhibited document) as a result of Council being successful in a number of grant applications. The projects (and associated grant funding) are listed below:

Bellbird Community Hall	\$61,275
Cessnock Regional Recreation Precinct Access Improvements	\$427,078
Signage Program	\$1,085,000
Floodplain Management Program	\$174,000
Veteran's Memorial Park (Aberdare)	\$231,246
Various Playgrounds Citywide Shade Program	\$151,139
Kurri Kurri Sportsground Fence Replacement	\$74,355
<b>Total increase in the Capital Works Program (fully funded with new Capital Grants &amp; Contributions)</b>	<b>\$2,204,093</b>

3. **Vineyard Grove Stage 8.** The development costs associated with this project (of \$3,770,000) have been included with appropriate funding from internal reserve borrowings (as detailed in Council Report PE37/2018 adopted 6 June 2018). The internal reserve borrowings will be paid back to the reserves from the future sales of Stage 8. The impact of this project is therefore to Increase the capital works program and result in a net use of funds during the development resulting in a reduced Cash and Investments position. This will however be fully restored once lots are sold off.

**4. Minor Changes which do not materially impact the 2018-19 Operational Plan**

- To ensure all changes are documented other minor changes have been captured in the detailed log of changes later in this report. These changes do not have a material impact on Council's operating or cash positions.

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- There have been some reallocation of funding sources (without changing the capital works program) to ensure funding sources are optimally aligned with projects. This will minimise funding risks. This includes formally allocating funds to Abbotsford St Bridge refurbishment due to the grant application not being successful.
- There have been limited changes to Fees and Charges.

***The impact on Council's financial statements of these changes are as follows:***

- Council's Operating position (before capital grants and contributions will result in a greater operating loss (from a \$418k to \$3,804k)
- The decrease in Councils Operating Surplus (after capital grants and contributions) from \$5,378k to \$4,195k has been moderated due to the increase in capital grant funding.
- The cash position is not impacted by either the timing of the Financial Assistance Grant (as carried forward) nor the increased capital grant funding (as grant funding is fully applied to projects)
- The Vineyard Grove project will further increase Council's capital works program and also utilise Council funds. This will result in Council incurring a reduction in its Cash and Investments position. These funds will however be returned in subsequent years as the subdivided lots are sold.

In summary Council's cash position will remain intact once all these initiatives have been concluded and Council's financial sustainability is not impacted adversely by these changes.

**Detailed Operational Plan Changes – Volume 1**

There have been some minor wording and formatting changes, in addition to the following proposed changes to the draft Operational Plan, as exhibited:

**Table 2 Proposed Changes to Draft 2018-19 Operational Plan – Volume I**

<b>Page</b>	<b>Section</b>	<b>Proposed Change</b>
48	Actions	Add Action 4.1.5a Progress the trail concept development for the Richmond Vale Trail
26	Capital Works Program	Community Buildings Renewal Program (RBC): Add RBC-2018-001 Bellbird Community Hall – Access improvements and toilet upgrade (Grant funded \$61,275)
27	Capital Works Program	Recreation Buildings Renewal Program (RBR): Amend description of RBR-2019-002 from Various – Birralelee Park, Kurri Kurri Netball Courts, Cessnock Civic Indoor Sports Centre, Mount View Park and Jeffery Park to Various - Birralelee Park, Kurri Kurri Netball Courts, Mount View Park and Varty Park.
35	Capital Works Program	Cessnock Civic Precinct Revitalisation Program (RCC): Add RCC-2019-010 Cessnock Regional Recreation Precinct Access Improvements (Grant funded \$427,078)
35	Capital Works Program	Add Signage Program Visitors Information Centre – Tourist Information Bay Wine Country Drive & Broke Road – Tourist Information LGA Gateway Signs for entry points x 3 Total budget \$1,085,000 (Grant funding)



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<b>Page</b>	<b>Section</b>	<b>Proposed Change</b>																								
45	Capital Works Program	Drainage Construction Program (CDR): Reallocate Administration operational costs \$122,000 to CDR-2020-002 Whitburn Estate Stages 3 & 4																								
45	Capital Works Program	Floodplain Management Program (PMF): Amend program as below:																								
		<table> <tr> <th>Project</th><th>Budget</th><th>Project Code</th></tr> <tr> <td>Floodplain Management</td><td>\$30,000</td><td></td></tr> <tr> <td>Wollombi Flood Warning System Construction</td><td>\$160,000</td><td>PMF-2018-004</td></tr> <tr> <td>Cessnock Flood Warning System Concept Design</td><td>\$50,000</td><td>PMF-2018-005</td></tr> <tr> <td>Abermain/Weston Flood Warning System Concept Design</td><td>\$50,000</td><td>PMF-2018-006</td></tr> <tr> <td align="right">Total</td><td>\$290,000</td><td></td></tr> <tr> <td><i>Funding:</i> Grant funding</td><td>\$174,000</td><td></td></tr> <tr> <td>Stormwater Levy</td><td>\$116,000</td><td></td></tr> </table>	Project	Budget	Project Code	Floodplain Management	\$30,000		Wollombi Flood Warning System Construction	\$160,000	PMF-2018-004	Cessnock Flood Warning System Concept Design	\$50,000	PMF-2018-005	Abermain/Weston Flood Warning System Concept Design	\$50,000	PMF-2018-006	Total	\$290,000		<i>Funding:</i> Grant funding	\$174,000		Stormwater Levy	\$116,000	
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Stormwater Levy	\$116,000																									
46	Capital Works Program	Recreation Facilities Construction Program (CFR): Add CFR-2018-001 Veteran's Memorial Park (Aberdare) Playground Replacement (Grant funded \$231,246) Add CFR-2019-007 Various Playgrounds Citywide Shade Program (Grant funded \$151,139) Amend description of CFR-2019-004 from Various – Veterans Memorial Park (Abermain), Jeffries Park (Abermain) to Various – Jeffries Park (Abermain), Bunner Park (Branxton), Harle St (Abermain)																								
46	Capital Works Program	Recreation Facilities Renewal Program (RFR): Add RFR-2019-004 Kurri Kurri Sportsground Fence Replacement (Grant funded \$74,355)																								
54	Capital Works Program	Bridge Construction Program (CBS): Add CBS-2019-006 Sandy Creek Rd culvert load capacity investigation (\$50,000) Amend and reallocate funds within the program as below:																								
		<table> <tr> <th>Project</th><th>Budget</th><th>Project Code</th></tr> <tr> <td>Bellbird – Abbotsford St Bridge refurbishment</td><td>\$315,000</td><td>CBS-2018-007</td></tr> <tr> <td>Cedar Creek – Sawpit Rd Crossing</td><td>\$85,000</td><td>CBS-2019-005</td></tr> <tr> <td>Cessnock – Ferguson St investigation and design</td><td>\$10,000</td><td>CBS-2019-002</td></tr> <tr> <td>Greta – Anvil Creek replacement</td><td>\$345,295</td><td>CBS-2017-005</td></tr> <tr> <td>Paynes Crossing – Paynes Crossing Bridge (grant funding dependent)</td><td>\$1,435,300</td><td>CBS-2019-001</td></tr> <tr> <td>Quorrobolong – Whittings Bridge investigation and design and refurbishment</td><td>\$875,000</td><td>CBS-2018-004</td></tr> <tr> <td>Wollombi – Cunneens investigation</td><td>\$10,000</td><td>CBS-2019-003</td></tr> </table>	Project	Budget	Project Code	Bellbird – Abbotsford St Bridge refurbishment	\$315,000	CBS-2018-007	Cedar Creek – Sawpit Rd Crossing	\$85,000	CBS-2019-005	Cessnock – Ferguson St investigation and design	\$10,000	CBS-2019-002	Greta – Anvil Creek replacement	\$345,295	CBS-2017-005	Paynes Crossing – Paynes Crossing Bridge (grant funding dependent)	\$1,435,300	CBS-2019-001	Quorrobolong – Whittings Bridge investigation and design and refurbishment	\$875,000	CBS-2018-004	Wollombi – Cunneens investigation	\$10,000	CBS-2019-003
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Page	Section	Proposed Change			
		Sandy Creek Rd culvert load capacity investigation	\$50,000	CBS-2019-006	
		Total	\$3,125,595		
		Funding General Fund	\$576,895		
		Reserves	\$276,400		
		Grants	\$2,272,300		
55	Capital Works Program	Local Road Renewal Program(RRL): Include the Local Road Special Rate Variation Resurfacing Program line item and budget of \$361,220 within the Local Road Resurfacing Program			
56	Capital Works Program	Pathway Construction Program (CPW): Add CPW-2019-007 Richmond Vale Trail – trail concept development (Grant funding dependent) Add CPW-2021-016 Wine Country Drive Kerlew to Lomas Lane – proposed shared pathway (Grant funding dependent)			
56	Capital Works Program	Regional Road Renewal Program (RRR): Amend and reallocate funds within the program as below:			
		Project	Budget	Project Code	
		Regional Roads Resurfacing Program	\$769,900	RRR-2019-002	
		MR181 Wollombi Rd Millfield – Stage 5	\$400,000	RRR-2019-003	
		Cessnock Rd Weston – Maybury Peace Park access intersection construction	\$150,000	RRR-2019-005	
		Total	\$1,319,900		
		Funding Grants	\$830,100		
		Special Rate Variation	\$489,800		
78	Revenue Policy	Rating Structure Table: Remove Farmland Low Intensity category from the table – category not required. Amend table columns for Rate and Est Yield as below:			
			Rate	Base	Est Yield
		Residential	0.481238	430.00	24,935,060
		Residential – Rural	0.455722	430.00	3,444,260
		Farmland	0.385875	430.00	2,258,940
		Farmland – Mixed Use	0.938700	535.00	190,760
		Farmland – Business Rural	0.938700	535.00	213,130
		Business	1.900119	535.00	5,473,070
		Mining	4.578319	1500.00	1,031,670
					37,546,890

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<b>Page</b>	<b>Section</b>	<b>Proposed Change</b>
81	Revenue Policy	Hunter Catchment Contribution: Change wording from The rate applicable to all land within the defined catchment area is estimated to be 0.0110 of a cent in the dollar on the current value of land within the area. The rate in the dollar is expected to be confirmed by Local Land Services in May 2018. To The rate applicable to all land within the defined catchment area is 0.0111 of a cent in the dollar on the current value of land within the area.
83	Revenue Policy	Statement of Charges Proposed to be Levied: Change the following fees to reflect the exhibited Fees & Charges document - Change fee for Additional Domestic Waste Management Service Charge – Recycling from \$51.00 to \$55.00 Change fee for Additional Domestic Waste Management Service Charge – Garden Organics from \$76.00 to \$75.00 Change fee for Additional Waste Management Service Charge (Commercial) – Recycling from \$51.00 to \$55.00 Change fee for Additional Waste Management Service Charge (Commercial) – Garden Organics from \$76.00 to \$75.00

**Typical Residential Ratepayer**

The impact of the proposed rates and annual charges on a typical residential rate payer is estimated to be an increase of \$42.03 per annum or 2.5%.

The typical residential rate payer calculations are based on a residential property with a 2018-19 land value of \$149,800, being unchanged from the 2017-18 land value, receiving a domestic waste management service and paying the stormwater management levy.

Table 3 provides a breakdown of the increase in rates and annual charges for 2018-19.

Table 3: Typical Residential Ratepayer 2018-19

<b>Rates and Annual Charges for Typical Residential Ratepayer</b>				
	<b>2017-18 (\$)</b>	<b>2018-19 (\$)</b>	<b>Increase in \$</b>	<b>Increase as a %</b>
Land Value	\$149,800	\$149,800	N/A	N/A
General Rates	\$1,124.01	\$1,150.89	\$26.88	2.39%
Domestic Waste Management Charge	\$540.00	\$555.00	\$15.00	2.78%
Stormwater Management Levy	\$25.00	\$25.00	0	0
Hunter Catchment Contribution	\$16.48	\$16.63	0.15	0.9%
<b>Total</b>	<b>\$1,705.49</b>	<b>\$1,747.52</b>	<b>\$42.03</b>	<b>2.5%</b>

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\*Since the exhibition of the draft Operational Plan, the Minister has approved the rate of the Hunter Catchment Contribution for 2018-19 as 0.0111 cent in the dollar.

**Detailed Fees & Charges Changes – Volume II**

There have been some minor wording and formatting changes, in addition to following proposed changes to the Draft Fees & Charges, as exhibited:

Table 4: Proposed Changes to Draft Fees & Charges – Volume II

<b>Page</b>	<b>Section</b>	<b>Proposed Change</b>
45	Registration - Dog	Change wording to Registration of Dog (Non-Desexed) and fee from \$206.00 to \$207.00 Add category for Registration of Dog (Non-Desexed) (Under 6 months) \$57.00 Change fee for Desexed Animal sold by Eligible Pound or Shelter from \$26.50 to \$28.50
45	Registration - Cat	Change wording to Registration of Cat (Non-Desexed) and fee from \$206.00 to \$207.00 Add category for Registration of Cat (Non-Desexed) (Under 6 months) \$57.00
59	Recreation Services	Swimming Pools – Cessnock and Branxton – Season Passes  Remove fee for 3 Month Family Pass - \$195.00 Remove fee for 3 Month Single Pass - \$109.00 Remove fee for 3 Month Couples Pass - \$159.00  Change fee for Replacement Pass from \$5.10 to \$5.00
66	Casual Hire – Abermain Plaza Hall	Change fee for Per Hour from \$12.00 to \$15.50
71	Casual Hire – Millfield Community Hall	Change fee for Per Full day from \$51.00 to \$50.00  Change fee for Night Rate from \$61.00 to \$60.00  Change fee for Booking Fee from \$10.20 to \$10.00
79	CPAC - Advertising	Remove duplicated fee for Inclusion on the CPAC Billboard – 4 positions available per banner (measurements per advert square – 1166 mm width x 1150mm height), illuminated at night, minimum 4 week placement \$660.00

**Budget Result**

The following changes are proposed to the budget included in the draft 2018-19 Operational Plan:

Operational

- Increase in rates income of \$370,000 (due to additional land values on subdivisions).
- Include \$140,000 for Council website update project.

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- Increase Swimming Pool funding by \$40,000 (detailed in Council Report WI41/2018 adopted 6 June 2018).
- Financial Assistance Grant – exclude the advance payment in June 2019 of \$3,573,300 to align with the NSW State Budget for 2018-19. (Offset in cash budget by a transfer from reserve of prepayment from 2017-18).
- Increase in Mayoral and Councillor fees by \$2,540 (detailed in Council Report CC36/2018 adopted 16 May 2018).

**Capital**

- Include \$3,770,000 to fund Vineyard Grove Stage 8 development costs and appropriate funding from internal reserve borrowings (detailed in Council Report PE37/2018 adopted 6 June 2018).

As a result of these changes the forecast cash budget result shows a \$426,324 surplus and a \$3,804,113 operating loss before capital grants and contributions.

The Operational Performance Ratio has changed to -1.93% for 2018-19 and a three-year average of 1.94% (compared to the Fit for the Future benchmark of >0). As a comparative, the effect of the decision to not continue with the prepayment of the FAG in 2018-19 has resulted in the Operating Performance Ratio changing from a predicted 3.2% to -1.93% for 2018-19 and the three year average also changes from 3.65% to 1.94%.

**Authorisation of Expenditure**

Council has considered for adoption the draft 2018-19 Operational Plan which incorporates the budget for 2018-19. Council is required to vote the money necessary to meet the expenditure included in the budget for 2018-19 in accordance with Clause 211 of the Local Government (General) Regulation 2005.

**OPTIONS**

Option 1 – Adopt the draft documents as exhibited with the recommended changes.

Option 2 – Adopt the draft documents as exhibited with additional changes.

**CONSULTATION**

The draft documents were placed on public exhibition in accordance with legislative requirements.

The public exhibition was advertised in the local press, hard copies of the plan were available for viewing at the Council Administration Centre and at Cessnock and Kurri Kurri Libraries and were available on Council's website and posted on social media.

Council received 5 public submissions on the draft documents. Copies of the public submission are attached as an enclosure to this report.

Council officers have also undertaken internal reviews of the draft documents, and along with changes for Council resolutions and external influences, a number of changes are proposed.

## **STRATEGIC LINKS**

### **Delivery Program**

The 2018-19 Operational Plan details the activities to be undertaken by Council during 2018-19 to implement the 2017-21 Delivery Program.

The Operational Plan is a key part of the organisation's governance framework – in line with the community's desired outcome of: "*Civic Leadership and Effective Governance.*"

## **IMPLICATIONS**

### **a. Policy and Procedural Implications**

N/A

### **b. Financial Implications**

The draft Operational Plan includes Council's budgetary allocations for 2018-19.

### **c. Legislative Implications**

Section 405 of the *Local Government Act 1993* requires the Operational Plan to be adopted prior to 30 June.

Clause 211 of the Local Government (General) Regulation 2005 requires Council to vote the funds necessary to meet the expenditure included in the estimates for 2018-19.

### **d. Risk Implications**

N/A.

### **e. Other Implications**

N/A

## **CONCLUSION**

It is recommended that Council adopt the draft 2018-19 Operational Plan with the proposed changes outlined in this report. Clause 211 of the Local Government (General) Regulation 2005 requires Council to vote the funds necessary to meet the expenditure contained within the estimates.

## **ENCLOSURES**

- 1** Draft 2018-19 Operational Plan Public Submissions
- 2** 2018-19 Operational Plan - Distributed Under Separate Cover

**SUBJECT: MAKING THE RATE 2018-19****RESPONSIBLE OFFICER: Finance and Administration Manager - Andrew Glauser****SUMMARY**

The Operational Plan 2018-19 incorporated the rates and charges proposed to be levied for the year commencing 1 July 2018. Council is statutorily required to separately make the rate following the adoption of the Operational Plan to ensure the legality of the rates to be levied.

**RECOMMENDATION**

**That Council make the following rates and charges for the year commencing 1 July 2018 to 30 June 2019:**

**1. Ordinary Rates**

The following Ordinary Rates now be made for the year commencing 1 July 2018.

Category	Sub Category	Ad-valorem Amount Cents in \$	Base Amount \$	Base % of Total Rate
Residential		0.481238	430.00	37.37%
Residential	Rural	0.455722	430.00	22.35%
Farmland		0.385875	430.00	16.81%
Farmland	Mixed Use	0.938700	535.00	7.57%
Farmland	Business Rural	0.938700	535.00	9.04%
Business		1.900119	535.00	14.68%
Mining		4.578319	1,500.00	0.73%

**2. Waste Charges**

Council do hereby prescribe and order under Section 496 of the Local Government Act 1993 for rateable land categorised for rating purposes as residential or farmland and situated within the area in which a Domestic Waste Management Service is able to be provided, that the following waste charges be now made for the year commencing 1 July 2018.

Domestic Waste Management Service Charge

Domestic Waste Management Availability Charge <sup>1</sup>	\$70.00
Domestic Waste Management Service Charge <sup>2</sup>	\$555.00
Additional Domestic Waste Management Service Charge <sup>3</sup>	\$555.00
Additional Domestic Waste Management Service Charge – Recycling	\$55.00
Additional Domestic Waste Management Service Charge – Organics	\$75.00

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

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3. Each premise is entitled to one approved mobile waste bin mixed waste service per week for each Additional Domestic Waste Management Service Charge.

Council do hereby prescribe and order under Section 501 of the Local Government Act 1993, for land not categorised for rating purposes as residential or farmland and situated within the area in which a Waste Management Service is able to be provided, that the following waste charges be now made for the year commencing 1 July 2018.

Waste Management Service Charge

Waste Management Service Charge (GST inclusive) <sup>1</sup>	\$754.00
Additional Waste Management Service Charge (GST inclusive) <sup>2</sup>	\$754.00
Additional Waste Management Service Charge - Recycling	\$55.00
Additional Waste Management Service Charge - Organics	\$75.00

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

**3. Stormwater Management Services Charges**

Council do hereby prescribe and order under Section 496A of the Local Government Act 1993, for land situated within the designated stormwater area, that the following stormwater charges be now made for the year commencing 1 July 2018.

Stormwater Management Service Charge

Stormwater Management Service Charge - Residential	\$25.00
Stormwater Management Service Charge - Residential Strata	\$12.50
Stormwater Management Service Charge - Business	\$25.00 per 350m <sup>2</sup> (or part thereof) to a maximum \$500

**4. Interest on Overdue rates and Charges**

Council do hereby determine and order, in accordance with Section 566 of the Local Government Act 1993, that if rates and charges are unpaid at the due date, the amount shall be increased by a sum calculated at seven and one half per cent (7½ percent) per annum, simple interest, calculated daily for the year commencing 1 July 2018.

**5. Hunter Local Land Services**

Council, in accordance with Clauses 36 and 40, Part 4, of the Local Land Services Regulation 2014, prescribes that the rate for the year commencing 1 July 2018 shall be the rate gazetted by the Minister for the Hunter Catchment Contribution for the period 1 July 2018 to 30 June 2019 inclusive being 0.0111c per \$ of rateable land value.



## **BACKGROUND**

The Operational Plan for the period 1 July 2018 to 30 June 2019 incorporates the revenue policy for rates and charges proposed to be levied for 2018-19. Council is required to separately make the rates and charges for the financial year commencing 1 July 2018 in accordance with Sections 535, 537 & 538 of the Local Government Act 1993.

## **REPORT/PROPOSAL**

Council's Operational Plan for 2018-19, inclusive of the budget and revenue statements with respect to each Ordinary and Special Rates and Charges proposed to be levied, was resolved to be placed on public exhibition by Council at its Ordinary Meeting of 2 May 2018 (report CC30/2018). Council's Operational Plan 2018-19 is being considered for adoption at this meeting of Council.

In accordance with Sections 535, 537 & 538 of the Local Government Act 1993, Council is required to make the rates and charges for the financial year commencing 1 July 2018.

Extracts of the relevant sections of the Act are reproduced below for Council's information.

### **Section 535 Rate or charge to be made by resolution**

*A rate or charge is made by resolution of the Council.*

### **Section 537 Form of resolution specifying base amounts of rates**

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

*(a) the amount in dollars of the base amount, and*

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

### **Section 538 Form of resolution for special rate**

*(1) In the resolution that makes a special rate, the Council must state whether the special rate is to be levied on all rateable land in the Council's area or on only a part of that land.*

*(2) If the special rate is to be levied on only a part of that land, the Council must specify in the resolution the part on which it is to be levied.*

## **OPTIONS**

That Council make the rates and charges as detailed in this report, which is in accordance with the Delivery Program and Operational Plan to be adopted by Council.

There have been some minor changes to the cents in the dollar that were placed on exhibition in order to remain within the permissible rate limit due to most recent changes in the Valuer General land values.

If Council resolves to alter any of the advertised Ordinary and Special rates and Charges, then the appropriate change to the rate/charge will need to be made prior to making the rate,

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and any changes will also need to be reflected in the adopted Delivery Program and Operational Plan..

**CONSULTATION**

Consultation has taken place with Councillors and Council staff in preparing the draft Operational Plan, incorporating the proposed rates and charges to be levied. The Operational Plan inclusive of the Revenue Statement was publicly advertised for 28 days.

**STRATEGIC LINKS**

**a. Delivery Program**

This report is a part of the organisation's governance framework – in line with the community's desired outcome of: *Civic Leadership and Effective Governance*.

**b. Other Plans**

Nil

**IMPLICATIONS**

**a. Policy and Procedural Implications**

N/A

**b. Financial Implications**

The Operational Plan includes budgetary allocations for 2018-19 and the levying of rates and charges provides a significant portion of the required funds for Council's operations.

**c. Legislative Implications**

The making of the rates and charges for the year commencing 1 July 2018 satisfies legislative obligations under Sections 535, 537 & 538 of the Local Government Act 1993.

**d. Risk Implications**

If Council does not make the rates and charges as required under the Local Government Act 1993, Council may be exposing itself to the possibility of a legal challenge on the validity of any rates and charges levied in 2018-19.

**e. Other Implications**

Nil

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***CONCLUSION***

The making of the rates and charges for the year commencing 1 July 2018 satisfies legislative obligations under Sections 535, 537 & 538 of the Local Government Act 1993 and ensures Council's rates levied in 2018-19 are legally raised.

***ENCLOSURES***

There are no enclosures for this report.

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**SUBJECT:** *RESOLUTIONS TRACKING REPORT*

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

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**SUMMARY**

The enclosure contains pending actions from previous meetings as well as completed actions for period 5 May to 14 June 2018.

**RECOMMENDATION**

**That Council receive the report and note the information.**

**ENCLOSURES**

- 1 Completed Actions from 5/5/2018
- 2 Outstanding Actions

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**SUBJECT:** *INVESTMENT REPORT - MAY 2018*

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

## **SUMMARY**

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

## **RECOMMENDATION**

**That Council receive the report and note the information.**

## **BACKGROUND**

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

## **REPORT**

### **Statement by the Responsible Accounting Officer**

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

### **General Investment Commentary**

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

The Reserve Bank of Australia (RBA) official cash rate as at 31 May 2018 was 1.50%. Scheduled RBA Board meetings are held on the first Tuesday of each month (excluding January) at which the official cash rate is one of the matters considered. The June meeting held on 05 June 2018 retained the official cash rate at 1.50%.

Investment revenues to the end of May 2018 exceeded the benchmark in the Investment Policy with an actual level of return 2.83% more than budget.

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**Investment Portfolio Information**

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

Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity / Next Coupon Date	Current Coupon Rate	Par Value \$'000
	Commonwealth Bank	CASH			1.15%	7,786
	Commonwealth Bank	At Call			0.50%	41
1243	AMP Bank	At Call			1.80%	500
1233q	Suncorp Bank	TD	90	10-Jul-18	2.56%	700
1260j	National Bank	TD	181	17-Jul-18	2.51%	1,000
1263k	Westpac Bank	TD	122	25-Jun-18	2.53%	600
1264l	IMB Bank	TD	91	24-Jul-18	2.50%	600
1270r	Bendigo & Adelaide Bank	FRN	92	14-Aug-18	3.19%	500
1277q	Greater Bank	FRN	92	24-Aug-18	3.39%	500
1281h	National Bank	TD	273	20-Feb-19	2.66%	700
1282g	Maitland Mutual Building Society	TD	91	18-Jul-18	2.50%	500
1286h	IMB Bank	TD	181	11-Sep-18	2.50%	900
1287j	IMB Bank	TD	217	11-Jul-18	2.50%	700
1288g	Members Equity Bank	TD	195	04-Sep-18	2.50%	800
1297f	Members Equity Bank	TD	187	24-Sep-18	2.50%	900
1298k	Newcastle Permanent Building Society	VRD	91	03-Jul-18	3.44%	800
1303e	IMB Bank	TD	97	03-Jul-18	2.50%	700
1304e	AMP Bank	TD	279	15-Jan-19	2.65%	800
1305e	Commonwealth Bank	TD	273	29-Aug-18	2.50%	900
1306e	Suncorp Bank	TD	182	07-Nov-18	2.65%	900
1307f	Bankwest	TD	182	06-Jun-18	2.45%	800
1308g	Bankwest	TD	182	31-Oct-18	2.70%	900
1311e	Bankwest	TD	273	13-Feb-19	2.65%	600
1312d	Newcastle Permanent Building Society	TD	91	13-Jun-18	2.30%	700
1319a	Maitland Mutual Building Society	TD	152	09-Jul-18	2.40%	800
1320b	Bankwest	TD	152	18-Jun-18	2.55%	600
1322a	Bankwest	TD	121	25-Jul-18	2.55%	900
1323a	Bankwest	TD	273	13-Feb-19	2.65%	800
1324a	National Bank	TD	62	19-Jun-18	2.51%	900
1325a	Members Equity Bank	TD	273	20-Feb-19	2.75%	900
1327a	Members Equity Bank	TD	182	15-Aug-18	2.55%	700
1330	National Bank	TD	306	26-Sep-18	2.50%	900
1331	IMB Bank	TD	273	24-Aug-18	2.45%	800
1332	Suncorp Bank	TD	92	07-Jun-18	2.45%	1,000
1334	Commonwealth Bank	TD	187	17-Sep-18	2.54%	800
1335	Suncorp Bank	TD	91	01-Aug-18	2.75%	1,000

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Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity / Next Coupon Date	Current Coupon Rate	Par Value \$'000
1336	Maitland Mutual Building Society	TD	182	27-Nov-18	2.80%	1,000
1337	Bankwest	TD	34	02-Jul-18	2.10%	1,200
1338	Bankwest	TD	273	26-Feb-19	2.65%	800
<b>TOTAL</b>						<b>36,927</b>

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

Financial Institution	Amount \$'000	% of Portfolio
Commonwealth Bank	9,527	25.81%
Bankwest	6,600	17.87%
IMB Bank	3,700	10.02%
National Bank	3,500	9.48%
Suncorp Bank	3,600	9.75%
Members Equity Bank	3,300	8.94%
Maitland Mutual Building Society	2,300	6.23%
Newcastle Permanent Building Society	1,500	4.06%
AMP Bank	1,300	3.52%
Westpac Bank	600	1.62%
Greater Bank	500	1.35%
Bendigo & Adelaide Bank	500	1.35%
<b>TOTAL</b>	<b>36,927</b>	<b>100.00%</b>

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

Investment Type	Risk Assessment		Amount \$'000	% of Portfolio
	Capital	Interest		
Term Deposits	Low	Low	26,800	72.58%
Cash/At Call Deposits	Low	Low	8,327	22.54%
Variable Rate Deposit	Low	Low	800	2.17%
Floating Rate Notes	Low	Low	1,000	2.71%
<b>TOTAL</b>			<b>36,927</b>	<b>100.00%</b>

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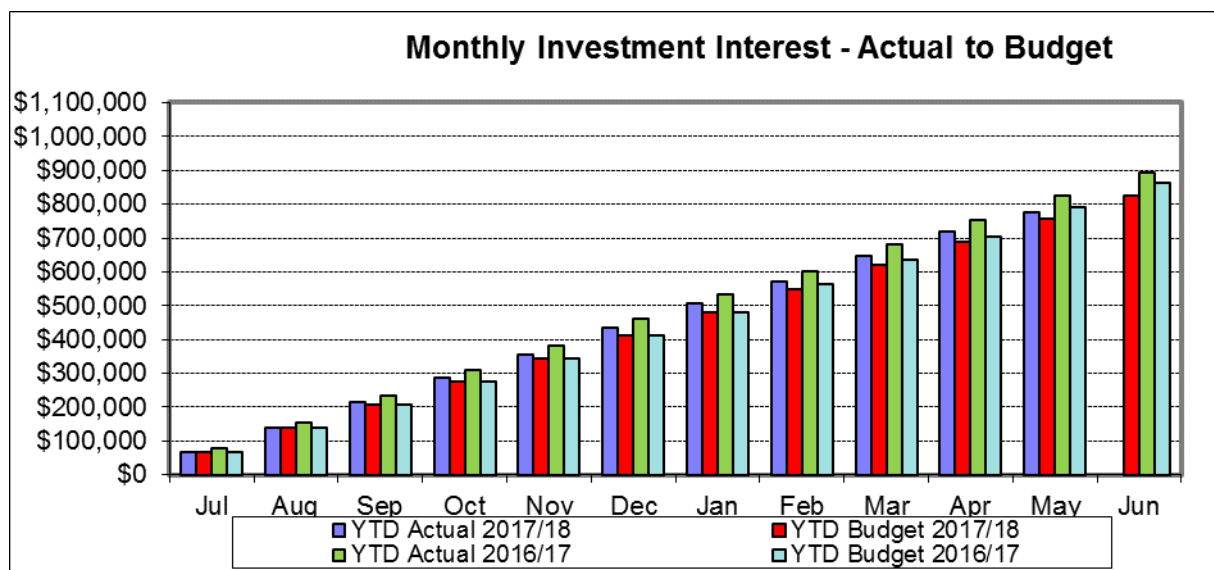
The following table provides information on interest rates and earnings this year compared to last year as well as a comparison of investment balances from this year to last year:

Performance Measures	This Year	Last Year
Portfolio Average Interest Rate (year to date)	2.35%	2.50%
BBSW Average Interest Rate (year to date) *	1.80%	1.78%
Actual Investment Interest Earned (year to date)	\$777,641	\$823,886
Budget Investment Interest (year to date)	\$756,250	\$790,163
Original Budget Investment Interest (Annual)	\$825,000	\$825,000
Revised Budget Investment Interest (Annual)	\$825,000	\$862,000

Investment Balances (Par Value)	This Year	Last Year
Opening Balance as at 1 July	\$36,277,000	\$37,684,000
Month End Current Balance	\$36,926,729	\$35,703,778

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

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





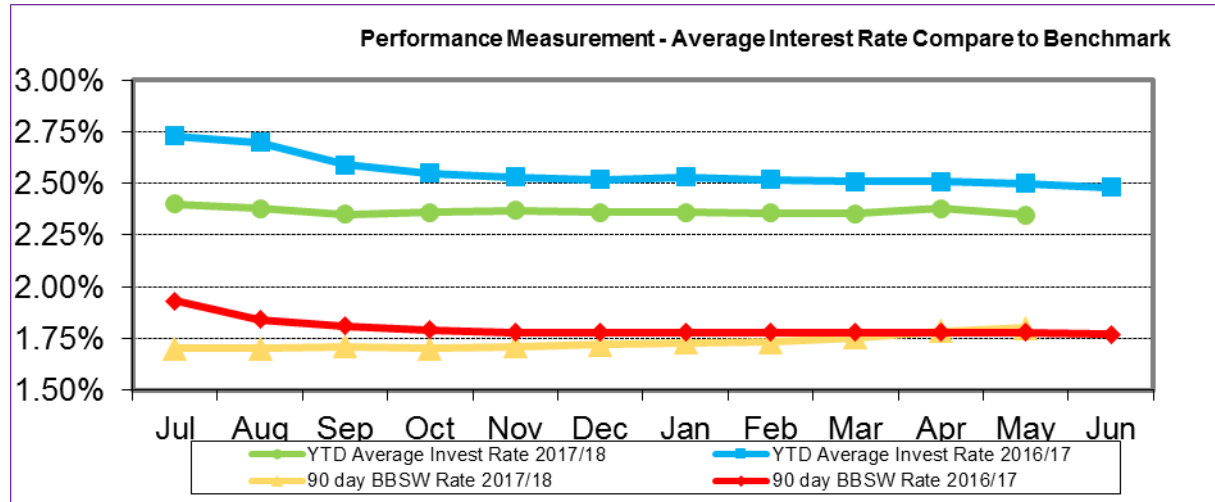
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The following graph compares current year portfolio performance to prior year performance.

**Restrictions over cash and investments:**

Developer Contributions	11,193
RMS Contributions (Reserve)	2,469
Specific Purpose Unexpended Grants	900
Loan Funds Unexpended	1,500
Plant & Vehicle Replacement Reserve	1,135
Employees Leave Entitlement Reserve	2,557
Bridge Replacement	561
Insurance Provisions	580
Miscellaneous and Property Reserve	1,202
Property Investment Fund	709
Single Invitation Contracts	846
Waste Depot and Rehabilitation Reserve	7,980
Other Reserves and Council funds still to be spent	5,295
<b>TOTAL</b>	<b>36,927</b>

**OPTIONS**

N/A

**CONSULTATION**

Director Corporate &amp; Community Services

**STRATEGIC LINKS****a. Delivery Program**

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

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This report is a part of the organisation's governance framework – providing feedback on the progress against the investment policy and budget adopted by Council. This is in line with the community's desired outcome of: "*Civic Leadership and Effective Governance.*"

**b. Other Plans**

N/A

**IMPLICATIONS**

**a. Policy and Procedural Implications**

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

**b. Financial Implications**

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

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

**c. Legislative Implications**

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

**d. Risk Implications**

Investment risks are detailed within this report.

**e. Other Implications**

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

**CONCLUSION**

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

**ENCLOSURES**

There are no enclosures for this report.

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**SUBJECT:** ***LOCAL GOVERNMENT NSW - ELECTION TO FILL A CASUAL VACANCY IN OFFICE OF VICE PRESIDENT (RURAL/REGIONAL COUNCILS)***

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

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### **SUMMARY**

The purpose of this report is to advise Council of a casual vacancy in the office of Vice President (Rural/Regional councils) on the Board of Local Government NSW and to allow Council to nominate voting delegates in the election to fill the vacancy.

### **RECOMMENDATION**

**That Council determines the 4 voting delegates for the election to fill a casual vacancy in the Office of Vice President (Rural/Regional councils) for the Board of Local Government NSW Annual Conference 2017.**

### **BACKGROUND**

At its meeting of 20 September 2017 Council considered voting delegates to the LG NSW Annual Conference and resolved (inter alia):

**That Council determines voting delegates to the Local Government NSW Annual Conference 2017 as Councillors Pynsent, Suvaal, Dagg and Burke, with Councillor Lyons and Olsen as alternative delegates.**

A casual vacancy has now arisen in the office of Vice President (Rural/Regional councils) and Council needs to determine voting delegates for the election. Council is entitled to 4 voting delegates.

### **REPORT/PROPOSAL**

Local Government NSW has advised that a casual vacancy has occurred in the office of Vice President (Rural/Regional councils) and that in accordance with the Associations rules the casual vacancy is required to be filled by secret postal ballot. The election will be conducted by the Australian Electoral Commission (AEC).

Council is entitled to 4 voting delegates and Council will need to determine these delegates so that details can be provided to the Association by Friday 6 July 2018.

On Friday 13 July the AEC will cause an Election Notice inviting nominations for the office of Vice President (Rural/Regional councils) to be published in the Associations official journal (LGNSW Weekly), and sent to each member entitled to vote in the election, by post, on this date.

Further details about the election will be included in the election notice, which will be provided to Councillors at that time.

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## **CONSULTATION**

Acting General Manager

## **STRATEGIC LINKS**

### **a. Delivery Program**

This report is linked to the Community's Desired Outcome Objective 5 "Civic Leadership and Effective Governance".

### **b. Other Plans**

N/A

## **IMPLICATIONS**

### **a. Policy and Procedural Implications**

N/A.

### **b. Financial Implications**

Nil

### **c. Legislative Implications**

N/A

### **d. Risk Implications**

N/A

### **e. Other Implications**

N/A

## **CONCLUSION**

This report provides information on an election to fill the causal vacancy for the office of Vice President (Rural/Regional councils) and seeks Council determination of the 4 voting delegates for the election.

## **ENCLOSURES**

- [1](#) Casual Vacany Notice

**SUBJECT:** *NATURE STRIP PARKING*

**RESPONSIBLE OFFICER:** *Infrastructure Manager - Katrina Kerr*

### **SUMMARY**

This report provides the outcomes of investigations into retrofitting nature strips to facilitate partial off-road parking, and the estimated cost to residents to install concrete rolled kerb to provide extensions to adjoining parking bays in front of affected properties.

### **RECOMMENDATION**

1. That Council note the outcome of the investigation into retrofitting nature strips to facilitate partial off-road parking.
2. That Council note the estimated costs for residents to install concrete rolled kerb.

### **BACKGROUND**

At its Ordinary Meeting of 13 December 2017, Council considered a report BN 55/2017 and resolved the following:

1. *That the General Manager investigates the suitability of retrofitting nature strips in subdivisions within the Cessnock LGA that have narrow roads and rolled kerbs to facilitate partial off-road parking, whilst maintaining minimum footpath width requirements.*
2. *That a report be brought back to Council within 6 months on options, including estimated costs that will allow residents to install concrete rolled kerb to provide extensions to adjoining parking bays in front of affected properties.*

### **REPORT/PROPOSAL**

An investigation in to retrofitting nature strips to create parking bays found that the suitability is affected by:

- the width of the road reserve and carriage way;
- Roads and Maritime Services(RMS) requirements;
- presence of public utilities and services, and
- feasibility of the cost.

An overview of more recent residential subdivisions indicate that the majority of these are not amenable to retrofitting nature strips to facilitate partial off-road parking, as the width of the road reserves are generally insufficient to accommodate minimum footpath widths and / or due to the presence of existing underground and overhead public utilities.

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Retrofitting would require preliminary assessments at individual locations to determine whether the proposed nature strips are amenable for on-street parking, taking into account the parking demand and other criteria including accessibility, traffic volumes, speed limit, which must not exceed 50km/h, as well as environmental, aesthetic and amenity considerations.

**Road Widths:** Council's current *Engineering Requirements for Development* specify carriageway widths on local access streets with rolled layback or upright kerb, depending on the number of dwellings served and maximum traffic volume as follows:

**4.0 ROAD DESIGN**

**4.5 ANCILLARY REQUIREMENTS**

**4.5.9 Urban Roads - Carriageway Widths**

5m to 8m with indent parking bay or carriageway

6.5m to 9m with indent parking bay or carriageway

The benefits of the narrower carriageway include:

- Improved streetscape and aesthetic appeal;
- Lower cost of development making building lots more affordable, and
- Reduced vehicle speeds in more constrained traffic environment.

**RMS Requirements:** Parking is allowed on road related areas that are specifically intended or constructed for that purpose. Roads and Maritime Services (RMS) *Technical Direction TTD/004 July 2014 Off-road parking provision on narrow roads* details information on the provision of off-road parking while maintaining footpath requirements and traffic access along narrow roads.

TTD/004 provides that when considering narrow road access and the provision of off-road parking, options may include:

- Banning parking on one or both sides of the road;
- Staggering on-road parking in such a way that it provides traffic calming benefits, but still permits easy access for large vehicles, particularly emergency and service vehicles;
- Providing off-road parking areas (road related areas) on one or both sides of the road; and
- Installing a shared zone.

An example of off-road parking provision generally in accordance with TTD/004 on a narrow street is shown in **Figure 1** below.

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**Figure 1** – Example of Off-road Parking Provision

There are numerous subdivisions within the Cessnock LGA with relatively narrow road widths and rolled kerbs which might be suitable for such treatments.

**Public Utilities and Services:** The location of services may be a factor in siting and design of retrofitted parking bays. Creating parking bays at road level is likely to impact public utilities, services and drainage.

Construction of a concrete slab at the footpath level involves less disruption but may still require relocation of public utilities or services to individual properties. The costs is highly variable and, if necessary, possibly in the order of \$5,000 to \$10,000 per service.

**Costs to Retrofit:** Indicative concept cost estimates for retrofitting parking bays include the installation of new infill rolled top kerb and gutter where upright kerb and gutter exist.

Indicative cost estimates for construction, including site clearing and preparation has been based on unit rates with a 20% contingency. The specific costs for each property will vary. A breakdown of the indicative cost estimate is provided in **Table 1**, below.

**Table 1** – Concept Cost Estimate – Single Concrete Bay tapered ends

Item	Construction	Contingency	Estimate
Inspection, survey, design	\$4,000	\$800	\$4,800
Site preparation, removal, disposal	\$5,000	\$1,000	\$6,000
Relocate public utilities and services	\$5,000	\$5,000	\$10,000
Concrete pad (150mm thick reinforced slab)	\$4,000	\$800	\$4,800
Roll top Kerb and Gutter	\$2,500	\$500	\$3,000
Landscape, signs, bollards and make good	\$4,000	\$800	\$4,800
<b>TOTAL</b>	<b>\$24,500</b>	<b>\$8,900</b>	<b>\$33,400</b>

Table 1 shows that retrofitting indented parking bays is a costly option that residents may not see as a cost effective solution. It appears that the exercise would be cost prohibitive.

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**OPTIONS**

**Option 1:**

- That Council note the outcome of the investigation into retrofitting nature strips to facilitate partial off-road parking.
- That Council note the estimated costs for residents to install concrete rolled kerb and formalized concrete parking bays.

This is the preferred option.

**Option 2:**

- That Council note the outcome of the investigation into retrofitting nature strips to facilitate partial off-road parking.
- That Council note the estimated costs for residents to install concrete rolled kerb.
- That Council consider alternatives to retrofitting nature strips to facilitate partial off-road parking in its new Engineering Requirements for Development.

This is not the preferred option.

**CONSULTATION**

This report has been prepared in consultation with the following Council officers:

- Infrastructure Manager
- Strategic Traffic and Transport Planning Engineer
- Road Safety Officer
- Design Engineer
- Roads Officer

**STRATEGIC LINKS**

**a. Delivery Program**

Delivery Program 2017-21: This issue is associated with:

- *Section 4 Accessible infrastructure, services and facilities:*
  - *Objective 4.2 Improving the road network.*

**b. Other Plans**

Nil



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**IMPLICATIONS**

**a. Policy and Procedural Implications**

*Cessnock Development Control Plan 2010* and Council's *Draft Engineering Requirements for Design*, set out the specifications developed specifically for the design of roadworks using principles of street design to ensure safety and improved amenity and to reduce pedestrian/vehicular conflicts.

**b. Financial Implications**

It should be noted, that the cost to relocate utilities, being site specific is unknown and is highly likely to be in the order of \$5,000 to \$10,000 per service.

**c. Legislative Implications**

- Clause 197 of the *Road Rules 2014* – Stopping on a path, dividing strip, nature strip, painted island or traffic island;
- Clause 208 of the *Road Rules 2014* – Parallel parking on a road – leaving at least 3 metres of the road alongside the vehicle clear for other vehicles to pass;
- Roads & Maritime Services – Technical Direction TTD/004 (July 2014) Off-road parking provision on narrow roads details. Attached as **Enclosure 1**.

**d. Risk Implications**

Clause 197 of the *Road Rules 2014* prohibits parking on footpaths and nature strips. This Rule seeks to mitigate safety risks for pedestrians, as parked vehicles may compromise sight distances for drivers and pedestrians and restrict access for wheelchair, mobility scooter and pram users.

Parked vehicles on footpaths and nature strips can also damage public infrastructure, both above and below the ground, which can lead to increased maintenance costs for roads authorities. This practice may also prevent emergency personnel from accessing key infrastructure such as water, sewage, gas, communication network cables and drainage pipes.

The preferred option for residents in such streets is to use their own garage or driveway, or if parking on the street; vehicles should be parked lawfully so as not to cause obstruction. Safety risks associated with illegal parking may be reduced with education and awareness campaigns that encourage residents to utilise their garages, car ports and yards for the orderly parking of cars, caravans, trailers and the like.

Road safety practitioners consider that narrow road widths in new residential estates create a road environment conducive to reduced vehicle speeds by creating a more constrained traffic environment. Accordingly, by widening roads or installing off-street parking provisions travel speeds in such residential streets may increase.

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**e. Environmental Implications**

Narrower carriageways generally allows for:

- wider nature strips with space for planting of fauna;
- appearance that streets are more people focused rather than vehicle dominated;
- greater pervious surface area to allow for the infiltration of storm water.

**f. Other Implications**

**Social Implications**

It should also be noted that once installed the off-road parking spaces cannot be reserved for the exclusive use of the residents who contributed to the installation cost. The spaces would be public parking, open to the broader community.

**CONCLUSION**

The outcome of the investigation shows that the estimated cost for residents to install concrete rolled kerb and off-road parking is very high. The cost may outweigh the convenience in favour of other on-site parking options.

The appropriate stage to consider installation of parking bays, either indented at carriageway level or specifically designed for the nature strip, is during design and development of residential subdivisions.

**ENCLOSURES**

- 1** RMS Technical Direction - Off-road parking provision on narrow roads

**SUBJECT:** *MINUTES OF LOCAL TRAFFIC COMMITTEE HELD 21 MAY 2018*

**RESPONSIBLE OFFICER:** *Infrastructure Manager - Katrina Kerr*

---

**RECOMMENDATION**

That the Minutes of the Local Traffic Committee of 21 May 2018 be adopted as a resolution of the Ordinary Council being:

1. TC17/2018 - That NO STOPPING signage be installed on Hutton Street, West Cessnock at its intersections with Alfred Street and Wollombi Road, in accordance the Alfred & Hutton Street West Cessnock \_ No Stopping Signage Diagram, and Wollombi Road & Hutton Street West Cessnock \_ No Stopping Signage Diagram that was presented at the Local Traffic Committee;
2. TC18/2018 - That angle parking regulatory signage and line marking be installed on Oakey Creek Road, Pokolbin in accordance with the Oakey Creek Road Pokolbin \_ Sign & Line Marking Diagram that was presented at the Local Traffic Committee;
3. TC19/2018 - That a Basic Right Turn (BAR)/Auxiliary Left Turn (AUL) intersection treatment, angle parking, regulatory signage and line marking be installed on Hermitage Road, Pokolbin in accordance with the Hermitage Road Pokolbin \_ Sign & Line Marking Diagram that was presented at the Local Traffic Committee;
4. TC20/2018 - That GIVE WAY signs and line marking be installed at the intersection of Branxton, West and Reginald Streets, Greta in accordance with the Branxton Street Greta \_ Intersection Controls Diagram that was presented at the Local Traffic Committee;
5. TC21/2018 - That line marking be installed on Lovedale Road, Lovedale in accordance with the Lovedale Road Lovedale \_ Camp Road CHR Diagram that was presented at the Local Traffic Committee;
6. TC22/2018 - That regulatory parking, line marking and a Children's Crossing be installed on O'Connors Road, Rothbury Street, Branxton Street, and Ivanhoe Street, Nulkaba;

That Council Officers consult with the occupier of 7 – 9 Ivanhoe Street, Nulkaba to cause the removal of the obstructions and encroachments outside those premises from the public road and reclaim the footpath for use by pedestrians.

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***MINUTES OF TRAFFIC COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN ANTE ROOM ON MONDAY, 21 MAY 2018, COMMENCING AT 9.30AM***

***OPENING:*** The meeting was opened at 9.34am

***PRESENT:*** Councillor Gray (in the Chair)  
Ms Perri Hodge – NSW State Member Representative  
Senior Constable Amy Sweeney – NSW Police  
Mr Nicholas Trajcevski – RMS

***IN ATTENDANCE:*** Councillor Lyons – Ward B Councillor  
Mr Nathan Goodbun – Traffic Engineering Officer  
Mr Richard Ingall – Rover Coaches  
Mr Warren Jeffery – Road Safety Officer  
Mrs Katrina Kerr – Infrastructure Manager  
Ms Maria Nikolaidis – Strategic Traffic & Transport Engineer

***APOLOGIES***

***RESOLVED*** that the apology tendered on behalf of:

Mr Clayton Barr MP – NSW State Member

for unavoidable absence be accepted.

***CONFIRMATION OF MINUTES***

***NOTED*** that the Minutes of the Local Traffic Committee held on 16 April 2018, as circulated, were previously confirmed as a true and correct record.

***DISCLOSURES OF INTEREST***

NIL

***BUSINESS ARISING FROM PREVIOUS MINUTES***

NIL

***MOTIONS OF URGENCY***

NIL

## **LISTED MATTERS**

**SUBJECT:** **HUTTON STREET, WEST CESSNOCK  
NO STOPPING SIGNAGE**

**REPORT NO.:** **TC17/2018**

**REFERENCE.:**

**MATTER:** Members of the school community have expressed concerns regarding poor parking discipline in Alfred and Hutton Streets, West Cessnock, in the immediate vicinity of the West Cessnock Public School.

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

- It was noted that once NO STOPPING signage is installed, offences will attract demerit points, due to the school zone.
- It was recommended that C3 NO STOPPING line be installed to supplement the signage.
- Concern was raised over visibility of the sign on Hutton Street near the newsagent, due to a tree. It was advised the tree would be trimmed as necessary to ensure adequate visibility.
- It was noted that the school has no provision for off-street staff parking.
- It was noted that an area of 15 minute parking is provided on Campbell Street, adjacent the school entrance gate, at the request of the school, to serve as a 'kiss and drop' area and high turn-over parking.
- It was advised that diagrammatic information on parking restrictions could be provided to the school for inclusion in the school newsletter.

## **RECOMMENDATION**

That NO STOPPING signage be installed on Hutton Street, West Cessnock at its intersections with Alfred Street and Wollombi Road, in accordance with enclosed Alfred & Hutton Street West Cessnock \_ No Stopping Signage Diagram, and Wollombi Road & Hutton Street West Cessnock \_ No Stopping Signage Diagram.

**MOTION:** **Moved:** Perry Hodge **Seconded:** Nicholas Trajcevski

**SUPPORT:** **Unanimous**

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**SUBJECT:** **Oakey Creek Road, Pokolbin  
Regulatory Parking at Tourist Information Bay**

**REPORT NO.:** **TC18/2018**

**REFERENCE.:**

**MATTER:** The imminent installation of a Tourist Information Bay as part of the implementation of the Hunter Valley Wine Country Signage Strategy has resulted in the construction of a new parking facility at Oakey Creek Road, Pokolbin, necessitating the installation of regulatory parking.

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

- It was noted that speed humps had been installed on both the approach and departure of the information bay to discourage use by through traffic.

**RECOMMENDATION**

That angle parking, regulatory signage and line marking be installed on Oakey Creek Road, Pokolbin in accordance with enclosed Oakey Creek Road Pokolbin \_ Sign & Line Marking Diagram.

**MOTION:** **Moved:** Perry Hodge **Seconded:** S/C Amy Sweeney

**SUPPORT:** **Unanimous**

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**SUBJECT:** *HERMITAGE ROAD, POKOLBIN  
INTERSECTION TREATMENT & REGULATORY PARKING AT  
TOURIST INFORMATION BAY*

**REPORT NO.:** *TC19/2018*

**REFERENCE.:**

**MATTER:** The imminent installation of a Tourist Information Bay as part of implementation of the Hunter Valley Wine Country Signage Strategy has resulted in the construction of a new parking facility at Hermitage Road, Pokolbin, necessitating the installation of regulatory parking.

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

- It was noted that Hermitage Road has sealed shoulders with an on-road cycle lane at the location.
- Lane widths for the BAR treatment were confirmed as 3.5m for through lanes, 3m for turning and slip lanes, and 1.4m for cycle lanes.
- It was confirmed that the LTC process was the consent process for installation of green cycle lane pavement treatment.
- It was confirmed that line of sight was not adversely affected by the on road recreation vehicle parking area.
- It was noted that there are no formal parking areas for cyclists on Hermitage Road, but there are no regulatory parking restrictions for the majority of its length.

**RECOMMENDATION**

That a Basic Right Turn (BAR)/Auxiliary Left Turn (AUL) intersection treatment, angle parking, regulatory signage and line marking be installed on Hermitage Road, Pokolbin in accordance with enclosed Hermitage Road Pokolbin \_Sign & Line Marking Diagram.

**MOTION:** *Moved:* Nicholas Trajcevski *Seconded:* S/C Amy Sweeney

**SUPPORT:** *Unanimous*

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**SUBJECT:** **BRANXTON STREET, GRETA  
GIVE WAY SIGNAGE & LINE MARKING**

**REPORT NO.:** **TC20/2018**

**REFERENCE.:**

**MATTER:** Council officers have identified the need for the installation of controls at the intersection of Branxton, West and Reginald Streets, Greta, as the construction of Reginald Street, as part of new residential development, Wyndham Ridge Estate, has altered the 'T' intersection to a four way intersection.

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

- It was noted that consideration of road naming is part of the development approval process.
- The issue of consultation between Development Services and Infrastructure Services was discussed. It was noted that the development in question preceded current internal processes, and that there is now regular discussion between the two groups regarding LTC approvals for developments.

**RECOMMENDATION**

That GIVE WAY signs and line marking be installed at the intersection of Branxton, West and Reginald Streets, Greta in accordance with the enclosed Branxton Street Greta \_ Intersection Controls Diagram.

**MOTION:** **Moved:** Perry Hodge **Seconded:** Nicholas Trajcevski

**SUPPORT:** **Unanimous**



Works and Infrastructure

Report No. WI44/2018

Works and Infrastructure



**SUBJECT:** **LOVEDALE & CAMP ROADS, LOVEDALE  
INTERSECTION TREATMENT**

**REPORT NO.:** **TC21/2018**

**REFERENCE.:**

**MATTER:** The expected increase in right turn movements resulting from the installation of a tourist information bay on Talga Road, Lovedale and community concerns over intersection safety, have necessitated the upgrade of the intersection of Lovedale Road and Camp Road, Lovedale.

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

- It was noted that the majority of the treatment will fit within the existing pavement. A small section of pavement will need widening by approximately 1m.
- The issue of clear zones in the vicinity of the widened area was raised. It was noted that addition works such as, removal of trees or installation of wire rope may be required if clear zones cannot be achieved.
- It was noted that there have been no crashes at the intersection during the five year reporting period – 2012 to 2016.

**RECOMMENDATION**

That line marking be installed on Lovedale Road, Lovedale in accordance with enclosed Lovedale Road Lovedale Camp Road CHR Diagram.

**MOTION:** **Moved:** Nicholas Trajcevski **Seconded:** Perry Hodge

**SUPPORT:** **Unanimous**

Works and Infrastructure

Report No. WI44/2018

Works and Infrastructure



**SUBJECT:** O'CONNORS ROAD AND IVANHOE, ROTHBURY &  
BRANXTON STREETS, NULKABA  
CHILDRENS CROSSING & REGULATORY PARKING  
**REPORT NO.:** TC22/2018

**REFERENCE.:**

**MATTER:** Residents and the school community have expressed concerns regarding pedestrian safety and poor parking discipline in O'Connors Road, Rothbury Street, Branxton Street and Ivanhoe Street Nulkaba, in the immediate vicinity of the Nulkaba Public School.

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

- It was noted that the Bus Stop identified in Branxton Street is a Bus Zone.
- It was noted that current Department of Education policy aims to generally exclude vehicles from within school grounds on student safety grounds. This will likely result in the existing staff car park being removed or its capacity reduced.
- It was noted that the existing children's crossing was not being utilised until its presence was raised by Council officers. Council recently supplied the school with new children's crossing flags for use on the existing facility.
- The obstructions and encroachments outside the early childhood learning business at 7 – 9 Ivanhoe Street were viewed using on-line mapping imagery and it was noted that the presence of these encroachments usurped the footpath and nature strip area of the road reserve, forcing pedestrians onto the road as well as presenting sight distance and obstruction risks, particularly for children.

**RECOMMENDATION**

That regulatory parking, line marking and a Children's Crossing be installed on O'Connors Road, Rothbury Street, Branxton Street, and Ivanhoe Street, Nulkaba, in accordance with the enclosed diagrams.

That Council Officers consult with the occupier of 7 – 9 Ivanhoe Street, Nulkaba to cause the removal of the obstructions and encroachments outside those premises from the public road and reclaim the footpath for use by pedestrians.

**MOTION:** **Moved:** Perry Hodge **Seconded:** S/C Amy Sweeney

**SUPPORT:** Unanimous

**CORRESPONDENCE**

NIL

Works and Infrastructure

Report No. WI44/2018

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## ***GENERAL BUSINESS***

### ***CALEDONIA STREET, KEARSLEY – NO RIGHT TURN***

The State member representative raised concerns over non-compliance with the No Right Turn sign at the Kearsley Information Bay.

It was noted that the 'At Information Bay' supplementary plate was difficult to read due to the font size, and that it would be upgraded. It was also noted that the BB Double Barrier line had yet to be installed.

### ***WOLLOMBI ROAD, PELTON – SPEED ZONE***

The RMS representative advised that the speed zone change would take place on 29 May 2018. It was noted that VMS would be installed for one week prior to implementation, and would remain for two weeks.

### ***AVERY'S LANE, BUCHANAN – BUS STOP***

The Rover Coaches representative advised that the Bus Stop on John Renshaw Drive (eastbound) at Avery's Lane was to be relocated as part of the intersection upgrade.

It was noted that the completion of this intersection, and the connection of Avery's Lane at its intersection with John Renshaw Drive (State road) to Heddon Greta would generate significant traffic, and would likely become a de-facto Kurri Kurri bypass.

***CLOSURE:*** The Meeting Was Declared Closed at 11.05am.

### ***ENCLOSURES***

There are no enclosures for this report

**SUBJECT:** *CESSNOCK SKATEPARK FINAL CONCEPT DESIGN*  
**RESPONSIBLE OFFICER:** *Manager Open Space & Community Facilities - Nicole Benson*

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## **SUMMARY**

This report seeks Council's endorsement to adopt the Final Concept Design for Cessnock Skatepark.

## **RECOMMENDATION**

1. That Council adopt the Final Concept Design for Cessnock Skatepark;
2. That Council notify persons who made a submission during the public exhibition period of Council's decision;
3. That Council makes provision for the implementation of the Final Concept Design in future Capital Works Programs giving consideration to available resources including grant funding and development contributions.

## **BACKGROUND**

At its meeting of 7 March 2018, Council resolved:

1. *That Council place the draft Cessnock Skatepark Concept Design on public exhibition for a minimum period of 28 days and invite public submissions.*
2. *That a Briefing Session be scheduled for Councillors during the exhibition period.*
3. *That a report on the outcomes of the exhibition be provided to Council prior to adopting the Final Concept Design.*

This report has been prepared in response to resolution item 2 and 3 above.

## **REPORT/PROPOSAL**

As identified in Council's adopted Skate & BMX Facilities Needs Assessment (2011) and more recently within the adopted Masterplan for Mount View Park (2018), a regional skatepark facility (Cessnock Skatepark) is proposed for Mount View Park.

The draft Concept design for Cessnock Skatepark was placed on public exhibition from 12 March to Friday 13 April 2018, with a Councillor briefing held on 11 April 2018. A summary of the engagement process and feedback received during the exhibition period is provided below:

- Social media – one Facebook post received a combined 804 reactions, comments and shares, 5,884 post clicks and a reach of 19,551 people.

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- Survey – 280 surveys seeking feedback on the design were completed by students in the Cessnock Local Government Area and youth attending a skate event facilitated by Cessnock Youth Centre & Outreach Service (CYCOS).
- Draft designs were placed on Council's website and hard copies located at the Council Administration Building, Council Libraries and Branxton Post Office. Three submissions were received via email from this method.

Key elements of the Final Concept Design (Enclosure 1), which has not been amended following public exhibition include:

- A large flow style bowl;
- A street style course;
- Seating, shade, bubbler and a BBQ facility; and
- Pathways and lighting.

Whilst a substantial amount of feedback was provided during the exhibition period, changes are not required to the draft concept design, as the majority of feedback was positive, or supported elements already within the draft concept design that is within Enclosure 2. This could be attributed to the extensive community engagement undertaken during the draft design phase and exhibition period including workshops with the community and targeted drop-in sessions/workshops with school students.

**OPTIONS**

The following options are provided for Council's consideration:

Option 1 (preferred)

1. That Council adopt the Final Concept Design for Cessnock Skatepark.
2. That Council notify persons who made a submission during the exhibition period of Council's decision.
3. That Council makes provision for the implementation of the design in consideration of priority and available resources including grant funding and development contributions.

Option 2

Not adopt the Final Concept Design for Cessnock Skatepark. This option is not recommended as the skatepark is identified in a number of adopted strategies/Masterplans and is a much needed recreation/community facility.

**CONSULTATION**

The development of the Final Concept Design was informed by an extensive engagement process that engaged future users, industry professionals, school students, and interested members of the community. Following on from the workshops and drop in sessions held as part of the draft concept design phase, the following groups were consulted during the public exhibition period:

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- Local High Schools including Cessnock High School, Mount View High School, Kurri Kurri High School and St Phillips Christian College;
- Attendees at a local skate event at Kurri Kurri skatepark;
- The General community, through the draft design being placed on Council's website, and the provision of hard copies of the draft concept being located at Council's libraries, the Administration building and Branxton Post office.

**STRATEGIC LINKS**

**a. Delivery Program**

The Final Concept Design is consistent with Council's Delivery Program Objective 3.2 'Better utilisation of existing open space' and deliverable 3.2.4 'provide and maintain recreation facilities, streetscapes and public open space'.

**b. Other Plans**

Other Council Plans relevant to this report include:

- Skate and BMX Facilities Needs Assessment 2011
- Recreation Needs Analysis 2017
- Mount View Park Masterplan 2018
- Draft Recreation and Open Space Strategic Plan 2018

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil

**b. Financial Implications**

Construction of the skatepark is estimated to cost \$1.5M and will have implications on Council's long term financial plan. The skatepark will compete against other projects within Council's Delivery Program and subsequent annual Operational Plans. Grant funds will be sought as opportunities arise.

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Environmental Implications**

Nil

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**f. Other Implications**

Participation in physical activity creates a wide range of benefits for individuals and the communities they live in. When people are physically active they are healthier, happier and more socially inclusive. By providing opportunities for social interaction, sport and recreation can help enhance community identity and promote community integration. Individuals learn and share community values and attitudes and can gain a better understanding of other groups in society. Participation can also have a deterrent effect on anti-social behaviour including vandalism and petty crime.

There is an increasing demand for recreational pursuits in parks, open spaces and natural environments in both urban and non-urban areas. More effective planning and management practices will enable resources and facilities to be better utilised in a manner that is sustainable and equitable, improving the quality of life of individuals and the community in which they live.

**CONCLUSION**

The final concept design for Cessnock skatepark is reflective of user needs and as demonstrated within Council's adopted strategies and Masterplans is a much needed recreation and community space within the Cessnock Local Government Area.

**ENCLOSURES**

- [1](#) Concept Design - Cessnock Skatepark
- [2](#) Summary of Submissions - Cessnock Skatepark

**SUBJECT:** *RECREATION AND OPEN SPACE STRATEGIC PLAN*  
**RESPONSIBLE OFFICER:** *Manager Open Space & Community Facilities - Nicole Benson*

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### **SUMMARY**

This report seeks Council's endorsement to adopt the draft Recreation Open Space Strategic Plan (the Plan).

### **RECOMMENDATION**

1. That Council adopt the Recreation and Open Space Strategic Plan;
2. That Council makes provision for the implementation of the Recreation and Open Space Strategic Plan in future Capital Works Programs giving consideration to available resources including grant funding and development contributions.

### **BACKGROUND**

At its meeting on 18 April 2018, Council resolved:

1. *That Council place the draft Recreation and Open Space Strategic Plan on public exhibition for a minimum period of 28 days and invite public submissions;*
2. *That a Briefing Session be scheduled for Councillors at the conclusion of the exhibition;*
3. *That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Recreation and Open Space Strategic Plan*

This report has been prepared in response to resolutions 2 and 3 above.

### **REPORT/PROPOSAL**

The Plan aims to provide a long term strategic direction for the future provision and management of recreation facilities, programs and services in the Cessnock Local Government Area (LGA).

The draft Plan was placed on public exhibition from 23 April to 15 May 2018 and a Councillor briefing was held on 13 June 2018. Hard copies of the Plan were located within Council's Administration Building, Council Libraries and Branxton Post Office. It was also placed on Council's website.

No formal submissions were received during the exhibition period. Internal feedback was provided from Council's Strategic Planning Unit regarding parcels of open space to be considered as part of the Strategic Property Review and where required the Plan was amended to reflect this.



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To successfully achieve the vision of the Plan a number of actions need to occur over the short, medium and long term. The Implementation Plan sets out prioritised actions for the next 10 years that are based on cost and community benefit.

The Plan will be reviewed on an annual basis with a full review of the strategic actions to be undertaken after five years. An update of the demographic data will be undertaken as soon as practicable after its release.

The final version of the Plan incorporating the above has been provided under separate cover.

***OPTIONS***

Option 1 (preferred)

1. That Council adopt the Recreation and Open Space Strategic Plan.
2. That Council makes provision for the implementation of the Recreation and Open Space Strategic Plan in consideration of priority and available resources including grant funding and development contributions.

Option 2

1. That Council not adopt the Recreation and Open Space Strategic Plan. This option is not recommended as the Plan sets the strategic direction for the future provision and management of recreation facilities, programs and services in the Cessnock LGA.

***CONSULTATION***

The recommendations of the draft Plan were informed by a large number of respondents engaged during the development of the Skate and BMX Facilities Needs Assessment 2020, Aquatic Needs Analysis 2014, the Recreation Needs Analysis 2017 as well as Council's bi-annual Community Survey.

Staff across all three directorates of Council were consulted during the preparation of the draft Plan and the exhibition period.

In order to provide Councillors with an overview of the draft Plan, Councillor Briefings were held on:

- 9 November 2016
- 10 May 2017
- 11 October 2017
- 28 February 2018
- 13 June 2018

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**STRATEGIC LINKS**

**a. Delivery Program**

The Plan will be used to develop and revise the priorities identified in asset management plan, the Delivery Program and annual Operational Plan relevant to recreation and open space.

**b. Other Plans**

There are links to many existing plans at State, Regional and Local planning level. For a full summary of relevant plans is detailed in the Strategic Context section of the Plan and it includes the following:

- NSW Making It Happen
- State Infrastructure Strategy 2012-2032
- Hunter Regional Plan 2036
- Hunter Valley Destination Management Plan 2014
- Branxton Subregional Land Use Strategy and Structure Plan

**IMPLICATIONS**

**a. Policy and Procedural Implications**

N/A

**b. Financial Implications**

To successfully achieve the vision of the draft Plan a number of actions need to occur over the short, medium and long term. An Implementation Plan which prioritises actions based on cost, opportunities and benefit to the community has been developed and will be used to develop future works programs.

Over the longer term, it is anticipated that the Plan and subsequent actions will improve efficiencies in the provision and management of recreation and open space services.

**c. Legislative Implications**

Nil

**d. Risk Implications**

Nil

**e. Environmental Implications**

Nil

**Works and Infrastructure**

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**f. Other Implications**

Participation in physical activity creates a wide range of benefits for individuals and the communities they live in. When people are physically active they are healthier, happier and more socially inclusive. By providing opportunities for social interaction, sport and recreation can help enhance community identity and promote community integration. Individuals learn and share community values and attitudes and can gain a better understanding of other groups in society. Participation physical activity can also have a positive effect on anti-social behaviour including vandalism and petty crime.

There is an increasing demand for recreational pursuits in parks, open spaces and natural environments in both urban and non-urban areas. More effective planning and management practices will enable resources and facilities to be better utilised in a manner that is sustainable and equitable, improving the quality of life of individuals and the community in which they live.

**CONCLUSION**

The Plan provides a long term strategic direction for the future provision and management of recreation facilities, programs and services in the Cessnock LGA.

**ENCLOSURES**

- 1 Draft Recreation Open Space Strategic Plan (under separate cover)

Notices Of Motion

Report No. BN18/2018

General Manager's Unit



***NOTICES OF MOTION No. BN18/2018***

**SUBJECT:** *WORK REQUIRED - COUNCIL OWNED CARPARKS IN THE CBD*

**COUNCILLOR:** *Di Fitzgibbon*

***MOTION***

That the General Manager provide a report to Council identifying all Council owned car parks in the Cessnock CBD, the work required to bring them up to standard including resurfacing, line marking, signage, which includes the number of parks available and funding options to complete the work.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 20 June 2018.

**RATIONALE**

The adopted *Delivery Program 2017-21* allocates \$50,000 each year, to a total of \$200,000, for resurfacing/rehabilitation in Council owned car parks. The current allocation is general and does not specify the location or scope of work.

Identifying locations and investigating the work required would allow prioritisation to ensure that the limited funds are allocated to best meet the needs of the community.

At present, parking in Cessnock CBD can be difficult with some car parks at capacity while others are underutilised. It is important that spaces in Council's CBD car parks are maximised and that drivers know where they are.

Sgd: Di Fitzgibbon

Date: 5 June 2018

**ENCLOSURES**

There are no enclosures for this report

Notices Of Motion

Report No. BN19/2018

General Manager's Unit



***NOTICES OF MOTION No. BN19/2018***

**SUBJECT:** *STREET TREE STRATEGY*

**COUNCILLOR:** *Di Fitzgibbon Anne Sander*

***MOTION***

**That the General Manager provide a report with options to allow Council to decide on the best street trees to enhance the landscape of the city for CBD areas, future housing developments and pathway/cycle ways.**

It is our intention to move the above motion at the next Ordinary Meeting of Council on 20 June 2018.

**RATIONALE**

Tree planting goes hand in hand with the growth and change of any city. We all know of examples where poor tree choices have had a negative impact on people's properties and Councils budget. We also know how beautiful some trees are e.g. Jacarandas, Crepe Myrtles and the Tuckeroo. We need to choose something that is uniform across the LGA and attractive. Something that highlights and brings the LGA together.

Sgd: Di Fitzgibbon  
Anne Sander

Date: 5 June 2018

***ENCLOSURES***

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ57/2018

Works and Infrastructure

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**SUBJECT:** *KURRI KURRI AMBULANCE HALL*

**RESPONSIBLE OFFICER:** *Manager Open Space & Community Facilities - Nicole Benson*

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**Q55/2018 – Kurri Kurri Ambulance Hall**

Asked by Councillor Sander at the Ordinary Meeting of Council held on 6 June 2018.

*“When the repairs to the Ambulance Hall at Kurri Kurri are completed, what activities will be utilising this Community”.*

The Kurri Kurri Ambulance Hall will continue to be used by Kurri Kurri Community Services to deliver out of school hours care including Before & After School Care and Vacation Care.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ58/2018

Works and Infrastructure

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**SUBJECT:** ***BRIEFING - INCOMPLETE SCHEDULE WORKS***

**RESPONSIBLE OFFICER:** *Infrastructure Manager - Katrina Kerr*

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**Q56/2018 - Briefing - Incomplete Schedule Works**

Asked by Councillor Sander at the Ordinary Meeting of Council held on 6 June 2018.

*“if a briefing could be scheduled before the end of June to advise what works Council will not complete and need to move into the next financial year”.*

A briefing has been scheduled for 27 June 2018.

**ENCLOSURES**

There are no enclosures for this report

**Answers To Questions For Next Meeting**

**Report No. AQ59/2018**

**Planning and Environment**

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**SUBJECT:** *INSTALLATION OF TRAFFIC LIGHTS HEDDON GRETA*

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

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**Q57/2018 - Installation of Traffic Lights Heddon Greta**

Asked by Councillor Gray at the Ordinary Meeting of Council held on 6 June 2018:

*“for an update on the installation of traffic lights at Hebburn Street at Heddon Greta”.*

In accordance with Development Consent No. 2013/649, as amended, the installation of a signalised intersection at Main Road 195 and Heddon Street is required when the development achieves 104 allotments, and interim intersection works are required to be completed prior to release of the Subdivision Certificate for 40 lots. Currently, neither of these thresholds have been reached.

Staff had previously received advice that the developer intended to bring forward construction of the signalised intersection, thereby negating the need for the interim intersection. However at this stage, the applicant has not lodged the necessary applications to amend the development consent to reflect the modified arrangements, therefore, the development is proceeding as currently approved.

**ENCLOSURES**

There are no enclosures for this report



**Answers To Questions For Next Meeting**

**Report No. AQ60/2018**

**Works and Infrastructure**

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**SUBJECT:** *WI41/2018 – 2017/2018 AQUATIC SEASON REVIEW*

**RESPONSIBLE OFFICER:** *Manager Open Space & Community Facilities - Nicole Benson*

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**Q58/2018 - WI41/2018 – 2017/2018 Aquatic Season Review**

Asked by Councillor Burke at the Ordinary Meeting of Council held on 6 June 2018.

*“if the Midday closure at Christmas and the Staff Picnic Day could be added to the report”*

The midday closure at Christmas will be added to the report. Staff picnic day is covered in the Enterprise Agreement.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ61/2018

Corporate and Community Services

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**SUBJECT:** *UPDATE ON THE CESSNOCK CBD FREE WI-FI PROJECT*

**RESPONSIBLE OFFICER:** *Information Technology Manager - Steven Hepple*

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**Q59/2018 – Update on the Cessnock CBD Free Wi-Fi Project**

Asked by Councillor Lyons at the Ordinary Meeting of Council held on 6 June 2018.

*“update on the Cessnock CBD free Wi-Fi project”*

Council provides free Wi-Fi covering part of Vincent Street in the Cessnock CBD. The Wi-Fi covers approximately 100 metres either side of the Council Administration building. The service is available between the hours of 6:00am and 8:00pm. The previous 24 hour coverage was reduced at the request of local businesses because the service encouraged anti-social behaviour.

Council also provides free Wi-Fi at Cessnock Library, Kurri Kurri Library, CYCOS and the Visitors Centre during opening hours.

The Internet connections for the Wi-Fi services are provided by Telstra and will be migrated to the NBN when possible. The Cessnock CBD and Visitors Centre Wi-Fi services have dedicated Internet connections whilst the other services utilise the sites Internet connection.

The ongoing cost of providing the Wi-Fi services is less than \$5,000 dollars per year. Council IT staff occasionally respond to support requests on the services. The Library Wi-Fi services are supported under the NSW.Net program provided by the NSW State Library.

There are no supply contracts associated with the Wi-Fi services.

**ENCLOSURES**

There are no enclosures for this report.

Correspondence

Report No. CO19/2018

Corporate and Community Services



**SUBJECT:** *ABANDONED VEHICLES*

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

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**RECOMMENDATION:**

**That Council note the correspondence received.**

At its Ordinary Meeting of 18 October 2017 Council considered Notice of Motion BN49/2017 regarding abandoned vehicles in the Local Government Area and resolved:

1. That the General Manager investigates if Council can impound an abandoned vehicle immediately under Section 16 (5) of the Impounding Act 1993 if the impounding officer is satisfied that it may be vandalised or set on fire and is likely to be a danger to the public.
2. That the General Manager write to the NSW Police informing them of the abnormal high number of abandoned vehicles in the Cessnock Local Government Area.
3. That the following motion be submitted to the Local Government NSW Board for consideration for inclusion as an agenda item for the 2017 Local Government NSW Annual Conference:
  - That the NSW Government review Section 16(5) of the Impounding Act 1993 to enable the immediate removal of abandoned motor vehicles where the motor vehicles are likely to be set alight thereby causing potential bushfires.
4. That a report be considered by Council at its meeting of 18 October 2017.

This report relates to item 3 of the resolution. The matter was referred to LG NSW for consideration as part the 2017 Conference agenda with the Board declining to accept as a conference motion and dealing with the item separately.

Correspondence from Local Government NSW dated 29 May 2018 has been received following the association's advocacy with the Office of Local Government (OLG) on this and other matters. Copies of the representations to the OLG Chief Executive, Tim Hurst on behalf of LGNSW and the response received is attached for Councillors information.

**ENCLOSURES**

- [1](#) Letter to Tim Hurst - OLG from LGNSW
- [2](#) Response to LGNSW from OLG

Correspondence

Report No. CO20/2018

Corporate and Community Services



**SUBJECT:** *REQUEST TO PREMIER TO RECONSIDER SYDNEY FOOTBALL STADIUM AND SYDNEY OLYMPIC STADIUM PLANS*

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

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**RECOMMENDATION:**

**That Council note the correspondence received.**

At its Ordinary Meeting of 18 April 2018 Council considered Notice of Motion No. BN6/2018 regarding "Request to Premier to Reconsider Sydney Football Stadium and Sydney Olympic Stadium Plans" and resolved:

1. That the Mayor write to the Premier requesting her to reconsider the government's decision to spend \$2.0 billion on demolishing and rebuilding the Sydney Football stadium and the Sydney Olympic stadium. Further that the Mayor request that the Premier re-allocate the \$2.0 billion saved to establish a NSW Regional Infrastructure Fund to service desperately needed infrastructure projects in regional NSW.
2. That the letter request that the State Government invest part of the money into the renewal of State Infrastructure, for example, the upgrade of Cessnock Hospital and the construction of a new police station for Cessnock following the expansion of Cessnock Correctional Centre.

Correspondence dated 25 May 2018 has been received from Jonathan O'Dea MP, Parliamentary Secretary to the Premier and Treasurer, advising that as the matter raised falls under the primary responsibility of The Hon John Barilaro MP, Deputy Premier and Minister for Regional NSW, it is appropriate that the Deputy Premier considers the request and has been forwarded accordingly.

Copies of Councils correspondence have also been forwarded by the Parliamentary Secretary to The Hon Brad Hazzard MP, Minister for Health and the Hon Troy Grant MP, Minister for Police for their information.

A copy of the correspondence is attached for Councillors information.

**ENCLOSURES**

- [1](#) Response from Parliamentary Secretary to Premier & Treasurer

Correspondence

Report No. CO21/2018

Corporate and Community Services



**SUBJECT:** *FLYING FOXES - PROGRESS OF EAST CESSNOCK CAMP MANAGEMENT PLAN AND UPDATE ON COMMONWEALTH GOVERNMENT RESPONSE TO "LIVING WITH FRUIT BATS"*

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

**RECOMMENDATION:**

**That Council note the correspondence received.**

At its Ordinary Meeting of 16 May 2018, Council considered report No. PE30/2018 "Flying Foxes – Progress of East Cessnock Camp Management Plan and Update on Commonwealth Government Response to "Living with Fruit Bats" and resolved as follows:

1. That Council note that all efforts are being made to progress the implementation of the East Cessnock Flying-fox Camp Management Plan.
2. That Council note that the best way to help affected residents is to continue to comply with the legislation, implement the actions of the East Cessnock Flying-fox Camp Management Plan and continue to work with State agencies to seek grant funding.
3. That Council note with some concern, that the Australian Government is yet to respond to the final report and recommendations of the Standing Committee on Environment and Energy Inquiry into Flying-foxes in the Eastern States - "*Living with Fruit Bats*" dated February 2017.
4. That Council write to The Hon Josh Frydenberg MP, Minister for the Environment and Energy, Mr Andrew Broad MP, Chair of the Standing Committee on Environment and Energy, and The Hon Joel Fitzgibbon MP, Member for Hunter, outlining Council's concerns and urging the Australian Government to respond to the final report and recommendations of the Standing Committee on Environment and Energy Inquiry into Flying-foxes in the Eastern States - "*Living with Fruit Bats*" dated February 2017.

A response has been received from Mr Andrew Broad MP, Chair of the Standing Committee on Environment and Energy, and is provided for Council's information.

**ENCLOSURES**

- 1 Flying Foxes - Response from Andrew Broad MP

Correspondence

Report No. CO22/2018

Works and Infrastructure



**SUBJECT:** ***QANTAS RFI - CESSNOCK AERODROME***

**RESPONSIBLE OFFICER:** ***Acting Director Works and Infrastructure - Geoffrey Bent***

**RECOMMENDATION:**

**That Council note the correspondence received from Regional NSW, Department of Premier and Cabinet, advising that Council was not rated as being able to quickly meet all of the criteria for selection as a site for Qantas Pilot Training Academy.**

At its Ordinary Meeting of 21 March 2018 Council considered Mayoral Minute MM1/2018 regarding a Qantas proposal to establish a Pilot Training Academy in Australia and resolved:

**“That the General Manager review the facility requirements as outlined by the Department Premier and Cabinet and if Cessnock Aerodrome can meet those requirements, make a submission for Cessnock Aerodrome to be considered as the site for a Qantas pilot training academy”.**

A response has been received from Regional NSW, Department of Premier and Cabinet, stating that Council was not rated as being able to quickly meet all of the criteria for selection as a site for Qantas Pilot Training Academy.

A copy of the correspondence is attached for Councillors information

**ENCLOSURES**

- [1](#) Reply from Deputy Secretary