



Vincent Street
CESSNOCK 2325.

11 March 2008

To All Councillors

You are hereby notified that the next Ordinary Meeting of the Council will be held in the Council Chambers, on Wednesday, 19 March 2008, immediately following the conclusion of the Corporate and Regulatory Services Committee Meeting, for the purpose of transacting the undermentioned business.

**B R MORTOMORE
GENERAL MANAGER**

AGENDA:

PAGE NO.

(1) APOLOGIES.

(2) CONFIRMATION OF MINUTES.

Minutes of the Ordinary Meeting of the Council held on 5 March
2008

(3) MAYORAL MINUTES.

(4) COMMITTEES' REPORTS.

Report of Strategic & Community Services
Committee Meeting held on 19 March 2008

Report of Corporate & Regulatory Services
Committee Meeting held on 19 March 2008

(5) OFFICERS' REPORTS

GENERAL MANAGER

9/2008	2008 LGMA National Congress & Business Expo	3
10/2008	Election of Deputy Mayor	4
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(6) COUNCILLORS' REPORTS.

(7) QUESTIONS WITHOUT NOTICE.

(8) REPORT OF THE COMMITTEE OF THE WHOLE MEETING HELD ON 19 MARCH 2008

MAYORAL MINUTES

MAYORAL MINUTE NO. 4/2008

SUBJECT: DRAFT CESSNOCK LOCAL ENVIRONMENTAL PLAN 2008

The draft Cessnock Local Environmental Plan 2008 which is currently with the Department of Planning (DoP) for consideration prior to going on public exhibition dispenses with the "existing holdings" provisions which have been in existence for many years which in turn removes the right to build a dwelling on those lots affected by these provisions.

The draft has been prepared by Council taking in to account the expressed concern of the DoP that this 'right' should end, and also responding to the Department of Primary Industries' (DPI) similar concern that continued residential uses in the rural areas has detrimental impacts upon agricultural pursuits.

However, Councillors are aware of the issues associated with the proposed removal of the existing holding provisions and it is recommended that staff investigate, in consultation with DoP, alternative arrangements which will retain the rights offered by the current existing holdings provisions, and ensure that they are included in the Cessnock Local Environmental Plan 2008.

RECOMMENDATION that:-

1. Staff investigate, in consultation with DoP, alternative arrangements which will retain the rights offered by the current existing holdings provisions, and ensure that they are included in the Cessnock Local Environmental Plan 2008.
2. Council write to the Minister for Planning as a matter of urgency expressing Council's support for the retention of the rights offered by the current existing holdings provisions, through the adoption of mutually acceptable terms in the Cessnock Local Environmental Plan 2008.

To: **Ordinary Council Meeting**
- 19 March 2008

JOHN CLARENCE OAM
MAYOR
12 March 2008

OFFICERS' REPORT

GENERAL MANAGER'S REPORT NO. 9/2008

SUBJECT: 2008 LGMA NATIONAL CONGRESS & BUSINESS EXPO

The LGMA National Congress & Business Expo is to be held on the Gold Coast, 25-28 May 2008. To meet budget, it has been determined that only three (3) delegates can be nominated to attend. In accordance with Policy C26.3, Councillors wishing to attend were requested to make application to the General Manager by Friday, 7 March 2008.

Four (4) Councillors have applied to attend – Mayor, Cr Clarence OAM and Councillors Maybury, Olsen and Bedford. Copies of their applications are provided in Enclosure 1.

RECOMMENDATION that Council determine attendees for the 2008 LGMA National Congress & Business Expo.

To: **Ordinary Council Meeting**
19 March 2008

B R MORTOMORE
GENERAL MANAGER
10 March 2008

GENERAL MANAGER'S REPORT NO. 10/2008

SUBJECT: ELECTION OF DEPUTY MAYOR

In relation to the position of Deputy Mayor, Section 231 of the 1993 Act provides:

- “1) The councillors may elect a person from among their number to be the Deputy Mayor.
- 2) The person may be elected for the Mayoral term or a shorter term.
- 3) The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of Mayor.
- 4) The Councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no Deputy Mayor has been elected.”

The following procedure is to be followed:

- Nominations are to be announced and elections are to be conducted at the same Council meeting.
- A nomination is to be made in writing by two or more Councillors, one of whom may be a nominee.
- The Council must resolve that the election proceed by preferential ballot, ordinary ballot or open voting.
- Preferential ballot and ordinary ballot will be secret ballots.

A nomination paper has been enclosed with the agenda and must be handed or delivered to the General Manager acting as Returning Officer, prior to the election.

RECOMMENDATION that Council determine if it is to elect a Deputy Mayor and if so, determine the method of election to be used and the term for which the Deputy Mayor is to be elected.

To: **Ordinary Council Meeting**
19 March 2008

B R MORTOMORE
GENERAL MANAGER
10 March 2008

GENERAL MANAGER'S REPORT NO. 11/2008

SUBJECT: APPOINTMENT TO COMMITTEES AND ORGANISATIONS

The following Committees comprise elected members, staff and community representatives. These Committees are established in accordance with Section 355 of the Local Government Act 1993 and/or have been granted individual delegation of authority by the Council in accordance with Section 377 of the Local Government Act.

A Council may, by resolution, establish such Committees as it considers necessary and any such Committee is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council. Council must specify the function of each of its Committees.

Any Councillor who is not a member of a Committee is entitled to attend and speak at but is not entitled to vote at a meeting of the Committee.

In relation to Chairperson and Deputy Chairperson of Committees, Clause 267 of the regulations provides:

1. "The Chairperson of each Committee of the Council, must be:
 - a) the Mayor; or
 - b) if the Mayor does not wish to be the Chairperson of a Committee, a member of the Committee elected by the Council; or
 - c) if the Council does not elect such a member, a member of the Committee elected by the Committee.
2. A Council may elect a member of a Committee of the Council as Deputy Chairperson of the Committee. If the Council does not elect a Deputy Chairperson of such a Committee, the Committee may elect a Deputy Chairperson.
3. If neither the Chairperson nor the Deputy Chairperson of a Committee of a Council is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the Committee to be Acting Chairperson of the Committee.
4. The Chairperson is to preside at a meeting of a Committee of a Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside the Acting Chairperson is to preside at the meeting."

It is also suggested that Council elect/appoint at least one alternate delegate to each Committee and in the case of larger Committees, it would be appropriate to have two alternate delegates.

A proposed Committee structure is:

<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>CORPORATE & REGULATORY SERVICES COMMITTEE</p> <p>– To monitor and make determinations in relation to:</p> <ul style="list-style-type: none"> - Financial Services - Information Technology - Regulatory Services - Development Services - Human Resources - Administration Services <p>Full Council</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>STRATEGIC AND COMMUNITY SERVICES COMMITTEE</p> <p>– Planning and general oversight for:</p> <ul style="list-style-type: none"> - Heritage and Civic Design - Cultural Services - Environmental issues - Economic Development, including Tourism. - Traffic management - Recreation and Community Facilities - Roads, Bridges and Drainage Assets - Financial Planning - Strategic Planning <p>– Policy and Programme Evaluation.</p> <p>Full Council</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>WORKS & SERVICES COMMITTEE</p> <p>– To monitor and make determinations in relation to operational matters relating to:</p> <ul style="list-style-type: none"> - Road Works - Bridge Works - Drainage Works - Building Works - Plant - Emergency Services - Waste Services - Recreational Services <p>Full Council</p>

<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>BADDELEY PARK MANAGEMENT COMMITTEE</p> <p>- Management Committee to assist in the operation, management and promotion of the new complex at Baddeley Park</p> <p>Three (3) Councillors, General Manager (or representative), two (2) representatives Cessnock Rugby League Football Club, one (1) representative Cessnock Rugby League Supporters Club Currently The Mayor, Councillor Clarence OAM, Councillors Pynsent and Troy</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>CESSNOCK YOUTH COUNCIL</p> <p>- Core function of the Committee is to plan and implement activities for Youth Week</p> <p>Two (2) Councillors plus one (1) alternate delegate Currently Councillors Main and Scott with Councillor Besoff as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>COUNCIL INITIATED AWARDS COMMITTEE</p> <p>- To consider and recommend all Council initiated awards to the public</p> <p>Three (3) Councillors plus one (1) alternate delegate Currently Councillors Parsons, Besoff and Troy with Councillor Maybury as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>INSPECTION COMMITTEE</p> <p>- The carrying out of inspections associated with any aspect of Council’s operations and services as deemed appropriate</p> <p>Full Council</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>OUTDOOR SIGNAGE COMMITTEE</p> <p>- Monitor and maintain outdoor signage regulation throughout the Local Government Area</p> <p>One (1) Councillor plus one (1) alternate delegate, Development Services Manager Currently Councillor Bedford with Councillor Pynsent as alternate delegate</p>

<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>PLANNING REVIEW COMMITTEE</p> <ul style="list-style-type: none"> – To review decisions of Council relative to Development and Subdivision matters – To consider SEPP (1) applications and associated matters <p>Full Council</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>REVIEW OF GENERAL MANAGER’S EMPLOYMENT ARRANGEMENTS COMMITTEE</p> <ul style="list-style-type: none"> – To review the General Manager’s Performance Agreement and make recommendations to Council concerning remuneration and employment issues <p>Five (5) Councillors plus two (2) alternate delegates Currently The Mayor, Councillor Clarence OAM, Councillors Bedford, Troy, Parsons and Pynsent with Councillors Besoff and Scott as alternate delegates</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>VINTAGE HUNTER MANAGEMENT COMMITTEE</p> <ul style="list-style-type: none"> - Determine appropriate sources of industry contribution and seek such contribution; contribute to the development of concepts for suitable exhibits within the Wine Centre; develop recommendations for Council consideration on the long-term day to day and financial management of the Wine Interpretive Centre <p>One (1) Councillor plus one (1) alternate delegate, General Manager, Community & Media Information Officer Currently Councillor Pynsent with The Mayor, Councillor Clarence OAM, as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>WASTE MANAGEMENT COMMITTEE</p> <ul style="list-style-type: none"> – To investigate, advise and make recommendations to Council relative to waste management policy and strategic issues <p>Four (4) Councillors plus one (1) alternate delegate Currently The Mayor, Councillor Clarence OAM, Councillors Maybury, Scott and Main with Councillor Troy as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>FUNCTION/DELEGATION:</u></p> <p><u>MEMBERS:</u></p>	<p>WEEDS COMMITTEE</p> <ul style="list-style-type: none"> - Monitoring and control of weeds throughout the Local Government Area <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Troy with Councillor Olsen as alternate delegate</p>

Council is represented on numerous bodies, authorities, organisations etc, and it is necessary to nominate Council’s representatives. The following organisations etc require representatives if Council determines to continue its participation. Council may wish to consider appointing alternate delegates in each case to ensure continuous representation.

<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>AUSTAR COAL MINE COMMUNITY CONSULTATIVE COMMITTEE</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Maybury</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>BUSHFIRE BRIGADES ADVISORY COMMITTEE</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Maybury with Councillor Ryan as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>CESSNOCK COMMITTEE OF THE TWO BISHOPS TRUST</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Smith with Councillor Davey as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>CESSNOCK/KURRI KURRI HEALTH REFERENCE GROUP</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Scott with Councillor Davey as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>CESSNOCK/MAITLAND BUSH FIRE MANAGEMENT COMMITTEE</p> <p>One (1) Councillor plus one (1) alternate delegate, General Manager Currently Councillor Maybury with Councillor Ryan as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>COUNTRY PUBLIC LIBRARIES ASSOCIATION OF NSW CENTRAL EAST ZONE COMMITTEE</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Smith with Councillor Pynsent as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>HAWKESBURY NEPEAN LOCAL GOVERNMENT ADVISORY GROUP</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Maybury with Councillor Pynsent as alternate delegate</p>

<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>HUNTER AREA ASSISTANCE SCHEME LOCAL RANKING COMMITTEE</p> <p>Two (2) Councillors plus one (1) alternate delegate Currently Councillors Smith and Besoff with Councillor Scott as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>HUNTER & CENTRAL COAST REGIONAL ENVIRONMENTAL MANAGEMENT STRATEGY (HCCREMS)</p> <p>One (1) Councillor plus one (1) alternate delegate, Environment Planning Manager (Director Strategic & Community Services alternate) Currently Councillor Maybury with Councillor Davey as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>HUNTER COUNCILS</p> <p>Two (2) Councillors plus two (2) alternate delegates Currently The Mayor, Councillor Clarence OAM, Councillor Scott with Councillors Parsons and Maybury as alternate delegates</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>HUNTER VALLEY WINE COUNTRY TOURISM INC</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Pynsent with The Mayor, Councillor Clarence OAM, as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>HUNTER WATER CONSULTATIVE FORUM</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Maybury with The Mayor, Councillor Clarence OAM, as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>HUNTER ZONE RFS LIAISON COMMITTEE</p> <p>One (1) Councillor plus one (1) alternate delegate Currently Councillor Maybury with Councillor Ryan as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>HYDRO ALUMINIUM LIAISON COMMITTEE</p> <p>The Mayor, three (3) Councillors plus one (1) alternate delegate Currently The Mayor, Councillor Clarence OAM, Councillors Maybury, Parsons and Troy</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>NEWCASTLE ROAD FREIGHT ADVISORY GROUP</p> <p>One (1) Councillor plus one (1) alternate delegate, Traffic Manager Currently Councillor Maybury with Councillor Ryan as alternate delegate</p>

<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>TASMAN UNDERGROUND MINE COMMUNITY CONSULTATIVE COMMITTEE</p> <p>One (1) Councillor plus one (1) alternate delegate. Currently Councillor Maybury</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>WALLIS/FISHERY CREEK TOTAL CATCHMENT MANAGEMENT COMMITTEE</p> <p>One (1) Councillor plus one (1) alternate delegate, Strategic Land Use Planning Manager Currently Councillor Ryan with Councillor Olsen as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>WALLIS/FISHERY CREEK TOTAL CATCHMENT MANAGEMENT FORUM</p> <p>One (1) Councillor plus one (1) alternate delegate, Strategic Land Use Planning Manager Currently Councillor Ryan with Councillor Olsen as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>WASTE MANAGEMENT ASSOCIATION OF AUSTRALIA – HUNTER GROUP</p> <p>One (1) Councillor plus one (1) alternate delegate Currently The Mayor, Councillor Clarence OAM, with Councillor Scott as alternate delegate</p>
<p><u>NAME:</u></p> <p><u>MEMBERS:</u></p>	<p>WESTON ALUMINIUM MONITORING COMMITTEE</p> <p>One (1) Councillor plus one (1) alternate delegate Currently The Mayor, Councillor Clarence OAM, with Councillor Smith as alternate delegate</p>

RECOMMENDATION that:

1. Council adopt the proposed Committee structure.
2. Council determine its delegates and alternate delegates to the committees and organisations listed in this report.
3. The delegates be appointed for the remainder of the elected term with Local Government Elections being held 13 September 2008.
4. Council endorse the Committee functions as suggested in General Manager’s Report No. 11/2008.

To: **Ordinary Council Meeting**
19 March 2008

B R MORTOMORE
GENERAL MANAGER
10 March 2008

GENERAL MANAGER'S REPORT NO. 12/2008

SUBJECT: DRAFT COMMUNICATIONS STRATEGY 2008-2011

Community and Media Information Officer, Ms Rowena Scanlan, reports:

BACKGROUND:

At its meeting of 23 January 2008, Council resolved to place the draft Communications Strategy 2008–2011 on public exhibition.

REPORT:

Cessnock City Council's aim in adopting a Communications Strategy is to ensure that our residents, our partners, our stakeholders and other organisations are well informed about and have a clear understanding of our responsibilities, facilities, services and achievements.

The draft Communications Strategy 2008–2011 is a comprehensive document which seeks to identify strategies for the complete range of Council's communication needs. Strategies have been prioritised following consideration of current staff resources.

The draft Communications Strategy was placed on public exhibition from 13 February until 12 March 2008 inclusive. No submissions were received during the exhibition period.

RECOMMENDATION that Council now adopt the draft Communications Strategy as its final Communications Strategy 2008-2011.

To: **Ordinary Council Meeting**
19 March 2008

B R MORTOMORE
GENERAL MANAGER
10 March 2008