



28 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, 4 July 2018 at 6.30 pm, for the purposes of transacting the undermentioned business.

**AGENDA:**

PAGE NO.

- (1) **OPENING PRAYER**
- (2) **ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**
- (3) **RECEIPT OF APOLOGIES**  
**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**  
Minutes of the Ordinary Meeting of Council held on 20 June 2018.....5
- (5) **DISCLOSURES OF INTEREST**  
D111/2018 Disclosures of Interest.....38
- (6) **PETITIONS**
- (7) **ADDRESS BY INVITED SPEAKERS**
- (8) **CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBO OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS**
- (9) **NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION**  
NI3/2018 Notice of Intention to Deal With Matters in Confidential Session  
  
PE40/2018 - Minutes of the confidential Strategic Property and Community Facilities Committee Meeting held 13 June 2018  
  
CC47/2018 - Richmond Main Colliery - Outcome of Site Assessments and Future Lease and Licence Arrangements .....39

<b>(10)</b>	<b>MOTIONS OF URGENCY</b>		
	MOU11/2018	Motions of Urgency.....	41
<b>(11)</b>	<b>PLANNING AND ENVIRONMENT</b>		
	PE39/2018	Minutes of the Strategic Property & Community Facilities Committee Meeting held on 13 June 2018. ....	42
<b>(12)</b>	<b>CORPORATE AND COMMUNITY</b>		
	CC45/2018	Proposed Variations to the LGNSW Rules .....	48
	CC46/2018	Adoption of the Draft Procurement Policy and a Revision of the Statement of Business Ethics .....	51
<b>(13)</b>	<b>WORKS AND INFRASTRUCTURE</b>		
	WI47/2018	Restart NSW Resources for Regions Program Round 6 - Expressions of Interest .....	56
	WI48/2018	South Cessnock Mine Subsidence Update.....	68
	WI49/2018	Minutes of Local Traffic Committee held 18 June 2018 .....	73
<b>(14)</b>	<b>BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN</b>		
	BN20/2018	24 hour Operation .....	81
	BN21/2018	Garbage Bins at Slacks Park, Wollombi .....	82
<b>(15)</b>	<b>ANSWERS TO QUESTIONS FOR NEXT MEETING</b>		
	‡ AQ62/2018	NRMA Recharge Points .....	83
	‡ AQ63/2018	Safer Community Grants .....	84
	AQ64/2018	BN1/2017 - Upgrade to Bellbird BMX track.....	85
<b>(16)</b>	<b>QUESTIONS FOR NEXT MEETING</b>		
<b>(17)</b>	<b>CORRESPONDENCE</b>		
	‡ CO23/2018	Hart & Government Roads and Gingers Lane, Weston - Seeking Funding Support .....	86
	‡ CO24/2018	Wine Country Drive - Traffic and Safety.....	87
	‡ CO25/2018	Commuter Carparking - Hunter Expressway - Heddon Greta .....	88
	‡ CO26/2018	Request to Premier to Reconsider Sydney Football Stadium and Sydney Olympic Stadium Plans - Cessnock Police Station Funding .....	89
<b>(18)</b>	<b>COUNCILLORS' REPORTS</b>		
<b>(19)</b>	<b>REPORT OF THE CONFIDENTIAL SESSION OF THE ORDINARY COUNCIL MEETING ON 4/07/2018</b>		



## ***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
- Respect
- Teamwork
- Accountability
- Excellence

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

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

*Cessnock – thriving, attractive and welcoming.*

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

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



## ***Council Model Code of Conduct***

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

Generally, the policies refer to the following issues:

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

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 20 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)  
Strategic Planning Manager  
Finance and Administration Manager  
Operations Accountant  
Management Accountant  
Executive Project Officer  
Media & Communication Officer  
Corporate Governance Officer

**APOLOGY:** Councillor Olsen's Leave of Absence from 5 June 2018 to 8 July 2018 is noted.

**MINUTES:** **MOTION** **Moved:** Councillor Dagg  
**Seconded:** Councillor Sander  
526  
**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 6 June 2018, as circulated, be taken as read and confirmed as a correct record.

<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**

## **DISCLOSURES OF INTEREST**

### **DISCLOSURES OF INTEREST NO. DI10/2018**

**SUBJECT: DISCLOSURES OF INTEREST**

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

**GMU14/2018 – Minutes of the Town Coordinators Review Committee of Cessnock City Council held on 21 March 2018 -** Councillor Burke declared a Pecuniary Interest for the reason that he is the Town Coordinator employed by Cessnock Chamber of Commerce. Councillor Burke advised that he would leave the Chamber and take no part in discussion and voting.

## ***PETITIONS***

NIL

## ***ADDRESS BY INVITED SPEAKERS***

NIL

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

**MOTION**  
527

**Moved:** Councillor Suvaal

**Seconded:** Councillor Gray

**RESOLVED**

That the following reports be dealt with englobo:-

PE38/2018	Commencement of Crown Land Management Act 2016 and ongoing management arrangements for certain Crown Lands
CC41/2018	Making the Rate 2018-19
CC42/2018	Resolutions Tracking Report
CC43/2018	Investment Report - May 2018
WI45/2018	Cessnock Skatepark Final Concept Design
CO20/2018	Request to Premier to Reconsider Sydney Football Stadium and Sydney Olympic Stadium Plans
CO21/2018	Flying Foxes - Progress of East Cessnock Camp Management Plan and Update on Commonwealth Government Response to "Living With Fruit Bats"

**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**

**MOTION**  
528

**Moved:** Councillor Suvaal

**Seconded:** Councillor Gray

**RESOLVED**

That the following reports:-

PE38/2018	Commencement of Crown Land Management Act 2016 and ongoing management arrangements for certain Crown Lands
CC41/2018	Making the Rate 2018-19
CC42/2018	Resolutions Tracking Report
CC43/2018	Investment Report - May 2018
WI45/2018	Cessnock Skatepark Final Concept Design
CO20/2018	Request to Premier to Reconsider Sydney Football Stadium and Sydney Olympic Stadium Plans
CO21/2018	Flying Foxes - Progress of East Cessnock Camp Management Plan and Update on Commonwealth Government Response to "Living With Fruit Bats"

be resolved as recommended.

<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**

## MAYORAL MINUTES

### MAYORAL MINUTES NO. MM5/2018

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

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**MOTION**      **Moved:**    Councillor Pynsent

529

**RESOLVED**

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.

<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. MOU10/2018**

**SUBJECT: MOTIONS OF URGENCY**

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#### **RECOMMENDATION**

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

Councillor Gray

1. That the General Manager undertake necessary actions to determine Council's potential liability at the Richmond Main Colliery site.
2. That this information, along with the anticipated cost estimates for all required building remediation works at the site be included in the scheduled report to be presented to Council at its meeting of 4 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>

The Urgency Motion was **PUT** and **CARRIED** and will be dealt with at the conclusion of the listed matters on the Business Paper.

## GENERAL MANAGER'S UNIT

### GENERAL MANAGER'S UNIT NO. GMU14/2018

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

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*Councillor Burke declared a Pecuniary Interest for the reason that he is the Town Coordinator employed by Cessnock Chamber of Commerce. Councillor Burke left the Chamber and took no part in discussion and voting.*

*Councillor Burke left the meeting, the time being 6.38pm*

**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Sander  
530  
**RESOLVED**

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, pending further negotiations with Branxton/Greta business chamber, with a review of reportable criteria/KPI's to be determined by the Town Coordinators Review Committee.

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

**CARRIED**

*Councillor Burke returned to the meeting, the time being 6.39pm*

## **PLANNING AND ENVIRONMENT**

### **PLANNING AND ENVIRONMENT NO. PE38/2018**

**SUBJECT: COMMENCEMENT OF CROWN LAND MANAGEMENT ACT 2016 AND ONGOING MANAGEMENT ARRANGEMENTS FOR CERTAIN CROWN LANDS.**

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**MOTION**            **Moved:** Councillor Suvaal            **Seconded:** Councillor Gray  
531  
**RESOLVED**

1. That Council, pursuant to section 96(1) of the *Crown Lands Act 1989*, resigns as Corporate Manager for the Crown reserves numbered 82433, 85696, 86726, 48106, and 63332.
2. That Council authorise the Common Seal of Cessnock City Council to be affixed to the correspondence resigning Cessnock City Council as Corporate Manager for the Crown land reserves numbered as 82433, 85696, 86726, 48106, 63332.

<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. CC40/2018

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

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**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Stapleford  
532  
**RESOLVED**

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.
- With the addition of Henderson Street, Buckland Avenue and Marlton Street, Cessnock and Campbell Street, Ellalong including its intersection with Undine Street, as detailed below:
  - That rehabilitation of sections of Henderson Street, Buckland Avenue and Marlton Street, Cessnock and Campbell Street, Ellalong including its intersection with Undine Street, be included in the 2018/19 Local Road Renewal Program, grant funding dependant or pending savings in the adopted Program.
  - That, in the absence of funding in 2018/19 Local Road Renewal Program, Henderson Street, Buckland Avenue and Marlton Street, Cessnock and Campbell Street, Ellalong including its intersection with Undine Street, be included in the Program of subsequent years of the 2017/21 Delivery Program, grant funding dependant or pending savings in the adopted Program.
  - That, in the absence of funding during the 2017/21 Delivery Program, Henderson Street, Buckland Avenue and Marlton Street, Cessnock and Campbell Street, Ellalong including its intersection with Undine

Street, be included in the Local Road Renewal Program for subsequent years of the Draft 2021/25 Delivery Program, grant funding dependant or pending savings in the adopted Program.

#### **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.

**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***

**CORPORATE AND COMMUNITY NO. CC41/2018**

**SUBJECT: MAKING THE RATE 2018-19**

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**MOTION**            **Moved:**    Councillor Suvaal            **Seconded:**    Councillor Gray

533

**RESOLVED**

**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

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

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

**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***

**CORPORATE AND COMMUNITY NO. CC42/2018**

**SUBJECT: RESOLUTIONS TRACKING REPORT**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
534  
**RESOLVED**

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

<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 NO. CC43/2018**

**SUBJECT: INVESTMENT REPORT - MAY 2018**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
535  
**RESOLVED**

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

<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 NO. CC44/2018**

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

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Sander  
536  
**RESOLVED**

**That Council's 4 voting delegates for the election to fill a casual vacancy in the Office of Vice President (Rural/Regional councils) for the Board are the Mayor Pynsent and Councillors Suvaal, Burke and Gray.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Dunn	Councillor Doherty
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (1)</b>

**CARRIED**

## **WORKS AND INFRASTRUCTURE**

### **WORKS AND INFRASTRUCTURE NO. WI43/2018**

**SUBJECT: NATURE STRIP PARKING**

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

537

**RESOLVED**

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.
3. That Council consider alternatives to retrofitting nature strips to facilitate partial off-road parking, including carriageways of 9m and over, in its new Engineering Requirements for Development.

<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**

**WORKS AND INFRASTRUCTURE NO. WI44/2018**

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

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**MOTION**      **Moved:** Councillor Stapleford      **Seconded:** Councillor Gray

538

**RESOLVED**

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

1.      **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.**

7.      **That Council investigate the precinct around the school in relation to signage - TC17/2018 – Hutton Street, West Cessnock.**

<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. WI45/2018**

**SUBJECT: CESSNOCK SKATEPARK FINAL CONCEPT DESIGN**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray

539

**RESOLVED**

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.

<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. WI46/2018**

**SUBJECT: RECREATION AND OPEN SPACE STRATEGIC PLAN**

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

540

**RESOLVED**

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.
3. That Council consider the revision of the Carmichael Park Masterplan 2006 with respect to the impacts of the Bellbird North Development and the Bellbird North Section 94 Plan

<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. BN18/2018**

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

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**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Burke  
541  
**RESOLVED**

That the General Manager provide a report to Council by the 2<sup>nd</sup> meeting in July, 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.

<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. BN19/2018**

**SUBJECT: STREET TREE STRATEGY**

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**MOTION**            **Moved:** Councillor Fitzgibbon    **Seconded:** Councillor Sander  
542  
**MOTION**

**That the Street Tree Strategy is completed by the end of March 2019 to align with the development of the 2019/20 Operational Plan.**

<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**

**ANSWERS TO QUESTIONS FOR NEXT MEETING**

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ57/2018**

**SUBJECT: KURRI KURRI AMBULANCE HALL**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ58/2018**

**SUBJECT: BRIEFING - INCOMPLETE SCHEDULE WORKS**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ59/2018**

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

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ60/2018**

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

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ61/2018**

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

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The answer was noted.

## **QUESTIONS FOR NEXT MEETING**

*Councillor Mark Lyons*

### **NRMA RECHARGE POINTS**

Councillor Lyons asked for an update in regard to his Notice of Motion BN 53/2017 – NRMA Recharge Points that was presented to Council on 1 November 2017.

*Councillor Anthony Burke*

### **SAFER COMMUNITY GRANTS**

Councillor Burke asked if Council made a submission in the recent Safer Community Grants and what were the outcomes.

*Councillor Paul Dunn*

### **BN1/2017 – UPGRADE OF BELLBIRD BMX TRACK**

Councillor Dunn asked when the report in regard to BN1/2017 – Upgrade of Bellbird BMX Track will be presented to Council.

## CORRESPONDENCE

### CORRESPONDENCE NO. CO19/2018

**SUBJECT: ABANDONED VEHICLES**

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**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Dagg  
543

**RESOLVED:**

1. That the General Manager bring a report back to Council to further consider the advice from LGNSW regarding the removal of abandoned vehicles where they present a bushfire and safety risk to the community.
2. That the report consider the previous advice and statutory requirements.

<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. CO20/2018**

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

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
544  
**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. CO21/2018**

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

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
545

**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. CO22/2018**

**SUBJECT: QANTAS RFI - CESSNOCK AERODROME**

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**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Suvaal  
546

**RESOLVED:**

1. 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.
2. That Council write to Mr Darren Keegan requesting information as to the reasons why our facility does not meet the criteria.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Fagg
Councillor Dunn	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (1)</b>

**CARRIED**

## **COUNCILLORS REPORTS**

### **Mayor**

#### **ALGA Conference**

The Mayor advised of his attendance at the ALGA Conference and advised that the motion regarding the Regulation of Air BnB's was endorsed with minor changes by the Conference.

Councillor Gray

#### **Local Area Health Committee**

Councillor Gray advised of his attendance at the Local Area Health Committee meeting where they were briefed with regard to the new Maitland Hospital \$450m in total with the Stage 1 Concept Design to be finished this year and they are expecting the hospital to be completed early 2022.



**Disclosures Of Interest**

Report No. DI11/2018

**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.

Notice of Intention to Deal With Matters in Confidential Session

Report No. NI3/2018

Corporate and Community Services



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

*PE40/2018 - MINUTES OF THE CONFIDENTIAL STRATEGIC PROPERTY AND COMMUNITY FACILITIES COMMITTEE MEETING HELD 13 JUNE 2018*

*CC47/2018 - RICHMOND MAIN COLLIERY - OUTCOME OF SITE ASSESSMENTS AND FUTURE LEASE AND LICENCE ARRANGEMENTS*

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

**RECOMMENDATION**

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

Report Number PE40/2018 – Minutes of the Confidential Strategic Property and Community Facilities Committee Meeting held 13 June 2018 as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of a 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.

CC47/2018 – Richmond Main Colliery – Outcome of Site Assessments and Future Lease and Licence Arrangements 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 advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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

**SUMMARY**

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “Confidential” business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

**Notice of Intention to Deal With Matters in Confidential Session**

**Report No. NI3/2018**

**Corporate and Community Services**

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***ENCLOSURES***

There are no enclosures for this report.

**Motions of Urgency**

Report No. MOU11/2018

**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.

**SUBJECT:** *MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE MEETING HELD ON 13 JUNE 2018.*

**RESPONSIBLE OFFICER:** *Strategic Planning Manager - Martin Johnson*

**RECOMMENDATION**

1. That the Minutes of the Strategic Property and Community Facilities Committee Meeting held on the 13 June 2018 be adopted as a resolution of the Ordinary Council.
2. That Council transfer the following properties to the Property Investment Fund and commence the process to reclassify them from Community to Operational land:
  - a. Lot 8, DP 255269 ID 10757 (10 Redgrove Court, East Branxton);
  - b. Lot 20, Section D DP1846 ID11580 (45 Yates Street, East Branxton)

That further information be brought back to the Committee regarding the four lots at Water Street, Greta.
3. That Council transfer the following properties to the Property Investment Fund, commence the process to reclassify them from Community to Operational land and investigate the potential to rezone to residential zone R2:
  - a. Lot 7, DP1177000 ID 509409 (9 Abermain Street, Pelaw Main), and that this property be offered to the NSW Department of Education in the first instance; and
  - b. Lot 9, DP253077 ID 5090 (1A Lee-Ann Crescent, Cessnock)
4. That Council transfer the following properties to the Property Investment Fund, commence the process to reclassify them from Community to Operational land and investigate the potential to rezone to residential zone R3:
  - a. Lot 1, DP382568 ID 9855 (10 Embelton Avenue, Weston)
5. That Council transfer the following properties to the Property Investment Fund, and commence the process to dispose of the Operational land:
  - a. Lot 14, DP15069 ID 23858 (Dover Street, Cessnock)
  - b. Lot 15, DP15069 ID 23905 (Dover Street, Cessnock)\
  - c. Lot 16, DP15069 ID 23906 (Dover Street, Cessnock)
  - d. Lot 95, DP15069 ID 23879 (Dover Street, Cessnock)
  - e. Lot 7 Section F DP1846 ID11454 (27 Middle Street, East Branxton)
  - f. Lot 7, Section C DP193027 ID16557 (5 Frederick Street, North Rothbury)
  - g. Lot 4 Section 3 DP758382 ID16094 (29 Helena Street, Ellalong)



6. That Council transfer the following properties to the Property Investment Fund, approve the General Manager to undertake the necessary survey work and commence the process to dispose of the Operational land:
  - a. Lot 2, Section 44 DP32655 ID 9684 (163 Cessnock Road, Weston)
7. That the General Manager review the property investment policy and guidelines where necessary and report back through the committee.
8. That the General Manager make arrangements for a detailed assessment of Varty Park, including looking at development options.

***MINUTES OF STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE OF THE CESSNOCK CITY COUNCIL HELD IN ANTE ROOM ON WEDNESDAY, 13 JUNE 2018, COMMENCING AT 3:15PM***

**PRESENT:** His Worship the Mayor, Councillor B Pynsent (in the Chair) and Councillors Lyons, Sander and Dunn.

**IN ATTENDANCE:** Director Planning & Environment  
Director Works & Infrastructure  
Director Corporate & Community  
Strategic Planning Manager  
Project Manager – Strategic Property Review (JO)  
Project Manager – Strategic Property Review (DL)  
Councillors Doherty, Stapleford, Fitzgibbon, Burke, and Gray

**BUSINESS ARISING**

Nil.

## **OFFICER'S REPORTS**

### **OFFICER'S REPORTS NO. SPOR11/2018**

**SUBJECT: PROPERTY STRATEGY REVIEW - PHASE UPDATE**

**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Lyons

#### **RECOMMENDATION**

1. That the Strategic Property & Community Facilities Committee receive and note the information on the progress of the Strategic Property Review.
2. That the Committee recommend that Council transfer the following properties to the Property Investment Fund and commence the process to reclassify them from Community to Operational land:
  - a. Lot 8, DP 255269 ID 10757 (10 Redgrove Court, East Branxton);
  - b. Lot 20, Section D DP1846 ID11580 (45 Yates Street, East Branxton)

That further information be brought back to the Committee regarding the four lots at Water Street, Greta
3. That the Committee recommend that Council transfer the following properties to the Property Investment Fund, commence the process to reclassify them from Community to Operational land and investigate the potential to rezone them to R3 – Medium Density Residential:
  - a. Lot 1, DP382568 ID 9855 (10 Embelton Avenue, Weston)
4. That the Committee recommend that Council transfer the following properties to the Property Investment Fund, commence the process to reclassify them from Community to Operational land and investigate the potential to rezone them to that of the adjoining land zone;
  - a. Lot 7, DP1177000 ID 509409 (9 Abermain Street, Pelaw Main), and that this property be offered to the NSW Department of Education in the first instance);
  - b. Lot 9, DP253077 ID 5090 (1A Lee-Ann Crescent, Cessnock)
5. That the Committee recommend that Council transfer the following properties to the Property Investment Fund, and commence the process to dispose of the Operational land:
  - a. Lot 14, DP15069 ID 23858 (Dover Street, Cessnock
  - b. Lot 15, DP15069 ID 23905 (Dover Street, Cessnock)
  - c. Lot 16, DP15069 ID 23906 (Dover Street, Cessnock)
  - d. Lot 95, DP15069 ID 23879 (Dover Street, Cessnock)
  - e. Lot 7 Section F DP1846 ID11454 (27 Middle Street, East Branxton)

- f. Lot 7, Section C DP193027 ID16557 (5 Frederick Street, North Rothbury)
  - g. Lot 4 Section 3 DP758382 ID16094 (29 Helena Street, Ellalong)
6. That the Committee recommend that Council transfer the following properties to the Property Investment Fund, undertake the necessary survey work and commence the process to dispose of the Operational land:
- a. Lot 2, Section 44 DP32655 ID 9684 (163 Cessnock Road, Weston)
7. That the Committee receive future briefings and updates as Phase 3 progresses.

**PROPOSED COUNCIL RECOMMENDATION**

1. That Council receive and note the information on the progress of the Strategic Property Review.
2. That Council transfer the following properties to the Property Investment Fund and commence the process to reclassify them from Community to Operational land:
- a. Lot 8, DP 255269 ID 10757 (10 Redgrove Court, East Branxton);
  - b. Lot 20, Section D DP1846 ID11580 (45 Yates Street, East Branxton)
- That further information be brought back to the Committee regarding the four lots at Water Street, Greta
3. That Council transfer the following properties to the Property Investment Fund, commence the process to reclassify them from Community to Operational land and investigate the potential to rezone to residential zone R2:
- a. Lot 7, DP1177000 ID 509409 (9 Abermain Street, Pelaw Main), and that this property be offered to the NSW Department of Education in the first instance;
  - b. Lot 9, DP253077 ID 5090 (1A Lee-Ann Crescent, Cessnock)
4. That Council transfer the following properties to the Property Investment Fund, commence the process to reclassify them from Community to Operational land and investigate the potential to rezone to residential zone R3:
- a. Lot 1, DP382568 ID 9855 (10 Embelton Avenue, Weston)
5. That Council transfer the following properties to the Property Investment Fund, and commence the process to dispose of the Operational land:
- a. Lot 14, DP15069 ID 23858 (Dover Street, Cessnock)
  - b. Lot 15, DP15069 ID 23905 (Dover Street, Cessnock)
  - c. Lot 16, DP15069 ID 23906 (Dover Street, Cessnock)
  - d. Lot 95, DP15069 ID 23879 (Dover Street, Cessnock)
  - e. Lot 7 Section F DP1846 ID11454 (27 Middle Street, East Branxton)
  - f. Lot 7, Section C DP193027 ID16557 (5 Frederick Street, North Rothbury)

Planning and Environment

Report No. PE39/2018

Planning and Environment



g. Lot 4 Section 3 DP758382 ID16094 (29 Helena Street, Ellalong)

6. That Council transfer the following properties to the Property Investment Fund, approve the General Manager to undertake the necessary survey work and commence the process to dispose of the Operational land:

a. Lot 2, Section 44 DP32655 ID 9684 (163 Cessnock Road, Weston)

**CARRIED UNANIMOUSLY**

**OFFICER'S REPORTS NO. SPOR12/2018**

**SUBJECT: PROPERTY INVESTMENT FUND UPDATE REPORT**

**MOTION Moved:** Councillor Lyons **Seconded:** Councillor Sander

**RECOMMENDATION**

That the Committee notes the balance of the Property Investment Fund as at 1 May 2018.

**CARRIED UNANIMOUSLY**

**OFFICER'S REPORTS NO. SPOR13/2018**

**SUBJECT: STRATEGIC PROPERTY INVESTMENT OPPORTUNITIES**

**MOTION Moved:** Councillor Sander **Seconded:** Councillor Dunn

**RECOMMENDATION**

1. That when considering further reports to the Committee regarding the potential disposal of a Council asset, the opportunity analysis include investigating the feasibility of development opportunities, including construction, leasing, subdivision or other method of raising revenue as part of any Council land review.
2. That the property investment policy and guidelines be reviewed where necessary and reported back through the committee.

**CARRIED UNANIMOUSLY**

Planning and Environment

Report No. PE39/2018

Planning and Environment



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**GENERAL BUSINESS**

**GENERAL BUSINESS NO. SPSEGB1/2018**

**SUBJECT: VARTY PARK UPDATE REPORT**

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**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Dunn

**RECOMMENDATION**

1. That the Committee note the progress report on actions taken to investigate the feasibility for potential disposal or redevelopment of Varty Park.
2. That the General Manager make arrangements for a detailed assessment of Varty Park, including looking at development options.

**CARRIED UNANIMOUSLY**

*The Meeting Was Declared Closed at 3:44.pm*

**ENCLOSURES**

There are no enclosures for this report

**SUBJECT:** *PROPOSED VARIATIONS TO THE LGNSW RULES*

**RESPONSIBLE OFFICER:** *Governance Coordinator - Teresa Chadwick*

### **SUMMARY**

The Local Government and Shires Association of New South Wales (LGNSW) are seeking comments and feedback from councils on a number of amendments proposed to the Association's registered rules which are registered with the Fair Work Commission.

### **RECOMMENDATION**

**That Council note the proposed amendments to the LGNSW Rules and not make a submission to the Association.**

### **BACKGROUND**

The Current rules of the LGNSW are registered under section 161 of the *Fair Work (Registered Organisations) Act 2009* and published on the Fair Work Commission's [website](#).

### **REPORT/PROPOSAL**

LGNSW have proposed a number of amendments to be made to the registered rules of the Association and the proposed amendments are set out in **attachment 1** and a full copy of the current registered LGNSW Rules are set out in **attachment 2**.

The proposed amendments are summarised as follows:

1. **Time for Proxy Voting** – amendment of rule to remove ambiguity in regards to proxy voting and substitution voting delegates for voting on motions and Board election.
2. **Names on Ballot Papers** – current rules do not include a provision of how candidates' names were to appear on ballot paper. The amendment provides that the Returning Office shall conduct a draw to determine ballot order, formalising the current practice.
3. **Registered Political Parties** – amendment seeks to provide clarity around registration of political parties which may be registered in State or Federal jurisdiction.
4. **Industrial Relations Advisory Committee** – amendment proposes to allow for the establishment of an Industrial Advisory Committee comprising of both general managers and councillors. The role of the committee would be to assist and make recommendations to the Board in relation to industrial issues that concern or are likely to concern Local Government as a sector.
5. **Removal of the office of Immediate Past President** – amendment proposes to remove the office of the Immediate Past President from the conclusion of the Annual Conference in 2019. This would reduce the overall size of the Board to 18 members and the overall size of the Executive Group to 8 members.

6. **Removal from the Board** – amendment seeks to set out more clearly the procedural steps required to be followed before a Director can be removed from the Board.
7. **Seal of the Association** – the current rules do not provide for a common seal of the Association, with the industrial Relations Act 1996 (NSW) requiring registered industrial organisations to have a seal. The proposed amendment includes a new rule to specify how the common seal of the Association is to be kept and used.
8. **The name of the Association** – the amalgamation of the 2 organisations in 2013 led to the use of 2 names as reflected in Rule 1(a) “The name of the Organisation shall be Local Government and Shires Association of New South Wales (the “Association” but may also be known as “Local Government NSW”. The amendment seeks to alter the order of the names so that the legal name becomes Local Government NSW.
9. **Other Minor Amendments** – a number of minor amendments are proposed to clarify provisions and/or remove ambiguity, including;
  - amend definition of Roll of Voters to mean all members of the Association
  - new definition of “Secretary” to identify the Chief Executive as Secretary
  - clarify that the Board can place motions before Conferences
  - expand power of Board to make minor clerical and/or administrative changes to rules
  - allow Chief Executive to delegate to officers to notify appropriate court or tribunal of an industrial dispute
  - remove references to special rules for election of offices in 2017 (special provision due to local government reform process)
  - reorder and renumber rules to ensure logical order

The Association is seeking feedback from councils in regards to the proposed amendments by midday 4 July 2018. Following representations from Council staff, an extension to 11am Thursday 5 July 2018 has been received should Council wish to make a submission, however it is considered that Council should support the amendments.

The amendments are proposed to be considered at the 2019 LGNSW Annual Conference.

### **OPTIONS**

1. Review and provide comments on the proposed amendments to the LGNSW rules.

If council elects to provide comments/feedback, those items to be considered need to be highlighted at the council meeting so that any submission can be lodged by the extended submission date and time of 11am Thursday 5 July 2018.

2. Review and accept the proposed amendments to the LGNSW rules.

This is the recommended option.

### **CONSULTATION**

Director Corporate and Community Services  
Finance and Administration Manager

## **STRATEGIC LINKS**

### **a. Delivery Program**

5.3.8 Carry out governance functions, provide advice and conduct education programs to comply with legislation and best practice.

### **b. Other Plans**

Nil

## **IMPLICATIONS**

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

Nil

### **b. Financial Implications**

Nil

### **c. Legislative Implications**

The LGNSW (Federal) rules are registered under section 161 of the *Fair Work (Registered Organisations) Act 2009* and published on the Fair Work Commission's [website](#).

### **d. Risk Implications**

Nil

### **e. Environmental Implications**

Nil

### **f. Other Implications**

Nil

## **CONCLUSION**

LGNSW have proposed a number of amendments to be made to its current rules and is seeking feedback from councils. It is recommended that the proposed amendments be supported. Comments/feedback received will be considered when framing motions to the 2019 LGNSW Annual Conference to amend the LGNSW rules.

## **ENCLOSURES**

- 1** ➡ Proposed Amendments to LGNSW Rules
- 2** ➡ Registered LGNSW Rules
- 3** ➡ LGNSW Correspondence

**SUBJECT:** *ADOPTION OF THE DRAFT PROCUREMENT POLICY AND  
A REVISION OF THE STATEMENT OF BUSINESS ETHICS*

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

## **SUMMARY**

Council endorsed the draft Procurement Policy 2018 for public exhibition on 3 May 2018 (report CC29/2018), with 2 submissions received during the exhibition period.

The Statement of Business Ethics is a supporting document to the draft Procurement Policy and a review of the current Statement has been undertaken and is presented to Council for endorsement. This document defines the principles of conduct that are expected of both parties in order to ensure the integrity and professionalism of both organisations and is a statement of Council's values and systems of accountability.

## **RECOMMENDATION**

1. That Council adopt the draft Procurement Policy 2018 as exhibited, with the amendments outlined in this report:
  - In Section 6 Procurement Requirements – A word change from ‘process’ to ‘threshold’
  - In Section 6 Procurement Requirements – Alter verbal threshold from \$0.00 to \$8,000 to \$0.00 to \$5,000.
  - In Section 6.3.1. Purchase order – Include additional content to disclose that works are generated using Council’s internal request system.
2. That Council endorse the revised Statement of Business Ethics, which supports the Procurement Policy.

## **BACKGROUND**

As part of the 2016/2017 Financial Audit conducted by NSW Audit Office, a number of potential risks regarding Councils procurement processes were identified. The Finance Team has undertaken a review of the current Procurement Policy and procedures and drafted a new policy to incorporate a number of the recommendations. The Procurement Policy has also been reviewed against the Internal Audit Procure-to-Pay recommendations (which took place in parallel with the development of this policy). Council adopted the current Procurement Policy on 6 November 2013. The draft policy was placed on Public Exhibition on 3 May 2018 for 28 days.

Council’s current Statement of Business Ethics Policy (**Enclosure 4**) was adopted in March 2005. As the Procurement Policy is closely connected to the Statement of Business Ethics, a review of this document has also been undertaken during the public exhibition period and a revised Statement is provided at **Enclosure 5**.



**REPORT/PROPOSAL**

Council adopted the draft Procurement Policy for public exhibition and received 2 submissions. Full copies of these are attached to this report as **Enclosures 2 and 3**. In Table 1 below a summary is provided.

**Table 1 Summary of Public Submissions**

<b>Page – Section</b>	<b>Summary</b>	<b>Response</b>
Page 5 In Section 6 - Procurement Requirements	A recommendation of change in wording from 'process' to 'threshold'.	There was a minor wording and formatting changes to the draft Procurement Policy.
Page 5 In Section 6 - Procurement Requirements Table	A request to change the value of goods required for a verbal quote to \$0.00 to \$4,000 instead of \$0.00 to \$8,000.	This request was discussed and it was agreed to change the threshold table from \$0.00 to \$8,000 for a verbal quote to \$0.00 to \$5,000 with written content confirming written preferred.
Page 6 In Section 6.3.1. Purchase order	A request to add additional sentence to include content to advise that works are generating using Councils internal request systems.	The proposed change was considered and new content included.

The draft Procurement Policy as exhibited was reviewed to reduce Council's exposure to potential financial risks, as identified by the NSW Audit Office and also the internal audit (Procure to Pay) and included four main issues being:

- Breach of delegation limits through purchase order splitting
- Procurement Practices
- Key information missing from tender register
- Purchase orders not raised

Additional information became available during the public exhibition period that required these changes to be considered.

**Statement of Business Ethics**

To support the Procurement Policy a review of Council's Statement of Business Ethics was conducted. The revised Statement of Business Ethics is presented to Council for endorsement. The Statement of Business Ethics articulates for suppliers what to expect and how to behave when conducting business with Council. The Statement supports Council's Procurement Policy and requires Council endorsement as a public facing document, however is not required to be placed on public exhibition.

## **OPTIONS**

Option 1 –

1. That Council adopt the draft Procurement Policy 2018 as exhibited, with the amendments outlined in this report:
  - In Section 6 Procurement Requirements – A word change from ‘process’ to ‘threshold’
  - In Section 6 Procurement Requirements – Alter verbal threshold from \$0.00 to \$8,000 to \$0.00 to \$5,000.
  - In Section 6.3.1. Purchase order – Include additional content to disclose that works are generated using Council’s internal request system.
2. That Council endorse the revised Statement of Business Ethics which supports the Procurement Policy.

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

## **CONSULTATION**

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

Council received two submissions on the draft documents.

Council officers have reviewed the Statement of Business Ethics and a revised Statement is provided for endorsement.

### ***Additional Consultation***

- Executive Leadership Team
- Managers Advisory Team
- Governance and Administration Coordinator

## **STRATEGIC LINKS**

### **a. Delivery Program**

The Procurement Policy is consistent with ‘Objective 5.3 – Making Council More Responsive to the Community of the Cessnock’ as contained in the Delivery Program 2017-2021 and the following Strategic Direction:

- Our Council’s processes are efficient and transparent.

This report also links with the community’s desired outcome of: “*Civic Leadership and Effective Governance*.”

**b. Other Plans**

Nil

**IMPLICATIONS**

**a. Policy and Procedural Implications**

The Procurement Policy has been reviewed with relevant changes proposed and a new policy developed. The proposed changes ensure the process is open, fair, and transparent and applies to anyone who is involved with procurement at Council.

Further, a review of the following associated documents is also underway:

- Procurement guidelines
- Procurement procedures;
- Credit Card Protocol; and
- Records Management Policy.

**b. Financial Implications**

Nil

**c. Legislative Implications**

- The policies are supported by the *Local Government Act 1993* and the *Local Government (General) Regulation 2005* and as a result there is no impact.
- *Government Information (Public Access) Act (GIPA)*
- *Local Government (General) Regulation 2005*
- NSW office of Local Government Tendering Guidelines and Procedures
- *Public Interest Disclosure Act*

**d. Risk Implications**

There is a risk that if the policy is not adopted than Council will continue to be exposed and the recommendations from the NSW Audit Office financial audit will not be able to be implemented.

**e. Environmental Implications**

Nil

**f. Other Implications**

Nil

**CONCLUSION**

It is recommended that Council adopt the draft Procurement Policy 2018 with the proposed changes outlined in this report following the public exhibition period.

Corporate and Community

Report No. CC46/2018

Corporate and Community Services

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The Statement of Business Ethics has also been revised to support the Procurement Policy.

***ENCLOSURES***

- [1](#) ⇨ Draft Procurement Policy
- [2](#) ⇨ Submission 1
- [3](#) ⇨ Submission 2
- [4](#) ⇨ Statement of Business Ethics (Current)
- [5](#) ⇨ Revised Statement of Business Ethics

Works and Infrastructure

Report No. WI47/2018

Works and Infrastructure



**SUBJECT:** *RESTART NSW RESOURCES FOR REGIONS PROGRAM  
ROUND 6 - EXPRESSIONS OF INTEREST*

**RESPONSIBLE OFFICER:** *Acting Director Works and Infrastructure - Nicole Benson  
Economic Development Manager - Jane Holdsworth*

### **SUMMARY**

The report seeks Council's approval to submit two Expressions of Interest (EOI) applications under the NSW Government's Restart NSW – Resources for Regions (R4R) funding program (Round 6).

### **RECOMMENDATION**

1. That Council endorses the lodgement of two EOI applications under the Restart NSW – Resource for Regions funding program, being;
  - Kurri Kurri CBD Upgrade - Stage 1
  - Branxton to Greta Cycleway
2. That Council endorse the preparation of a request for exemption of the required co-contribution of 25% seeking to reduce the amount to 12.5%;
3. That if either or both EOI applications are successful, Council commits to providing co-contribution funding as detailed in the report.

### **BACKGROUND**

The NSW Government is inviting EOI's for funding under Round 6 of the R4R funding program.

Established under the NSW Government's Restart NSW Fund, the R4R program aims to deliver improved local infrastructure and services by funding local infrastructure projects in mining affected communities.

Up to \$50 million is available in the 2018-2019 R4R (Round 6) program. This funding opportunity is open to all regional local government areas that can demonstrate that they are mining affected.

EOI's for the program must be submitted by 5.00pm on 23 July 2018.

The purpose of this report is to outline the eligibility and assessment criteria for the upcoming R4R program and to seek Council's endorsement to submit two EOI applications.

Works and Infrastructure

Report No. WI47/2018

Works and Infrastructure



**REPORT/PROPOSAL**

**Eligible Projects and Guidelines**

Applications for Round 6 of the R4R program can be accepted from local councils, Joint Organisations of Councils (JO's), Regional Organisations of Councils (ROCs), and incorporated not-for-profit organisations.

NSW Government agencies are not eligible for R4R funding in 2018-2019.

There have been some alterations to the criteria for Round 6 of the R4R funding program, these are as follows.

1. There is a minimum project amount of \$1million. There is no maximum amount;
2. Applicants must be in a regional local government area which is mining-related and be listed on the Resources for Regions Fund web page. Further, Council areas as listed must have a >1 location quotient to be considered eligible.  
*(Council meets both these criteria being listed on the web page, with a location quotient of 3.78);*
3. A minimum co-contribution has been set at 25% of the total project cost. However, an exemption from co-contributing 25% may be granted where a project is located in a disadvantaged area of NSW using SEIFA indexes and providing supporting evidence.  
*(Preliminary research has been undertaken by the Economic Development Unit and a business case for Council to apply for a reduction is being prepared);*
4. The 2018-2019 R4R program aims to support projects that cater for economic and/or social infrastructure. Suitable projects are those that:
  - a. Be for new or enhanced public infrastructure, particularly related to enhanced economic benefits;
  - b. Aboriginal and Torres Strait islander employment and businesses;
  - c. Social infrastructure, recreational facilities, childcare and delivery of community services;
  - d. Demonstrate benefits beyond one organization;
  - e. Are able to demonstrate alignment with NSW Government priorities and strategies, as well as Local Government strategic plans, with emphasis on projects that contribute the most to the advancement of mining affected regions;
  - f. Deliver growth and economic benefits;
  - g. Have a Benefit to Cost Ratio (BCR) higher than 1.0; and  
Are affordable relative to the available funding, taking into account net life-cycle cost impacts and allowing on-going operating and maintenance requirements.

**Note:-**The specific criteria outlined in the last three dot points (above) have been used to assess the suitability of identified projects. The merit of each project, relative to the above dot points, is discussed later in this report.

**Works and Infrastructure**

**Report No. WI47/2018**

**Works and Infrastructure**



**Assessment Criteria**

EOIs that are eligible and comply with the application requirements will be assessed against the following four program criteria:

1. Strategic Assessment
2. Economic Assessment
3. Affordability
4. Deliverability

**Criteria 1: Strategic Assessment**

Applicants must demonstrate that projects will meet the statutory purpose of the Restart NSW Fund to improve economic growth and productivity in NSW. For the purposes of the R4R program, funding must be used to improve local infrastructure in regional areas that are significantly affected by mining operations.

**Criteria 2: Economic Assessment**

Applicants must demonstrate how projects will have a positive impact on productivity and economic growth in NSW through the creation or enhancement of publicly owned assets. Examples include projects that:

- provide new or diversified employment opportunities
- improve mining industry productivity
- reduce the social impact of mining.

Projects must also be identified in the Regional Economic Development Strategy (REDS) and in Council's submission to the Department of Premier and Cabinet, \$278M of projects were included.

**Criteria 3: Affordability**

Applicants must demonstrate that the project is affordable given the available funding. Project applications must include construction, operating and maintenance costs, supported by estimations or quotes and including all margins and overheads, project and construction management costs and an appropriate amount of contingency for the project stage and risks. Projects with a co-contribution from other sources will be assessed favourably.

**Criteria 4: Deliverability**

Applicants must demonstrate that they have the capacity to deliver projects through robust strategies for procurement, project management and risk management. Past performance on the delivery of NSW Government funded projects will be considered.

**Suitable Projects**

Over the past four years, Council has considered a number of large scale projects that are deemed suitable for grant funding opportunities. A list of these projects, along with their current status (in no particular order) is provided below in Table 1. It should be noted that Table 1 does not include the \$20M Broke Rd HIF funding that was received in 2011.

Works and Infrastructure

Report No. WI47/2018

Works and Infrastructure



Table 1 – List of Projects previously considered by Council

No.	Project Name	Successful Grant	Project Status
1.	Upgrade of links to the Hunter Expressway (HEX)	<b>\$4.6 million</b> – Restart NSW – Fixing Country Roads Round Two	<ul style="list-style-type: none"> <li>Design in Progress</li> </ul>
2.	Frame Drive Bridge	<b>\$2 million</b> - Federal Government Bridges Renewal Program 2016	<ul style="list-style-type: none"> <li>Bridge Complete</li> <li>Road Works Component in Progress</li> </ul>
3.	Fosters Bridge, Mulbring (Sandy Creek Road)	<b>\$2.2 million</b> - Federal Government Bridges Renewal Program 2016	<ul style="list-style-type: none"> <li>Design in Progress</li> <li>Works Due to Commence 2018/19</li> </ul>
4.	Cessnock Airport Upgrade		<ul style="list-style-type: none"> <li>Submission for Growing Local Economies Fund for the airport submitted 21 June 2018</li> </ul>
5.	Wollombi Road, Millfield	<b>\$600,000</b> – Regional Road Repair Program	<ul style="list-style-type: none"> <li>Stages 1,2 &amp; 3 Complete</li> <li>Stages 3,4 &amp; 5 to be undertaken as part of Council's 2017-21 Delivery Plan</li> </ul>
6.	Great North Road, Bucketty	<b>\$835,000</b> – Black Spot Funding (Lemmings Cnr) <b>\$100,000</b> - Great North Rd Road Safety Audit	<ul style="list-style-type: none"> <li>Both Projects Complete</li> </ul>
7.	The Pinch – Wollombi Road, Pelton	-	<ul style="list-style-type: none"> <li>Unsuccessful EOI submission - Resources for Regions – 2014 - 15</li> </ul>
8.	Broke, Hermitage, Old North and Deasys Roads, with cycleways	<b>\$8.6 million</b> – Resources for Regions (Broke & Hermitage Roads only)	<ul style="list-style-type: none"> <li>Road Project Complete</li> <li>Information Bays due to be completed 2018</li> </ul>
9.	Branxton to Greta Cycleway	-	<ul style="list-style-type: none"> <li>Unsuccessful EOI submission – R4R 2017/18 year</li> <li>Round 6 R4R - Commence first stage of implementation of Master Plan – Lang Street</li> </ul>
10.	Cessnock to Kurri Kurri – HEX Cycleway	-	<ul style="list-style-type: none"> <li>Unsuccessful EOI submission - Hunter Infrastructure Investment Fund (HIIF) - 2016</li> </ul>
11.	Cessnock CBD Revitalisation Project (A Staged Project - Includes Bridges Hill Playground Stage 2)	<b>\$1.3M</b>	<ul style="list-style-type: none"> <li>Funding successful R4R 2017/2018 for stage 2</li> </ul>
12.	Lomas Lane Bridge, Nulkaba	<b>\$285,000</b> – Roads 2 Recovery Funding	<ul style="list-style-type: none"> <li>Completed</li> </ul>
13.	Abbotsford Bridge, Bellbird	-	<ul style="list-style-type: none"> <li>Unsuccessful R4R 2017/18 did not meet BCR requirement or economic benefits</li> </ul>

Works and Infrastructure

Report No. WI47/2018

Works and Infrastructure



14.	Richmond Vale Rail Trail Cycleway	-	<ul style="list-style-type: none"> <li>Unsuccessful R4R 2017/18 considered inappropriate for this funding and does not meet criteria</li> </ul>
15.	Old North Road, Rothbury	-	<ul style="list-style-type: none"> <li>Unsuccessful EOI submission - Resources for Regions – cannot meet BCR or economic benefits</li> </ul>
16.	Bridges Hill, Convent Hill and East End Oval Upgrade	<b>\$2.1M</b> – Resources for Regions 2017/18	<ul style="list-style-type: none"> <li>Successful in R4R 2017/18 – Bridges Hill Playground</li> </ul>
17.	Hunter Valley Wine Country Tourist Signage implementation	<b>\$1.25M</b> – Federal Government Building Better Regions Fund	<ul style="list-style-type: none"> <li>Unsuccessful Restart NSW – Regional Growth – Environment and Tourism Fund</li> <li>Successful in Building Better Regions Fund</li> </ul>
18.	Paynes Crossing Bridge	<ul style="list-style-type: none"> <li><b>\$667,700</b> – Federal Government Bridges Renewal Program 2017/18</li> <li><b>\$668,300</b> – Restart NSW - Fixing Country Roads Program 2017/18</li> </ul>	<ul style="list-style-type: none"> <li>Successful - Federal Government Bridges Renewal Program 2017/18</li> <li>Successful - Fixing Country Roads Program 2017/18</li> </ul>
19.	Whittings Bridge	<b>\$437,525</b>	<ul style="list-style-type: none"> <li>Successful - Federal Government Bridges Renewal Program</li> </ul>
20.	Kurri Kurri CBD Upgrade – Stage 1	-	<ul style="list-style-type: none"> <li>Round 6 R4R - Commence first stage of implementation of Master Plan – Lang Street</li> </ul>
<b>Total of successful grants</b>		<b>\$25,643,525</b>	

In assessing the suitability of each of the outstanding projects listed in Table 1, against the criteria for the current R4R program, as well as assessing new projects that have now been identified, the following projects are considered suitable for EOI submissions:

In Recommended Priority Order:

1. Kurri Kurri CBD Upgrade - Stage 1
2. Branxton to Greta Cycleway

**Works and Infrastructure**

**Report No. WI47/2018**

**Works and Infrastructure**



**Overview and Merit of Projects Relative to Economic Benefits and Affordability**

**PROJECT 1 – KURRI KURRI CBD UPGRADE - STAGE 1**

**Scope**

Stage 1 of the Kurri Kurri Commercial Centre Upgrade Project comprises detailed design and upgrade of public domain infrastructure in Lang Street, between Alexander and Merthyr Streets, Kurri Kurri. This includes the upgrade of footpaths, pedestrian crossings, street furniture, bus shelters, lighting and signage.

Stage 1 also includes the provision of additional street tree planting and landscaping in accordance with the Kurri Kurri Commercial Centre Masterplans, adopted by Council on 21 March 2018.

**Estimated Cost Construction**

The current estimate for this project is **\$4.17 M**.

**Council Co-contribution of 25%**

With the total project cost for Stage 1 assessed as \$4.17M, Council would need to provide a co-contribution of **\$1,042,500 (25%)** from within Council operational funding such as programs, reserves and/or loans to fund the project.

The funding to be sourced from the R4R program under this scenario would be **\$3,127,500 (75% of total project cost)**

**Council's Co-contribution – Disadvantaged Reduction 12.5%**

A request for exemption for less than 25% co-contribution is to be submitted on the basis of disadvantage – if the submission is successful the following contribution is recommended:

1. A co-contribution from Council set at 12.5% (**\$521,250**) funding.
2. Council source **\$3,648,750** for this project from the R4R program (Round 6).

**Economic Outcomes**

Investment in the provision of the Kurri Kurri CBD Upgrade - Stage 1 project will have significant economic benefits that will flow on to other sectors of the economy. From a direct injection of \$4.170 million, it is estimated that the demand for intermediate goods and services would rise by \$2.943 million. These industrial effects include multiple rounds of flow-on effects, as servicing sectors increase their own output and demand for local goods and services, in response to the direct change to the economy.

**Output**

The increases in direct and indirect output would typically correspond to the creation of jobs in the economy. Corresponding to this change in employment would be an increase in the total of wages and salaries paid to employees. A proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are estimated at \$0.858 million.

**Works and Infrastructure**

**Report No. WI47/2018**

**Works and Infrastructure**



Total output, including all direct, industrial and consumption effects is estimated to increase by up to \$7.971 million. This represents an output multiplier effect of 1.911.

**Employment**

From a direct increase in output of \$4.170 million, it is anticipated that 9 jobs will be created for the planning and construction phase of the project. From this direct expansion in the economy, flow on industrial effects in terms of local purchases of goods and services are anticipated, and therefore it is estimated that these indirect impacts would result in the gain of a further 8 jobs, with another 3 jobs being created as a result of additional consumption in the local economy.

Total employment, including all direct, industrial and consumption effects is estimated to increase by up to 20 jobs. This represents an employment multiplier effect of 2.222.

**Wages and Salaries**

From a direct investment of \$4.170 million, it is estimated that direct wages and salaries and wages would increase by \$0.680 million. From this direct expansion in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the gain of a further 8 jobs and a further increase in wages and salaries of \$0.621 million. This represents a direct wages and salaries multiplier effect of 1.914.

In addition, the direct and indirect output and the corresponding creation of jobs in the economy are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are expected to further boost employment in sectors such as retail and services therefore further increasing wages and salaries by \$0.205 million.

Total wages and salaries, including all direct, industrial and consumption effects is estimated to increase by up to \$1.506 million. This represents a total wages and salaries multiplier effect for this project of 2.215.

**Impact – Value-Added**

From direct, industrial and consumer effects, the expansion in the economy of purchases and goods, boost to jobs and increases in salaries and wages are estimated to increase total value-added by up to a further \$2.878 million. This represents a value-added multiplier effect of 2.216.

**Benefit Cost Ratio**

The estimated BCR for the project is **>3.69**.

Works and Infrastructure

Report No. WI47/2018

Works and Infrastructure



**PROJECT 2 - BRANXTON TO GRETA CYCLEWAY**

**Scope**

The scope of work comprises the construction of a 3.3km long by 2.4m wide, off-road concrete shared cycleway on the northern side of the New England Highway.

In circa 2003, Council completed an investigation and design for an off-road cycleway linking Branxton with Greta, along the New England Highway corridor, including the preparation of design plans. These plans require review in line with recent developments such as the Hunter Expressway link road, New England Highway road widening and the Whitburn Estate trunk drainage project, along with a recent Branxton – Greta RSL Initiative.

Finalisation of the detailed design will also require consultation with RMS; however, sufficient detail is available to consider this project “Shovel Ready”.

**Estimated Cost Construction**

The current estimate for this project is \$2.6 M (excluding memorials and tree plantings).

**Council Co-contribution of 25%**

With the total project cost for the cycleway assessed as **\$2.6M**, Council would need to provide a co-contribution of **\$650,000 (25%)** from within Council operational funding such as programs, reserves and/or loans to fund the project.

The funding to be sourced from the R4R program under this scenario would be **\$1.95M (75% of total project cost)**

**Council’s Co-contribution – Disadvantaged Reduction 12.5%**

A request for exemption for less than 25% co-contribution is to be submitted on the basis of disadvantage – if the submission is successful the following contribution is recommended:

1. A co-contribution from Council set at 12.5% (**\$325,000**) funding.
2. Council source **\$2,275,000** for this project from the R4R program (Round 6).

**Economic Outcomes**

Investment in the provision of the Branxton to Greta Cycleway project will have significant economic benefits that will flow on to other sectors of the economy. From a direct injection of \$2.6 million, it is estimated that the demand for intermediate goods and services would rise by \$1.416 million. These industrial effects include multiple rounds of flow-on effects, as servicing sectors increase their own output and demand for local goods and services, in response to the direct change to the economy.

**Output**

The increases in direct and indirect output would typically correspond to the creation of jobs in the economy. Corresponding to this change in employment would be an increase in the total of wages and salaries paid to employees. A proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are estimated at \$0.436 million.

**Works and Infrastructure**

**Report No. WI47/2018**

**Works and Infrastructure**



Total output, including all direct, industrial and consumption effects is estimated to increase by up to \$4.452 million. This represents an output multiplier effect of 1.712.

**Employment**

From a direct increase in output of \$2.6 million, it is anticipated that 4 jobs will be created for the planning and construction phase of the project. From this direct expansion in the economy, flow on industrial effects in terms of local purchases of goods and services are anticipated, and therefore it is estimated that these indirect impacts would result in the gain of a further 4 jobs, with another 1 job being created as a result of additional consumption in the local economy.

Total employment, including all direct, industrial and consumption effects is estimated to increase by up to 9 jobs. This represents an employment multiplier effect of 2.250.

**Wages and Salaries**

From a direct investment of \$2.6 million, it is estimated that direct wages and salaries would increase by \$0.420 million. From this direct expansion in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the gain of a further 4 jobs and a further increase in wages and salaries of \$0.303 million. This represents a direct wages and salaries multiplier effect of \$1.723.

In addition, the direct and indirect output and the corresponding creation of jobs in the economy are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are expected to further boost employment in sectors such as retail and services therefore further increasing wages and salaries by \$0.101 million.

Total wages and salaries, including all direct, industrial and consumption effects is estimated to increase by up to \$0.824 million. This represents a total wages and salaries multiplier effect for this project of 1.963.

**Impact – Value-Added**

From direct, industrial and consumer effects, the expansion in the economy of purchases and goods, boost to jobs and increases in salaries and wages are estimated to increase total value-added by up to a further \$1.574 million. This represents a value-added multiplier effect of 1.943.

**BCR**

The estimated BCR for the project is **>1.5**.

**Works and Infrastructure**

**Report No. WI47/2018**

**Works and Infrastructure**



**OPTIONS**

Option 1 –

1. That Council endorses the lodgement of two EOI applications under the Restart NSW – Resources for Regions funding program (Round 6), being as follows:
  - Kurri Kurri CBD Upgrade - Stage 1
  - Branxton to Greta Cycleway
2. That Council endorse the preparation of a request for exemption of the required contribution of 25% to 12.5%.
3. That Council approve co-contribution funding, if successful, of the amounts detailed within the report.

This is the preferred option.

Option 2 - Council endorses a different list of projects;

Option 3 - Council does not participate in the Restart NSW - Resources for Regions program.

**CONSULTATION**

Identification of the listed major infrastructure projects and the prioritisation of those considered eligible for nomination under the R4R program involved consultation with the following stakeholders:

- Acting General Manager
- Acting Director Works and Infrastructure
- Infrastructure Manager
- Works Delivery Manager
- Strategic Recreation and Community Facilities Planner
- Strategic Planning staff

**STRATEGIC LINKS**

**a. Delivery Program**

Community Objective 1.1 - 'Promoting social connections';  
Community Objective 2.1 - 'Diversifying Local Business Options';  
Community Objective 2.3 – 'Increasing Tourism Opportunities & Visitation in the Area';  
Community Objective 3.2 - 'Better Utilisation of Existing Open Space';  
Community Objective 4.1 - 'Better transport links'

**Works and Infrastructure**

**Report No. WI47/2018**

**Works and Infrastructure**



**b. Other Plans**

Kurri Kurri Commercial Centre Masterplan  
Hunter Regional Transport Plan (2014)  
Hunter Strategic Infrastructure Plan (2013)  
Hunter Economic Infrastructure Plan (2013)  
Community Strategic Plan (2013)  
Cessnock Cycling Strategy (2015)

**IMPLICATIONS**

**a. Policy and Procedural Implications**

Nil

**b. Financial Implications**

The Restart NSW R4R program requires a minimum of 25% co-contribution for each project. The financial implications for each scenario is as follows:

1. Kurri Kurri CBD Upgrade – Stage 1 – Estimated project cost \$4.17M. Maximum Council co-contribution 25% \$1,042,500
2. Branxton to Greta Cycleway – Estimated project cost \$2.6M. Maximum Council co-contribution 25% \$650,000

Council officers are proposing to prepare a business case to show the Cessnock LGA is significantly disadvantaged. Should this business case be successful, co-contributions by Council may become fully exempt and/or reduced.

**c. Legislative Implications**

Nil

**d. Risk Implications**

That Council is not willing to make an application under the Restart NSW R4R program foregoing the opportunity of securing external funds to undertake significant infrastructure projects.

That Council is unable to provide the co-contribution of up to a maximum 25% for successful projects, should the Council's request for exemption on grounds of disadvantage be unsuccessful.

**e. Other Implications**

Nil

**Works and Infrastructure**

**Report No. WI47/2018**

**Works and Infrastructure**

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***CONCLUSION***

Council has an opportunity to make application under the Restart NSW R4R program to potentially receive funds to support the undertaking of a number of key infrastructure projects within the Cessnock LGA.

The following two projects have been identified as suitable for EOI applications:

- Kurri Kurri CBD Upgrade - Stage 1
- Branxton to Greta Cycleway

The funding being offered under the Restart NSW R4R program requires a minimum of 25% of the total project cost as a co-contribution. An application to reduce the 25% co-contribution to 12.5% co-contribution on the grounds of disadvantage will be submitted.

***ENCLOSURES***

There are no enclosures for this report.

Works and Infrastructure

Report No. WI48/2018

Works and Infrastructure



**SUBJECT:** *SOUTH CESSNOCK MINE SUBSIDENCE UPDATE*

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

### **SUMMARY**

Flood mitigation works are required in South Cessnock due to the effects of past mining. Council has unsuccessfully approached Subsidence Advisory NSW (SA NSW) to claim compensation of \$7 million to undertake the required mitigation works. This report seeks Council's endorsement to approach the Minister for Finance, Services and Property seeking intervention and support for the claim.

### **RECOMMENDATION**

**That Council writes to the Hon. Victor Dominello MP, Minister for Finance, Services and Property seeking intervention and support for a mine subsidence compensation claim for flood mitigation works in South Cessnock.**

### **BACKGROUND**

At its meeting of 7 February 2018, Council considered report WI3/2018 Minutes of the Floodplain Management Committee Meeting held 15 December 2017 and resolved as follows:

*That the Minutes of the Floodplain Management Committee Meeting held 15 December 2017 be adopted as a resolution of the Ordinary Council, which includes the following:*

1. *Listed Matter FLOCLM6/2017:*
  - *That Council submit a formal letter to the Mine Subsidence Board requesting financial assistance/compensation to property owners who have suffered flooding of their properties as a result of mine subsidence in South Cessnock;*
  - *That Council prepare a submission to the Mine Subsidence Board requesting a mine subsidence compensation package to further reduce flood impacts as a result of mine subsidence in South Cessnock;*
  - *That Council seek support from the Hon. Don Harwin, Minister for Resources, Minister for Energy and Utilities and Minister for the Arts; Scot MacDonald, Parliamentary Secretary for Planning, the Central Coast and the Hunter, and Clayton Barr, Member for Cessnock, for consideration by the Mine Subsidence Board.*

### **REPORT/PROPOSAL**

On the 17 April 2018, in response to item 3 of the resolution, letters were sent to Hon. Don Harwin, Minister for Resources, Minister for Energy and Utilities and Minister for the Arts; Scot MacDonald, Parliamentary Secretary for Planning, the Central Coast and the Hunter, and Clayton Barr, Member for Cessnock. The Minister for Resources office redirected the

**Works and Infrastructure**

**Report No. WI48/2018**

**Works and Infrastructure**



letter received to the Hon. Victor Dominello, MP, Minister for Finance, Services and Property as Subsidence Advisory NSW is now within this minister's portfolio.

On 15 May 2018, in response to items 1 and 2 of the resolution, Council officers held a teleconference with the Acting Chief Executive Officer of SA NSW, Mr Brendan Killen prior to submitting a formal letter. During the teleconference officers discussed the background and provided a way forward as outlined below.

Mine subsidence in the 1980s has substantially altered flood levels in South Cessnock to the detriment of 80 home owners. Flood mitigation works undertaken by the Mine Subsidence Board in the 1980s and early 1990s have proven to be largely ineffective. The Cessnock (Black Creek) Floodplain Risk Management Plan identified 15 homes that experience over floor flooding in a 20% AEP (1 in 5 year) flood event. None of these homes would experience over floor flooding in a 20% AEP flood event if subsidence had not occurred.

The value of the flood mitigation works required, including the South Cessnock Bund Wall scheme, is estimated to be in the order of \$7 million. Council is seeking mine subsidence compensation to fund the work. This package of works provides a practical solution to mitigate flood impacts from mine subsidence that occurred in the 1980s.

During the teleconference, Mr Killen advised that he was in receipt of Council's letter to the Minister (as per item 3 above) and that a the claim would be outside the timeframes provided in the *Coal Mine Subsidence Compensation Act 2017*. Mr Killen said a report would be presented at the June Mine Subsidence Board meeting, which would recommend against acceptance of the claim. Council officers requested that submission of the report be delayed whilst Council officers prepare additional supporting information, including the circumstances around the extended timeframe, lest the claim be formally denied by the Board.

Since the teleconference, the views of the local community have been sought. Property owners of South Cessnock have been invited to engage in this process through a letter outlining the basis of the claim and the next steps. Feedback received to date suggests that a large detention basin east of South Cessnock would receive the highest level of community support. A large detention basin that could return flood conditions to pre-subsidence levels would cost in the order of \$30 million. This is similar in cost to the purchase of all flood affected properties and would also reduce flooding in Cessnock CBD.

Whilst Council has submitted a \$7 million claim for flood mitigation works that provides a practical solution for affected property owners, it has become clear that South Cessnock residents prefer an option that has minimal impact on the current use of their property.

With a view to a more direct approach to the Minister responsible for Subsidence Advisory NSW and the Mine Subsidence Board, a video of local residents describing the impact of subsidence and flooding has been prepared, which highlights first-hand the personal hardship that local residents experienced in the major flood events of 2007 and 2015 the area of subsidence. The video aims to raise awareness and appeal to the Ministers sense of social justice in this situation.

**Works and Infrastructure**

**Report No. WI48/2018**

**Works and Infrastructure**



**OPTIONS**

**Option 1:** That Council writes to the Minister for Finance, Services and Property seeking intervention and support for a compensation claim for flood mitigation works in South Cessnock.

This is the preferred option as it will allow the Minister to provide direction to the Acting Chief Executive Officer of Subsidence Advisory NSW and the Mine Subsidence Board, thereby maximising the likelihood of a successful claim.

**Option 2:** That Council submit the claim to the Mine Subsidence Board without seeking intervention and support.

This is not the preferred option, as the Acting Chief Executive Officer of Subsidence Advisory NSW has previously advised that the claim would be statute barred because of the time elapsed between the subsidence and the current claim.

**Option 3:** That Council withdraw the compensation claim and encourage property owners in South Cessnock to attempt individual claims.

This is not the preferred option, as the individual property owners in South Cessnock are less likely to be in a position to make successful individual claims.

**CONSULTATION**

External consultation has occurred with:

- Greg Lamont, Executive Officer of the Association for Mining Related Councils

Internal Consultation has occurred with:

- Strategic Planning Manager
- Strategic Flooding and Drainage Engineer
- Infrastructure Manager
- Director Works and Infrastructure

**STRATEGIC LINKS**

**a. Delivery Program**

The recommendation of this report aligns with the *Delivery Program 2017-21*:

- Objective 3.1 Protecting & enhancing the natural environment and & the rural character of the area.

The compensation claim directly relates to Council's adopted Floodplain Management Program outlined in the *Delivery Program 2017-21*. The compensation claim would allow Council to fast track:

- construction of the South Cessnock Bund Wall scheme (currently at detail design stage);
- Voluntary House Raising scheme (in operation); and
- Cessnock Flood Warning scheme (currently at concept design stage).

**Works and Infrastructure**

Report No. WI48/2018

**Works and Infrastructure**



Neither a large detention basin east of South Cessnock or voluntary house purchase are included in the *Delivery Program 2017-21*. The large detention basin east of South Cessnock was ruled out in the *Cessnock Floodplain Risk Management Study and Plan 2016* as being unaffordable for Council. Voluntary house purchase in South Cessnock was similarly not considered an affordable option for Council.

**b. Other Plans**

The recommendation of this report aligns with the recommended actions of the:

- *Cessnock (Black Creek) Floodplain Risk Management Study and Plan*, and

**IMPLICATIONS**

**a. Policy and Procedural Implications**

The *Cessnock Development Control Plan, Part C.9 Development of Flood Prone Land* of controls development within flood affected areas.

**b. Financial Implications**

A successful claim would draw upon Subsidence Advisory NSW claim reserves. The State Government established a reserve of \$40 million for historical mining claims. On this basis, it is understood that there are sufficient funds available to cover the South Cessnock claim.

In the event of a successful claim, it is expected that Council would be required to refund any floodplain management grant funding received from the Office of Heritage and Environment for any work included in a claim.

A successful claim would allow Council to fast track delivery of the flood mitigation projects in South Cessnock, freeing up the Floodplain Management budget for other projects.

The flood mitigation works would save approximately \$2 million in property related damages if an event like the April 2015 flood event occurred again.

A successful claim would most likely remove the financial barrier for many home owners that wish to participate in the voluntary house raising scheme (noting that the current scheme requires a one third contribution from house owner). It is highly likely that a successful claim would also reduce insurance premiums for property owners and residents.

**c. Legislative Implications**

SA NSW can reject the claim as the *Coal Mine Subsidence Compensation Act 2017* includes a 12 month time limit on making a claim once the claimant becomes aware of the damage. The claim appeals to the discretionary powers of the CEO of SA NSW:

Section 11 (3)(c) of the *Coal Mine Subsidence Compensation Act 2017* allows the Chief Executive of Subsidence Advisory NSW to consider a longer period of time for claims to be made.

**Works and Infrastructure**

**Report No. WI48/2018**

**Works and Infrastructure**



**d. Risk Implications**

There is a risk that pursuing this matter may lead to adverse media for Council and/or the State Government.

**e. Environmental Implications**

The South Cessnock Bund Wall scheme involves clearing of native vegetation parallel to the railway embankment. The impacts are considered minor and are currently being further assessed by Council's consultant engineers with a view to mitigation measures.

**f. Other Implications**

**Social Implications:** A successful claim would deliver significant positive community benefits. Flood mitigation works would bring relief to the anxiety and stress large rainfall events cause to South Cessnock residents and property owners.

***CONCLUSION***

Historical mine subsidence in South Cessnock has worsened flood impacts. A claim for compensation from SA NSW is unlikely to succeed without Ministerial support to overcome the statutory timeframe for submission.

It is recommended that Council approach the Minister for Finance, Services and Property seeking intervention to improve the likelihood of a successful claim.

***ENCLOSURES***

There are no enclosures for this report

**SUBJECT:** *MINUTES OF LOCAL TRAFFIC COMMITTEE HELD 18 JUNE 2018*

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

**RECOMMENDATION**

That the Minutes of the Local Traffic Committee of 18 June 2018 be adopted as a resolution of the Ordinary Council being:

1. TC23/2018 - That temporary regulation of traffic be approved for the Winery Run in accordance with the Winery Run \_ Traffic Control Plans;
2. TC24/2018 - That line marking be installed on Kendall Street, Bellbird in accordance with Kendall Street Bellbird \_ Line Marking Diagrams;
3. TC25/2018 - That parking restrictions, line marking, traffic island, and Chevron Alignment Markers be installed on Nelson Street, Greta in accordance with Nelson Street Greta \_ Line Marking Diagram;
4. TC26/2018 - That a pedestrian refuge, associated signage and line marking be installed on McGrane Street, Cessnock in accordance with McGrane Street Cessnock \_ Pedestrian Refuge Diagram; and
5. TC27/2018 - That signage be installed on Millfield Road, Millfield in accordance with Millfield Road Millfield \_ Long Vehicle Detour Diagram.

**MINUTES OF TRAFFIC COMMITTEE MEETING  
OF  
CESSNOCK CITY COUNCIL  
HELD IN ANTE ROOM ON MONDAY, 18 JUNE 2018, COMMENCING AT 9.30 AM**

**OPENING:** The meeting was opened at 9.33am

**PRESENT:** Councillor Lyons (in the Chair)  
Ms Perri Hodge – NSW State Member Representative  
Mr Nicholas Trajcevski – RMS

**IN ATTENDANCE:** Mr Nathan Goodbun – Traffic Engineering Officer  
Mr Richard Ingall – Rover Coaches  
Mr Warren Jeffery – Road Safety Officer  
Ms Maria Nikolaidis – Strategic Traffic & Transport Engineer

Works and Infrastructure

Report No. WI49/2018

Works and Infrastructure



## ***APOLOGIES***

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

Mr Clayton Barr MP – NSW State Member  
Councillor Gray

for unavoidable absence be accepted.

## ***CONFIRMATION OF MINUTES***

***NOTED*** that the Minutes of the Local Traffic Committee held on 21 May 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

Works and Infrastructure

Report No. WI49/2018

Works and Infrastructure



## LISTED MATTERS

**SUBJECT:** MCDONALDS ROAD, ROTHBURY  
TEMPORARY REGULATION OF TRAFFIC FOR WINERY RUN

**REPORT NO.:** TC23/2018

**REFERENCE.:** 45 2018 5

**MATTER:** Council has received an application for the temporary regulation of traffic in connection with an existing development application (DA) for the Winery Run, and has assessed the application along with the associated Traffic Management Plan (TMP) and Traffic Control Plans (TCPs).

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

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

- It was noted that the event was to be held entirely inside the Cessnock LGA, and no approvals would be required from Singleton Council; and
- Clarification was provided on the roles of Marshall and Traffic Controller, as described in the Traffic Control Plans.

### RECOMMENDATION

That temporary regulation of traffic be approved for the Winery Run in accordance with the Winery Run \_ Traffic Control Plans.

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

**SUPPORT:** Unanimous

Works and Infrastructure

Report No. WI49/2018

Works and Infrastructure



**SUBJECT:**            **KENDALL STREET, BELLBIRD  
LINE MARKING**

**REPORT NO.:**        **TC24/2018**

**REFERENCE.:**

**MATTER:**            Traffic Classifier data collected by Council officers indicates poor speed compliance in Kendall Street, Bellbird. Observations by Council officers have confirmed poor compliance with speed, and other road rules, particularly since resealing works have increased the pavement width to 7.5 metres.

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

- It was recommended that the proposed separation (S1) line between Mary Street and Charlton Street, be replaced with Double Barrier (BB) line;
- Clarification was provided on parking and pedestrian issues in Kendall Street; and
- The planned installation of pedestrian footpath facilities on the northern side of Kendall Street, between Doyle Street and Mary Street was outlined.

**RECOMMENDATION**

That line marking be installed on Kendall Street, Bellbird in accordance with Kendall Street Bellbird \_ Line Marking Diagrams.

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

**SUPPORT:**            **Unanimous**

Works and Infrastructure

Report No. WI49/2018

Works and Infrastructure



**SUBJECT:** *NELSON STREET, GRETA  
PARKING RESTRICTIONS AND LINE MARKING*

**REPORT NO.:** *TC25/2018*

**REFERENCE.:**

**MATTER:** Residents have raised road safety and pedestrian safety concerns resulting from poor parking behaviour on Nelson Street, Greta.

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

- It was recommended that NO STOPPING signs be installed to re-inforce the C3 NO STOPPING line;
- Alternate parking options for the resident were explained;
- It was noted that the poor parking behaviour stemmed from an ongoing civil dispute between neighbours over property access;
- It was advised that NSW Police and Rangers are unable to take enforcement action until property entries are properly defined, and regulatory controls formalised; and
- The need for sufficient width to safely enter & leave the adjacent property was noted

**RECOMMENDATION**

That parking restrictions, line marking, traffic island, and Chevron Alignment Markers be installed on Nelson Street, Greta in accordance with Nelson Street Greta \_ Line Marking Diagram.

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

**SUPPORT:** *Unanimous*

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Report No. WI49/2018

Works and Infrastructure



**SUBJECT:** *MCGRANE STREET, CESSNOCK  
PEDESTRIAN REFUGE*

**REPORT NO.:** *TC26/2018*

**REFERENCE.:**

**MATTER:** The Mount View High School community has raised concerns regarding poor turning discipline in the area of the intersection of McGrane Street and Mount View Road, Cessnock, given that children cross the road at that intersection.

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

- It was recommended that repeater NO STOPPING signs be installed on McGrane Street due to the length of the proposed No Stopping zone,
- It was noted that minor road widening works are required at the intersection to ensure that access for buses and 19 metre long vehicles is maintained.

**RECOMMENDATION**

That a pedestrian refuge, associated signage and line marking be installed on McGrane Street, Cessnock in accordance with McGrane Street Cessnock \_ Pedestrian Refuge Diagram.

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

**SUPPORT:** Unanimous

Works and Infrastructure

Report No. WI49/2018

Works and Infrastructure



**SUBJECT:** *MILLFIELD ROAD, MILLFIELD  
LONG VEHICLE DETOUR SIGNAGE*

**REPORT NO.:** *TC27/2018*

**REFERENCE.:**

**MATTER:** The recent upgrade and realignment of the intersection of Millfield Road and Eleventh Avenue, Millfield requires the installation of a long vehicle detour at the intersection of Millfield Road and Bennett Street, Millfield.

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

- It was noted that detailed design works to upgrade and realign the intersection of Millfield Road and Bennett Street are being prepared, for future presentation to the committee,
- It was also noted that the intersection of Wollombi Road and Bennett Street is to be upgraded as part of the Wollombi Road upgrade project.

**RECOMMENDATION**

That signage be installed on Millfield Road, Millfield in accordance with Millfield Road Millfield \_ Long Vehicle Detour Diagram.

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

**SUPPORT:** *Unanimous*

**CORRESPONDENCE**

NIL

**GENERAL BUSINESS**

**VINCENT STREET, CESSNOCK – BUS ZONES**

The Rover Coaches representative enquired as to progress on the assessment of the Vincent Street Bus Zones by RMS.

The RMS representative advised that it was still in progress, but had been delayed by higher priority activities, such as the Black Spot project.

**DEDICATED RESIDENTIAL DISABLED PARKING SPACES – NEWCASTLE LGA**

The State Member representative advised of a program in place in the Newcastle LGA where residents with disability parking scheme permits are able to secure dedicated disabled parking outside of their residences.

**Works and Infrastructure**

**Report No. WI49/2018**

**Works and Infrastructure**

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It was advised by the Traffic Engineering Officer that this has most likely been implemented as part of a resident permit parking scheme, in areas with limited or no off street parking availability and that the general abundance of parking spaces in the Cessnock LGA does not necessitate such a scheme.

**CLOSURE:**      *The Meeting Was declared closed at 10.40am*

***NSW POLICE TECHNICAL REVIEW***

The NSW Police representative provided individual technical review of the above reports and recommendations following the meeting. All recommendations were accepted.

***ENCLOSURES***

There are no enclosures for this report.

Notices Of Motion

Report No. BN20/2018

General Manager's Unit



***NOTICES OF MOTION No. BN20/2018***

***SUBJECT: 24 HOUR OPERATION***

***COUNCILLOR: Allan Stapleford***

***MOTION***

**That the General Manager provide a report back to Council within three months outlining how development applications which propose 24 hour operations, would be reported to Council for determination.**

It is my intention to move the above motion at the next Ordinary Meeting of Council on 4 July 2018.

**RATIONALE**

Council has a number of 24 hour operations approved in the local government area and as Councillors we often receive complaints from residents who are impacted as a result. Often impacted residents may not have commented on development proposal or may not have been aware.

Most recently, Council considered and refused development consent to a 24 hour operation trial because the impacts were considered to be unacceptable and not in the public interest.

It is suggested that Council should consider whether development applications which propose 24 hour operations, be automatically reported to Council for determination in an effort to ensure impacts are considered consistently by the full Council. It is understood that the current delegations would need to be reviewed before Council would make the decision, and in that regard, a report back to Council within three months would provide an opportunity to see how the proposal could operate.

Sgd: Allan Stapleford

Date: 15 June 2018

**ENCLOSURES**

There are no enclosures for this report

Notices Of Motion

Report No. BN21/2018

General Manager's Unit



***NOTICES OF MOTION No. BN21/2018***

**SUBJECT:** *GARBAGE BINS AT SLACKS PARK, WOLLOMBI*

**COUNCILLOR:** *Allan Stapleford*

***MOTION***

**That the General Manager investigate the cost of installing two bin cabinets at the front of Slacks Park Wollombi to prevent the disposal of general household waste at the site.**

It is my intention to move the above motion at the next Ordinary Meeting of Council on 4 July 2018.

**Rationale**

The bins at the front of Slacks Park Wollombi are often overflowing with bags of household rubbish in between services provided by Council. This makes the appearance of the Park and the village of Wollombi untidy. It is a burden on resources having to continually remove this illegally placed household rubbish. The installation of cabinets with small openings will make it difficult for people to fill them with their household rubbish.

Sgd: Allan Stapleford

Date: 15 June 2018

***ENCLOSURES***

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ62/2018

Works and Infrastructure



**SUBJECT:** *NRMA RECHARGE POINTS*

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

**Q61/2018 – NRMA Recharge Points**

Asked by Councillor Lyons at the Ordinary Meeting of Council held on 20 June 2018.

*for an update in regard to his Notice of Motion BN 53/2017 – NRMA Recharge Points that was presented to Council on 1 November 2017.*

A letter to NRMA Motoring and Services registering Councils interest in being considered for their Electric Vehicle (EV) Fast Charger Network was sent in February 2018. Subsequently, Amelia Starr, NRMA Senior Manager – Shared Value Programs, contacted Council and arranged a meeting with staff on 23 March 2018 to discuss the program and look for connections in our LGA.

At this meeting, Ms Starr summarised the type of site that the NRMA was seeking and outlined the following criteria:-

- Two side-by-side perpendicular parking spaces with 24 hour accessibility (preferably reserved exclusively for EV charging only)
- To be located where users can spend one to two hours while waiting (i.e. close for food, shops, toilets, etc.)
- To be close to a suitable electricity supply

Several locations were discussed with Ms Starr during this meeting and two were proposed for further investigation by the NRMA. The two sites are Kurri Kurri at the intersection of Lang and Allworth Streets adjacent the Kurri Kurri Library and in the western end of the Bridges Hill Park carpark (Yango Street Cessnock).

On 19 June 2018, a response from the NRMA regarding these sites was received advising that they are looking at Cessnock for a possible Stage 2 site in late 2019 allowing more time to work through the opportunities. The NRMA also advised *“If there was interest from Council to cover some components of the charger installation (i.e. cost of hardware and potentially civil works if required) there may be a way of bringing this forward. In this scenario we (as in the NRMA) would still cover site design, installation, cost of electricity and ongoing maintenance.”*

The NRMA have requested more information on timelines of the Bridges Hill Park Masterplan implementation and further details on what Council processes might need to be undertaken to gain approval to formally establish the EV fast charging network at the site (i.e. DA, Council or General Manager approval, etc.). Council officers are currently gathering this information to continue discussions with the NRMA.

**ENCLOSURES**

- [1](#) NRMA Partnership Proposal EV Fast Charging Regional NSW
- [2](#) NRMA EV Fast Charger Network Information Pack

Answers To Questions For Next Meeting

Report No. AQ63/2018

Corporate and Community Services



**SUBJECT:** *SAFER COMMUNITY GRANTS*

**RESPONSIBLE OFFICER:** *Community & Cultural Engagement Manager - Natalie Drage*

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**Q62/2018 – Safer Community Grants**

Asked by Councillor Burke at the Ordinary Meeting of Council held on 20 June 2018.

*“If Council made a submission in the recent Safer Community Grants and what were the outcomes”.*

Council did not submit an application under recent safer communities funding programs, however Council is committed to crime prevention and community safety and during 2017 made a number of approaches including written submissions to the NSW Government advocating for a new Cessnock police station and concerns for the re-engineering of policing boundaries which has since occurred. The identification of projects for future crime prevention and community safety funding opportunities will be discussed with Hunter Valley Police.

**ENCLOSURES**

There are no enclosures for this report

Answers To Questions For Next Meeting

Report No. AQ64/2018

Works and Infrastructure



**SUBJECT:** *BN1/2017 - UPGRADE TO BELLBIRD BMX TRACK*

**RESPONSIBLE OFFICER:** *Acting Director Works and Infrastructure - Nicole Benson*

**Q63/2018 – BN1/2017 – Upgrade to Bellbird BMX Track**

Asked by Councillor Dunn at the Ordinary Meeting of Council held on 20 June 2018.

*“when the report in regard to BN1/2017 – Upgrade of Bellbird BMX Track will be presented to Council?”*

The Resolutions Tracking Report advises that the report on the upgrade of Bellbird BMX Track would be brought to Council upon adoption of the Recreation and Open Space Strategic Plan (ROSSP). The ROSSP was adopted on 20 June 2018 and the BMX Track report is being prepared for the Council meeting scheduled for 1 August 2018.

**ENCLOSURES**

There are no enclosures for this report

Correspondence

Report No. CO23/2018

Corporate and Community Services



**SUBJECT:** *HART & GOVERNMENT ROADS AND GINGERS LANE,  
WESTON - SEEKING FUNDING SUPPORT*

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

**RECOMMENDATION:**

**That Council note the correspondence received.**

At its Ordinary Meeting of 2 May 2018, Council considered a Motion of Urgency MOU7/2018 and resolved:

*That the General Manager immediately correspond with the following persons:*

- *State Member for Cessnock, Clayton Barr MP*
- *State Minister for Roads, Maritime & Freight, The Hon. Melinda Pavey MP*
- *Federal Member for Paterson, Meryl Swanson MP*
- *Federal Minister for Infrastructure & Transport, The Hon. Michael McCormack MP*
- *Federal Minister for Regional Development, Territories and Local Government, The Hon. Dr John McVeigh MP*
- *Parliamentary Secretary for Planning, the Central Coast and the Hunter, Scot MacDonald*

*to seek their support and actively pursue any and all funding available through both State and Federal grant programs, including but not limited to the Black Spot Funding and Fixing Country Roads programs, together with any other potential sources of grant funding to fast-track the redevelopment of the intersection at Hart Road, Government Road and Gingers Lane, Weston.*

A response from the State Member for Cessnock Clayton Barr, MP has been received advising of representations made to the NSW Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP. A copy of the correspondence is provided for Council's information.

**ENCLOSURES**

[1](#) Letter from Clayton Barr MP

Correspondence

Report No. CO24/2018

Corporate and Community Services



**SUBJECT:** *WINE COUNTRY DRIVE - TRAFFIC AND SAFETY*

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

**RECOMMENDATION:**

**That Council note the correspondence received.**

At its Ordinary Meeting of 18 April 2018, Council considered a Notice of Motion – Wine Country Drive – Traffic & Safety and resolved:

1. *That Council again write to our State Member, Clayton Barr and the Minister for Roads, Melinda Pavey expressing the need for an urgent solution to the traffic and safety problems experienced by motorists and residents of Nulkaba, along Wine Country Drive, during pick up and drop off times at St Phillips Christian College, Nulkaba Public School and Nulkaba Pre-School.*
2. *That Council write to the Road and Maritime Services (RMS) requesting they urgently review the traffic and safety conditions at the corner of Wine Country Drive and Lomas Lane.*

A response from the State Member for Cessnock Clayton Barr, MP has been received advising of representations made to the NSW Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP. A copy of the correspondence is provided for Council's information.

**ENCLOSURES**

[1](#) Response from Clayton Barr, MP

Correspondence

Report No. CO25/2018

Corporate and Community Services



**SUBJECT:** *COMMUTER CARPARKING - HUNTER EXPRESSWAY - HEDDON GRETA*

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

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**RECOMMENDATION**

**That the correspondence be noted.**

At its Ordinary Meeting of 15 November 2017 Council considered Report WI87/2017 and resolved:-

1. *That Council note the investigation and liaison undertaken with Roads and Maritime Services in relation to future commuter car parks off the Hunter Expressway;*
2. *That Council note the estimated cost of \$4,200,000 for the construction of a commuter carpark, roundabout and associated turning lanes at Stanford Road, Heddon Greta;*
3. *That Council writes to the NSW Minister Roads, Maritime and Freight, the NSW Parliamentary Secretary for the Hunter and Central Coast, the State Member for Cessnock and Taylor Martin MLC seeking funding for construction of the subject infrastructure.*

A response from the Minister for Roads, Maritime and Freight, The Hon. Melinda Pavey MP has been received and a copy is provided for Council's information.

**ENCLOSURES**

- [1](#) Reply from Minister for Roads, Maritime and Freight

Correspondence

Report No. CO26/2018

Corporate and Community Services



**SUBJECT:** *REQUEST TO PREMIER TO RECONSIDER SYDNEY FOOTBALL STADIUM AND SYDNEY OLYMPIC STADIUM PLANS - CESSNOCK POLICE STATION FUNDING*

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

### **RECOMMENDATION**

**That Council note the correspondence received.**

At its Ordinary Meeting of 18 April 2018, Council considered a Business with Notice No. BN6/2018 – 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.*

A response letter from the Minister for Police, The Hon Troy Grant MP has been received advising of the allocation of \$13.5m in the State Budget for 2018/19 for a new police station in Cessnock. A copy of the correspondence is provided for Council's information.

### **ENCLOSURES**

[1](#) Reply from The Hon Troy Grant MP