

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 7 AUGUST 2013, COMMENCING AT
6.30PM**

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

IN ATTENDANCE: General Manager
Group Leader Built and Natural Environment
Acting Group Leader Customer Services (Financial Services Manager)
Group Leader Strategy and Sustainability
Group Leader Community Services
Acting Development Services Manager (Team Leader Development Services)
Organisational Development Manager
Strategic Assets Planning Manager
Corporate Administration Officer

MINUTES: **MOTION** **Moved:** Councillor Parsons **Seconded:** Councillor Maybury
490
RESOLVED that the Minutes of the Ordinary Meeting of Council held on 17 July 2013, as circulated, be taken as read and confirmed as a correct record.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI18/2013

SUBJECT: DISCLOSURES OF INTEREST

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Hawkins
491

RESOLVED

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

AP20/2013 – Floodplain Management Committee – Councillor Stapleford declared a Non-Pecuniary Interest – Insignificant Conflict for the reason that he owns the land that the flood warning device is on. Councillor Stapleford advised that he will remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty.

MM15/2013 – Organisational Structure – Councillor Wrightson declared a Non-Pecuniary Interest – Insignificant Conflict for the reason that she was a former employee of Cessnock City Council. Councillor Wrightson advised that she will leave the Chamber and take no part in discussion and voting as there may be a perceived conflict of interest by current Cessnock City Council staff.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

ADDRESS BY INVITED SPEAKERS

The following person has been invited to address the meeting of Council:

Speakers	Company	For / Against	Report	Page No.	Duration
Mr Paul Le Mottee	Le Mottee Surveyors	For	EE54/2013 - Development Application 8/2013/328/1 - Two (2) Lot subdivision of approved multi dwelling housing	7	7 mins

MAYORAL MINUTES

MAYORAL MINUTES NO. MM14/2013

SUBJECT: COAL SEAM GAS EXPLORATION

MOTION **Moved:** Councillor Pynsent
492

RESOLVED

That in the light of the Chief Scientist’s initial report on coal seam gas exploration, Council reiterates its firm opposition to coal seam gas exploration within the local government area, and calls upon the NSW Government to maintain a moratorium on further exploration until the conditions laid down in this and subsequent reports are satisfied.

FOR	AGAINST
Councillor Gibson	Councillor Olsen
Councillor Troy	Councillor Maybury
Councillor Doherty	
Councillor Wrightson	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (2)

CARRIED

PROCEDURAL MOTION

Moved:

Councillor Smith

Seconded:

Councillor Hawkins

493

RESOLVED

That Mayoral Minute 15/2013 – Organisational Structure – be dealt with in confidential session under Section 10A(2)(a) of the Local Government Act 1993 as it deals with staffing matters.

FOR	AGAINST
Councillor Gibson	Councillor Olsen
Councillor Troy	Councillor Ryan
Councillor Doherty	
Councillor Wrightson	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (11)	Total (2)

CARRIED

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU13/2013

SUBJECT: MOTIONS OF URGENCY

NIL

ENHANCING OUR NATURAL, DEVELOPED AND CULTURAL ENVIRONMENT

OUR NATURAL, DEVELOPED AND CULTURAL ENVIRONMENT NO. EE54/2013

SUBJECT: DEVELOPMENT APPLICATION 8/2013/328/1 - TWO (2) LOT SUBDIVISION OF APPROVED MULTI DWELLING HOUSING

MOTION **Moved:** Councillor Gibson **Seconded:** Councillor Troy
494
RESOLVED

That the report be **DEFERRED** for a site inspection and that staff provide options with regard to standard conditions of consent for council's consideration.

FOR	AGAINST
Councillor Gibson	Councillor Olsen
Councillor Troy	Councillor Ryan
Councillor Doherty	
Councillor Wrightson	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (11)	Total (2)

CARRIED

OUR NATURAL, DEVELOPED AND CULTURAL ENVIRONMENT NO. EE55/2013

SUBJECT: AMENDMENT TO CESSNOCK DEVELOPMENT CONTROL PLAN 2010 - PART "F" URBAN RELEASE AREAS

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Doherty
495
RESOLVED

That Council:

1. **Adopt draft Part "F" - Urban Release Areas to the Cessnock Development Control Plan 2010.**
2. **Publish a notice in the newspaper to give effect to the Plan.**
3. **The Department of Planning & Infrastructure be notified that Council has adopted these amendments to Development Control Plan (2010).**

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

OUR NATURAL, DEVELOPED AND CULTURAL ENVIRONMENT NO. EE56/2013

**SUBJECT: REPORT OF THE ENVIRONMENTAL STRATEGY & MANAGEMENT
COMMITTEE MEETING OF 24 JULY 2013**

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Parsons

1. That Council accept and note the Minutes of the Environmental Strategy & Management Committee of 24 July 2013.
2. That a further report on the concept of a coal seam gas forum and its implications for Council be presented to the next meeting.
3. That Council hold an interim meeting of the Committee to discuss the Waste Strategy.

AMENDMENT **Moved:** Councillor Ryan **Seconded:** Councillor Olsen

1. That Council accept and note the Minutes of the Environmental Strategy & Management Committee of 24 July 2013.
2. That Council Host a Coal Seam Gas Forum on a Saturday afternoon in the next 2 months.
3. That Council organise the forum in accordance with an information and marketing plan.
4. That Council Invite the following speakers to present at the forum;
 - a. Mary O’Kane (NSW Chief Scientist and Engineer) or her delegate
 - b. Professor Garry Wilgoose (Newcastle University)
 - c. AGL and
 - d. A speaker from Wollombi against Gas Extraction or Hunter Valley Protection Alliance.
5. That Council hold an interim meeting of the Committee to discuss the Waste Strategy.

FOR	AGAINST
Councillor Wrightson	Councillor Gibson
Councillor Olsen	Councillor Troy
Councillor Ryan	Councillor Doherty
	Councillor Stapleford
	Councillor Hawkins
	Councillor Smith
	Councillor Campbell
	Councillor Parsons
	Councillor Maybury
	Councillor Pynsent
Total (3)	Total (10)

The Amendment was *PUT* and *LOST*.

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

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Hawkins
496

RESOLVED

1. **That Council accept and note the Minutes of the Environmental Strategy & Management Committee of 24 July 2013.**
2. **That a further report on the concept of a coal seam gas forum and its implications for Council be presented to the next meeting.**
3. **That Council hold an interim meeting of the Committee to discuss the Waste Strategy.**

FOR	AGAINST
Councillor Gibson	Councillor Olsen
Councillor Troy	Councillor Ryan
Councillor Doherty	
Councillor Wrightson	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (11)	Total (2)

CARRIED

OUR NATURAL, DEVELOPED AND CULTURAL ENVIRONMENT NO. EE57/2013

SUBJECT: CESSNOCK CITY COUNCIL DRAFT BIODIVERSITY STRATEGY

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Maybury

That the report be **DEFERRED** until such time as the Federal Election is complete.

AMENDMENT **Moved:** Councillor Ryan **Seconded:** Councillor Olsen

That Council places the Draft Cessnock Biodiversity Strategy on Public Exhibition for a period of 28 days.

FOR	AGAINST
Councillor Olsen	Councillor Gibson
Councillor Ryan	Councillor Troy
	Councillor Doherty
	Councillor Wrightson
	Councillor Stapleford
	Councillor Hawkins
	Councillor Smith
	Councillor Campbell
	Councillor Parsons
	Councillor Maybury
	Councillor Pynsent
Total (2)	Total (11)

The Amendment was *PUT* and *LOST*.

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

MOTION

Moved: Councillor Doherty

Seconded: Councillor Maybury

497

RESOLVED

That the report be **DEFERRED** until such time as the Federal Election is complete.

FOR

Councillor Gibson
Councillor Troy
Councillor Doherty
Councillor Wrightson
Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Maybury
Councillor Pynsent
Total (11)

AGAINST

Councillor Olsen
Councillor Ryan

Total (2)

CARRIED

PROVIDING QUALITY SERVICES

PROVIDING QUALITY SERVICES NO. QS67/2013

SUBJECT: **DRAFT DISCUSSION PAPER - THE PROVISION OF RESIDENTIAL AGED CARE SERVICES WITHIN THE CESSNOCK LOCAL GOVERNMENT AREA**

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Wrightson
498

RESOLVED

That Council:

1. Place the Draft Discussion Paper titled – ‘The Provision of Residential Aged Care Services within the Cessnock Local Government Area’ on public exhibition for 42 days; and
2. Receive a further report on the exhibition of the Draft Discussion Paper with the view to Council considering it for adoption.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROVIDING QUALITY SERVICES NO. QS68/2013

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Gibson **Seconded:** Councillor Doherty
499

RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROVIDING QUALITY SERVICES NO. QS69/2013

SUBJECT: REPORT OF THE CESSNOCK CITY COUNCIL LOCAL TRAFFIC COMMITTEE MEETING HELD ON 15 JULY 2013

MOTION **Moved:** Councillor Gibson **Seconded:** Councillor Wrightson
500
RESOLVED

That the Minutes of the Traffic Committee of 15 July 2013 be adopted as a resolution of the Ordinary Council.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

TRAFFIC COMMITTEE NO. TC19/2013

SUBJECT: WESTCOTT STREET, CESSNOCK - PEDESTRIAN REFUGE AT WOLLOMBI ROAD

MOTION **Moved:** Barr **Seconded:** Morrison

RECOMMENDATION

The existing pedestrian refuge in Westcott Street Cessnock at Wollombi Road, be retained.

CARRIED UNANIMOUSLY

TRAFFIC COMMITTEE NO. TC20/2013

SUBJECT: VINCENT STREET, CESSNOCK - PROPOSED ROUNDABOUT AT EDGEWORTH STREET

MOTION **Moved:** Bernard **Seconded:** Morrison

RECOMMENDATION

1. The proposed single circulating roundabout be approved as a traffic management device at the intersection of Vincent Street and Edgeworth Street, Cessnock;
2. The proposed signage and pavement markings associated with the proposed roundabout be approved, subject to public comments;
3. The plans be approved subject to consultation regarding the design of the blister island at Endeavour Industries.

CARRIED BY MAJORITY VOTE

TRAFFIC COMMITTEE NO. TC21/2013

SUBJECT: DEAKIN STREET, KURRI KURRI - PARKING REVIEW AT KURRI KURRI HIGH SCHOOL

MOTION **Moved:** Barr **Seconded:** Morrison

RECOMMENDATION

The following works be approved in Deakin Street and Stanford Street Kurri, across the frontage of Kurri High School as follows:-

1. A 12m "Loading Zone" with operational hours of 9.00am to 3.30pm School Days" be installed outside the school's main pedestrian gate;
2. A 25.3m "No Parking" zone with operational during of 8.00am-9.30am 2.30pm-4.00pm School Days be installed between the "Loading Zone" and the teacher's carpark access;
3. A childrens crossing be investigated in Stanford Street near Deakin Street;
4. "45° Angle Parking Rear To Kerb Vehicles Under 6m Only" parking restrictions be installed in Stanford Street between Northcote Street and Deakin Street;
5. The statutory "No Stopping" areas at the Deakin Street / Booth Street intersection be signposted;

6. The construction of kerb and gutter, concrete footpath and shoulder sealing on Stanford Street be listed for consideration and funding in Council's Capital Works Programme.

CARRIED UNANIMOUSLY

TRAFFIC COMMITTEE NO. TC22/2013

**SUBJECT: MAYFIELD STREET, CESSNOCK - COOPER STREET
INTERSECTION**

MOTION Moved: Morrison **Seconded:** Barr

RECOMMENDATION

The existing "Give Way" intersection priority controls in Mayfield Street Cessnock at Cooper Street be replaced with "Stop" controls (and their associated pavement markings).

CARRIED UNANIMOUSLY

PROVIDING QUALITY SERVICES NO. QS70/2013

SUBJECT: DRAFT CESSNOCK AIRPORT STRATEGIC PLAN

MOTION **Moved:** Councillor Gibson **Seconded:** Councillor Wrightson
501

RESOLVED

That Council places the draft Cessnock Airport Strategic Plan on public exhibition for a period of 28 days.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROVIDING QUALITY SERVICES NO. QS71/2013

SUBJECT: DIRECT DEBIT FOR CESSNOCK POOL FEES

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Wrightson
502

RESOLVED

1. That Council does not introduce a direct debit payment option for season passes at its two outdoor pools this coming season 2013/2014.
2. That Council investigate the feasibility of a direct debit option for its outdoor pools in readiness for the 2014/15 season.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROFESSIONAL MANAGEMENT AND LEADERSHIP

PROFESSIONAL MANAGEMENT AND LEADERSHIP NO. PM68/2013

**SUBJECT: LOCAL GOVERNMENT ELECTIONS - AMENDMENT TO SECTION 296
LOCAL GOVERNMENT ACT 1993 RELATING TO THE CONDUCT OF
ELECTIONS**

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Wrightson
503
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROFESSIONAL MANAGEMENT AND LEADERSHIP NO. PM69/2013

**SUBJECT: LOCAL GOVERNMENT AMENDMENT (EARLY INTERVENTION) ACT
2013**

MOTION **Moved:** Councillor Wrightson **Seconded:** Councillor Hawkins
504
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROFESSIONAL MANAGEMENT AND LEADERSHIP NO. PM70/2013

SUBJECT: APPOINTMENT OF CONSULTANT - CONTAMINATED SITES INVESTIGATION

MOTION **Moved:** Councillor Maybury **Seconded:** Councillor Gibson
505
RESOLVED

That Council approve the engagement of Coffey Environment to undertake Contaminated Sites Investigation for \$29,390 (excl GST).

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROFESSIONAL MANAGEMENT AND LEADERSHIP NO. PM71/2013

**SUBJECT: CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT
 REFERENDUM "YES" CAMPAIGN – POLLING DAY MANAGEMENT**

Report withdrawn from Agenda.

PROFESSIONAL MANAGEMENT AND LEADERSHIP NO. PM72/2013

**SUBJECT: 14 INTERNATIONAL CITIES, TOWN CENTRES AND COMMUNITIES
CONFERENCE - OCTOBER 2013**

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

506

RESOLVED

1. That expressions of interest be open for Councillors to make application to attend the 14th International Cities, Town Centres and Communities Conference at Mandurah, Western Australia from 16 – 18 October 2013.
2. That Council staff investigate opportunities for Council's representatives to visit the Ellenbrook Town and the City of Swan during the visit to Western Australia in order to be prepared for the impending development of the Huntlee New Town within our local government area.

Councillor Morgan Campbell left the meeting, the time being 7.22pm

Councillor Morgan Campbell returned to the meeting, the time being 7.24pm

FOR	AGAINST
Councillor Gibson	Councillor Olsen
Councillor Troy	Councillor Ryan
Councillor Doherty	
Councillor Wrightson	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (11)	Total (2)

CARRIED

PROFESSIONAL MANAGEMENT AND LEADERSHIP NO. PM73/2013

SUBJECT: NSW DIVISION OF LOCAL GOVERNMENT - STATE SWIMMING POOL REGISTER

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Hawkins
507
RESOLVED

That Council register swimming pools on the state swimming pool register on behalf of land owners free of charge.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROFESSIONAL MANAGEMENT AND LEADERSHIP NO. PM74/2013

SUBJECT: STAFF ENGAGEMENT SURVEY 2013

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Maybury
508

RESOLVED

1. That Council exempt the engagement of Insync Surveys from its resolution (no.165) outlined in Business with Notice BN56/2012, dated 12 December 2012 and accept the quote of \$17,700 (exc GST) from Insync Surveys to conduct the 2013 Staff Satisfaction and Engagement Survey for Cessnock City Council.
2. That pursuant to section 377 of the Local Government Act 1993, Council delegate authority to the General Manager to authorise any variations to the contract up to 15% of the contract value.

|

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

PROFESSIONAL MANAGEMENT AND LEADERSHIP NO. PM75/2013

**SUBJECT: REPORT OF THE CESSNOCK CITY COUNCIL LITIGATION
OVERSIGHT COMMITTEE MEETING HELD ON 17 JULY 2013**

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
509
RESOLVED

1. That Council accept and note the Minutes of the Cessnock City Council Litigation Oversight Committee meeting held on 17 July 2013.
2. That an Information report be provided to Council on a monthly basis by category which provides a summary of current actions and estimated costs and outcome.
3. That a letter be forwarded to HWL Ebsworth emphasising the responsibilities of the Legal Providers as per the Brief provided in the Tender documents and seeking a response in regards to provision of an activity summary.
4. That an extraordinary meeting be scheduled for 21 August 2013 to receive a presentation from representatives of Hunter Councils Council's Legal Services section on the services provided through Hunter Councils.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

ACTIVE PARTICIPATION AND COMMUNITY CONSULTATION

ACTIVE PARTICIPATION AND COMMUNITY CONSULTATION NO. AP19/2013

**SUBJECT: REPORT OF THE ABORIGINAL ADVISORY COMMITTEE MEETING
HELD ON 19 JULY 2013**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gibson
510
RESOLVED

1. That Council accept and note the Minutes of the Aboriginal Advisory Committee held on 19 July 2013.

2. That Council's Acknowledgement of Country should state:-

"That Council acknowledges the Wonnarua people as the traditional custodians of this land we are meeting on today, the Elders past and present.

We also acknowledge the Awabakal people to the east and the Darkinjung people to the south, and other Aboriginal peoples who now live within the Cessnock Local Government Area."

3. That the Committee review at its next meeting the current geography and map of the Cessnock Local Government Area in relation to the Aboriginal lands in the area, to determine the suitability of the revised wording of the Acknowledgement of Country for any Council function held within the Local Government Area.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

ACTIVE PARTICIPATION AND COMMUNITY CONSULTATION NO. AP20/2013

SUBJECT: FLOODPLAIN MANAGEMENT COMMITTEE

Councillor Stapleford declared a Non-Pecuniary Interest – Insignificant Conflict for the reason that he owns the land that the flood warning device is on. Councillor Stapleford remained in the Chamber and participated in discussion and voting.

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Gibson
511

RESOLVED

1. **The Minutes of the Floodplain Management Committee of 7 June 2013 be received and noted.**
2. **The Draft Swamp/Fishery Creek Flood Risk Management Study Plan be placed on public exhibition for 6 weeks.**
3. **Council writes to the Regional Landcare Committee regarding the flood warning system in the vicinity of Cedar Creek.**

FOR	AGAINST
Councillor Gibson	Councillor Ryan
Councillor Troy	
Councillor Doherty	
Councillor Wrightson	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (12)	Total (1)

CARRIED

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN16/2013

SUBJECT: PLANNING BILL 2013 EXPOSURE DRAFT

MOTION **Moved:** Councillor Ryan **Seconded:** Councillor Olsen
512
RESOLVED

That Council:

- 1) Writes to Premier Barry O'Farrell requesting that, given the substantial criticisms by the ICAC, the Australian Institute of Architects, and the Law Society of NSW, he commits to a re-writing of the Planning Bill 2013 Exposure Draft and a re-exhibition of the proposed legislation.

- 2) Writes to Local Government NSW urging the Presidents to make representations to the Premier that any new planning legislation which attracts the level of criticism from reputable bodies such as the ICAC, the Law Society of NSW, and the Australian Institute of Architects should not be passed by Parliament until further extensive re-writing and consultation has occurred with those organisations who will have the primarily responsibility of implementing the Act i.e. local government.

FOR	AGAINST
Councillor Wrightson	Councillor Gibson
Councillor Olsen	Councillor Troy
Councillor Ryan	Councillor Doherty
Councillor Stapleford	Councillor Parsons
Councillor Hawkins	Councillor Maybury
Councillor Smith	
Councillor Campbell	
Councillor Pynsent	
Total (8)	Total (5)

CARRIED

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ115/2013

SUBJECT: BRANXTON BUS SHELTER

The answer be noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ116/2013

SUBJECT: FEDERAL ELECTION SIGNS

The answer be noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ117/2013

SUBJECT: DAIRY ARM ROAD

The answer be noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ118/2013

SUBJECT: NULKABA FOOTPATH

The answer be noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ119/2013

SUBJECT: INVESTIGATION INTO ADDITIONAL OFF LEASH DOG EXERCISE AREAS

The answer be noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ120/2013

SUBJECT: KURRI KURRI HIGH SCHOOL PEDESTRIAN ACCESS

The answer be noted.

QUESTIONS FOR NEXT MEETING

Councillor Morgan Campbell

QUARRYBYLONG STREET INTERSECTION

Councillor Campbell asked when was the last time Council had contact with the State Government regarding traffic issues at the Quarrybylong Street and Aberdare Road intersection and what was the result?

Councillor Morgan Campbell

OLD CESSNOCK BOWLING CLUB

Councillor Campbell asked whether Council has received any applications for the old Cessnock Bowling Club site?

Councillor Allan Stapleford

CORRESPONDENCE FROM ABERNETHY GROUP

Councillor Stapleford asked whether Council has received correspondence from a fitness group from Abernethy regarding a cycleway and a bridge?

Councillor Hawkins advised that he had forwarded representations from the group to the Group Leader Community Services.

Councillor Rod Doherty

PARSONS BRINKERHOFF REPORT ON DIVERSITY - PRN1213-0236 DATED JUNE 2013

Councillor Doherty asked if Council could request the Federal Government Department of Environment to provide electronic overlays for Council to put on its electronic property system as the A4 maps provided in the report are difficult to relate to land holdings?

Councillor Catherine Parsons

BUS SHELTER BRANXTON

Councillor Parsons referred to her previous question in relation to the Bus Shelter at Branxton and the subsequent answer and asked how soon would the replacement be?

Councillor Bryce Gibson

VISITORS INFORMATION CENTRE

Councillor Gibson asked if there was an allocation of funding in the current budget for Council taking over the role in the short to medium term, possibly long term?

The General Manager advised that the situation is that Council did appropriate \$30,000 towards a membership and the association to which that membership was to be provided has not determined fees, so with Council looking like taking over the Visitors Information Centre we will be looking at utilising that \$30,000. The General Manager also advised that there will be a report coming back to Council on the Visitors Information Centre once more information is known particularly from the Hunter Valley Wine Tourism Association who meet tomorrow.

Councillor Cordelia Troy

VISITORS INFORMATION CENTRE

Councillor Troy asked for a full report regarding the Visitors Information Centre which covers all the expenses, positions, all the risks and liabilities that Council will take on?

Councillor James Ryan

AGL - CAMDEN SITE

Councillor Ryan asked for a copy of the letter whereby the Mayor declined the offer from AGL for Councillors to attend their Camden Site?

Councillor Ryan referred to an item in the Herald of 4 August 2013 where Councillor Maybury said that the Camden AGL site showed that Gas wells can occur without any affect and asked when did Councillor Maybury travel to Camden, was it as a guest of AGL, was any hospitality provided and if so was it provided by AGL?

Councillor Maybury advised that he attended the AGL Camden site approximately 4 – 5 years ago at no cost to AGL or himself as he was there as a member of the Association of Mining Related Councils along with a bus load of other members.

Councillor Cordelia Troy left the meeting, the time being 7.56pm

Councillor Cordelia Troy returned to the meeting, the time being 7.57pm

COUNCILLOR'S REPORTS

NIL

7.58pm

Confidential reports (closed session)

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
513

RESOLVED

That the meeting move into closed session in order to consider Mayoral Minute 15/2013 – Organisation Structure.

FOR	AGAINST
Councillor Gibson	Councillor Olsen
Councillor Troy	Councillor Ryan
Councillor Doherty	
Councillor Wrightson	
Councillor Stapleford	
Councillor Smith	
Councillor Hawkins	
Councillor Campbell	
Councillor Parsons	
Councillor Maybury	
Councillor Pynsent	
Total (11)	Total (2)

CARRIED

The following staff left the meeting, the time being 7.58pm:-

*Group Leader Built and Natural Environment
Acting Group Leader Customer Services (Financial Services Manager)
Group Leader Strategy and Sustainability
Group Leader Community Services*

The following staff returned to the meeting, the time being 8.07pm:-

*Group Leader Built and Natural Environment
Group Leader Strategy and Sustainability
Group Leader Community Services*

8.07PM
Open Session

The meeting moves back into open session and the Mayor reported on the outcome of the Closed Session.

MAYORAL MINUTES

MAYORAL MINUTES NO. MM15/2013

SUBJECT: ORGANISATIONAL STRUCTURE

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

Council endorsed the Mayoral Minute.

The Meeting Was Declared Closed at 8.08pm

CONFIRMED AND SIGNED at the meeting held on 21 August 2013

.....**CHAIRPERSON**

.....**GENERAL MANAGER**