

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

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

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

APOLOGIES:

MOTION *Moved:* Councillor Troy
Seconded: Councillor Hawkins
 1644
RESOLVED that the apologies tendered on behalf of Councillor Gibson and Olsen, for unavoidable absence, be accepted and leave of absence granted.

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

CARRIED UNANIMOUSLY

MINUTES:

MOTION

Moved: Councillor Smith
Seconded: Councillor Stapleford

1645

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

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI6/2016

SUBJECT: DISCLOSURES OF INTEREST

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

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

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

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

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

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

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

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

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

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

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

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

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

CARRIED UNANIMOUSLY

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

NIL

NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

NOTICE OF INTENTION NO. NI1/2016

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

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

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

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

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

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

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

PROCEDURAL MOTION	Moved:	Councillor Ryan
	Seconded:	Councillor Troy

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

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

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

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

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

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

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

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

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

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

CARRIED UNANIMOUSLY

Confidential reports (closed session)

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

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

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

CARRIED UNANIMOUSLY

7.00PM
Open Session

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

PLANNING AND ENVIRONMENT NO. PE28/2016

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

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

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

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

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC15/2016

SUBJECT: INVESTMENT - CONFIDENTIAL SETTLEMENT

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

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

RESOLVED

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

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

CARRIED UNANIMOUSLY

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

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU6/2016

SUBJECT: MOTIONS OF URGENCY

NIL

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE29/2016

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

BLACK HILL ROAD, BLACK HILL

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

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

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

MODIFIED CONDITIONS OF CONSENT

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

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

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

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

48. Liaison Committee

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

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

- i) One-two representatives of the Black Hill quarry;
- ii) Interested Councillor;
- iii) Council officer/s; and
- iv) Two to four community members.

- To operate on a six monthly basis, commencing in July 2016.
- To be held at Cessnock City Council or an agreed alternate venue.
- Each meeting will be conducted by an independent convenor or chairperson engaged by Woodbury’s Haulage and Earthmoving at the company’s expense and who will also be responsible for circulation to the Committee of minutes taken at the meeting.

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

49. Environmental Management Plan

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

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

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

50. Rehabilitation Plan

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

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

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

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

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

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

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

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

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

MODIFIED CONDITIONS OF CONSENT

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

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

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

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

48. Liaison Committee

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

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

- i) One-two representatives of the Black Hill quarry;
- ii) Interested Councillor;
- iii) Council officer/s; and
- iv) Two to four community members.

- To operate on a six monthly basis, commencing in July 2016.
- To be held at Cessnock City Council or an agreed alternate venue.
- Each meeting will be conducted by an independent convenor or chairperson engaged by Woodbury's Haulage and Earthmoving at the company's expense and who will also be responsible for circulation to the Committee of minutes taken at the meeting.

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

49. Environmental Management Plan

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

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

50. Rehabilitation Plan

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

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

CARRIED

PLANNING AND ENVIRONMENT NO. PE30/2016

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

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

That the following Disclosure be accepted:-

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

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

CARRIED UNANIMOUSLY

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

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

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

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

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

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

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

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

PLANNING AND ENVIRONMENT NO. PE31/2016

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

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

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

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC16/2016

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

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

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

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC17/2016

SUBJECT: INVESTMENT REPORT - MARCH 2016

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

That Council receive the report and note the information.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC18/2016

SUBJECT: LAND VALUATIONS FOR RATING JULY 2015 BASE DATE

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

That the report be received and the information noted.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC19/2016

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

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

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

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC20/2016

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

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

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

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

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

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

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

RESOLVED

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

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

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

FOR	AGAINST
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Councillor Troy
 Councillor Doherty
 Councillor Wrightson
 Councillor Ryan
 Councillor Stapleford
 Councillor Hawkins
 Councillor Campbell
 Councillor Pynsent
Total (8)

Total (0)

CARRIED UNANIMOUSLY

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

CORPORATE AND COMMUNITY NO. CC21/2016

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

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

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

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC22/2016

SUBJECT: RESOLUTIONS TRACKING REPORT

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

That Council receive the report and note the information.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC23/2016

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

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

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

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI19/2016

SUBJECT: PUBLIC EXHIBITION OF DRAFT ASSET MANAGEMENT PLANS

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

RESOLVED

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

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI20/2016

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

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

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

1. That line marking and signage be installed on Charlton Street, Cessnock as follows:
 - S1 dividing separation centre line and E1 edge lines both sides for the remaining length;
 - BB double unbroken centre lines and raised reflective pavement markers from the intersection with Snape Street and Aberdare Road south for 20m;
 - Two symbolic W6-3 Children Crossing warning signs on the approaches to the childcare center.

2. That three R5-400 NO STOPPING signs be installed on Charlton Street Cessnock, at locations as follows:
 - Immediately north of vehicle access crossing on the Charlton Street frontage of 223-225 Vincent Street, with a single arrow pointing south;
 - Immediately south of vehicle access crossing on the Charlton Street frontage of 223-225 Vincent Street, with a double arrow pointing north and south;
 - Immediately south of the vehicle access crossing on the frontage of 21 Charlton Street, with a single arrow pointing north.

3. That two existing NO STOPPING EMERGENCY VEHICLES EXCEPTED signs on Sperry Street, Cessnock be removed

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI21/2016

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

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

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

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

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ29/2016

SUBJECT: MOUNT VIEW ROAD - ROAD WORKS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ30/2016

SUBJECT: ELECTION COMMITMENT FOR ROADWORKS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ31/2016

SUBJECT: NULKABA FOOTPATH - OVERGROWN

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ32/2016

SUBJECT: GRETA / COLLIERY STREETS INTERSECTION - STOP SIGN

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Graham Smith

STERNTALER DEVELOPMENT - BUCHANAN ROAD

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

Councillor Catherine Parsons

DISABLED PARKING - ABERMAIN HALL

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

Councillor Catherine Parsons

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

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

COUNCILLORS' REPORTS

Councillor Troy

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

Councillor Smith

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

The Meeting Was Declared Closed at 7.31pm

CONFIRMED AND SIGNED at the meeting held on 4 May 2016

.....**CHAIRPERSON**

.....**GENERAL MANAGER**