

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 6 APRIL 2016, COMMENCING AT
6.30 PM**

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

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Strategic Land Use Planning Manager
Principal Natural Environment Planner
Recreation Services Manager
Strategic Recreation & Facilities Planner
Mr Michael King (Consultant – SGL)
Community Planning Coordinator
Media & Communication Officer
Corporate Administration Officer

APOLOGIES:

MOTION **Moved:** Councillor Stapleford
 Seconded: Councillor Parsons

1631

RESOLVED that the apology tendered on behalf of Councillors Wrightson, Troy and Ryan for unavoidable absence, be accepted and leave of absence granted.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
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

1632

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 16 March 2016, as circulated, be taken as read and confirmed as a correct record.

FOR

Councillor Gibson
Councillor Doherty
Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Pynsent
Total (8)

AGAINST

Councillor Olsen

Total (1)

CARRIED

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI5/2016

SUBJECT: DISCLOSURES OF INTEREST

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1633
RESOLVED

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

PE24/2016 Evaluation and Selection of Quotation for Cessnock Commercial Precinct Project (Q1415/07) – Councillor Gibson declared a Non-Pecuniary - Less Than Significant Conflict for the reason that he owns real property within the confines of this precinct. Councillor Gibson 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 will not be financially impacted either way.

PE27/2016 Flying-foxes East Cessnock – Councillor Gibson declared a Non-Pecuniary - Less Than Significant Conflict for the reason that he owns a property which is indirectly effected by the bat camp. Councillor Gibson 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 the greater public interest is at hand and he is not financially independent because of any result.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

Speakers	For/Against Recommendation	Report	Page No.	Duration
Ms Diane Partridge	For Recommendation	WI18/2016 – Cessnock Aquatic Centre Feasibility and Design	250	3 Minutes

WORKS AND INFRASTRUCTURE NO. WI18/2016

SUBJECT: CESSNOCK AQUATIC CENTRE FEASIBILITY AND DESIGN

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Stapleford

1. That Council endorses the draft Cessnock Aquatic Centre Feasibility and Design Report;
2. That Council endorses Turner Park on Aberdare Road, Cessnock as the preferred Aquatic Centre site;
3. That Council endorses Options 2 and 3 as described in SGL report, being medium and high embellishment, as the preferred facility configurations to progress to Business Model, Concept Development and Final Feasibility and Design;
4. That Council receives a further report seeking Council's resolution to place the Final Feasibility and Design of Options 2 and 3 as described in SGL report, medium and high embellishment facility configurations on public exhibition.

AMENDMENT **Moved:** Councillor Gibson **Seconded:** Councillor Olsen

1. That Council endorses the draft Cessnock Aquatic Centre Feasibility and Design Report;
2. That Council endorses Turner Park on Aberdare Road, Cessnock as the preferred Aquatic Centre site;
3. That Council endorses Option 3 as described in SGL report, being the high embellishment, as the preferred facility configurations to progress to Business Model, Concept Development and Final Feasibility and Design;
4. That Council receives a further report seeking Council's resolution to place the Final Feasibility and Design of Option 3 as described in SGL report, the high embellishment facility configurations on public exhibition.

FOR

Councillor Gibson
Councillor Doherty
Councillor Olsen

Total (3)

AGAINST

Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Pynsent

Total (6)

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

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

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Stapleford
1634

RESOLVED

1. That Council endorses the draft Cessnock Aquatic Centre Feasibility and Design Report;
2. That Council endorses Turner Park on Aberdare Road, Cessnock as the preferred Aquatic Centre site;
3. That Council endorses Options 2 and 3 as described in SGL report, being medium and high embellishment, as the preferred facility configurations to progress to Business Model, Concept Development and Final Feasibility and Design;
4. That Council receives a further report seeking Council's resolution to place the Final Feasibility and Design of Options 2 and 3 as described in SGL report, medium and high embellishment facility configurations on public exhibition.

FOR	AGAINST
Councillor Stapleford	Councillor Gibson
Councillor Hawkins	Councillor Doherty
Councillor Smith	Councillor Olsen
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (6)	Total (3)

CARRIED

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU5/2016

SUBJECT: MOTIONS OF URGENCY

NIL

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE24/2016

SUBJECT: EVALUATION AND SELECTION OF QUOTATION FOR CESSNOCK COMMERCIAL PRECINCT PROJECT (Q1415/07)

Councillor Gibson declared a Non-Pecuniary - Less Than Significant Conflict for the reason that he owns real property within the confines of this precinct. Councillor Gibson 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 will not be financially impacted either way.

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1635

RESOLVED

That Council accepts the quotation from Conybeare Morrison International Pty Ltd in the lump sum amount of \$266,120.00, including GST, to undertake the Cessnock Commercial Precinct Project (Q1415/07).

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE25/2016

SUBJECT: MINUTES OF THE HERITAGE COMMITTEE MEETING HELD ON 3 MARCH 2016

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1636
RESOLVED

1. That the Minutes of the Heritage Committee Meeting held on 3 March 2016 be adopted as a resolution of the Ordinary Council, with the exclusion of item HERCLM1/2016 relating to the Draft Cessnock City Council Heritage Policy.
2. That item HERCLM1/2016 relating to the Draft Cessnock City Council Heritage Policy, as outlined in the Minutes of the Heritage Committee Meeting held on 3 March 2016, be subject to a separate report (PE23/2016) to Council.
3. That Council organise a Heritage Photography Competition to be held during Heritage Week 2016.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE26/2016

SUBJECT: DRAFT CESSNOCK CITY COUNCIL HERITAGE POLICY 2016

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1637

RESOLVED

1. That Council place the draft Cessnock City Council Heritage Policy on public exhibition for 28 days.
2. That a further report be provided to Council via the Heritage Committee outlining the outcomes of the public exhibition, including any submissions received and changes required to the draft Policy.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE27/2016

SUBJECT: FLYING-FOXES EAST CESSNOCK

Councillor Gibson declared a Non-Pecuniary - Less Than Significant Conflict for the reason that he owns a property which is indirectly affected by the bat camp. Councillor Gibson 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 the greater public interest is at hand and he is not financially independent because of any result.

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Stapleford
1638

RESOLVED

1. That Council acknowledge that the flying fox encampment has expanded onto Council land at Lots 1, 2, 3, 4, 5, Section A, DP 4924, and Lot 311, DP566724 and a portion of Road Reserve, East Cessnock.
2. That Council take a lead role and prepare, in consultation with the community, a Camp Management Plan for Lots 1, 2, 3, 4, and 5, Section A, DP 4924, and Lot 311, DP566724 and a portion of Road Reserve, East Cessnock, identifying actions to address the impact of Flying-foxes on the community.
3. That Council work with the NSW Office of Environment and Heritage, NSW Department of Crown Lands and other state agencies to ensure the Camp Management Plan encompasses the management of the entire flying fox encampment at East Cessnock.
4. That Council seek grant funds, where available, to assist in the preparation of the Camp Management Plan.
5. That Council write to the Department of Lands seeking financial assistance to complete the Camp Management Plan.
6. That Council write to the Federal and State Ministers to express support for the suggested Senate Enquiry into flying foxes.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC11/2016

**SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER
ADVISORY COMMITTEE OF CESSNOCK CITY COUNCIL HELD ON 4
MARCH 2016**

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1639

RESOLVED

1. That Council adopt the minutes of the meeting of the Aboriginal and Torres Strait Islander Advisory Committee held on 4 March 2016.
2. That Council investigates how, in consultation with the landowner and local traditional owners, the scar tree in the Millfield subdivision can be protected and preserved.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC12/2016

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

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1640
RESOLVED

1. That Council note the report on the 2016 National General Assembly of Local Government to be held in Canberra from 19-22 June 2016.
2. That Councillors submit any motions for Council's consideration for referral to the 2016 National General Assembly of Local Government by 13 April 2016.
3. That Councillors seeking to attend the 2016 National General Assembly of Local Government submit a Request to Attend Conference application by 13 April 2016.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC13/2016

SUBJECT: DRAFT 2031: A VISION FOR THE FUTURE, COMMUNITY INFRASTRUCTURE STRATEGIC PLAN

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Doherty
1641
RESOLVED

1. That Council place the draft 2031: A Vision for the Future, Community Infrastructure Strategic Plan on public exhibition for 28 days.
2. That Council receive a further report following the public exhibition of the Draft 2031: A Vision for the Future, Community Infrastructure Strategic Plan with the view to considering it for adoption.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC14/2016

SUBJECT: TENDER T1415/04 - HIRE OF PLANT AND EQUIPMENT - ADDITION OF CONTRACTOR

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Smith
1642
RESOLVED

That Council accepts the tender from Koppman Earthmoving Pty Ltd trading as Noraville Earthmovers to be added to the panel contract for Tender T1415/04 Hire of Plant and Equipment.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI17/2016

**SUBJECT: EVALUATION OF TENDER FOR ABERDARE STREET WATERMAIN
RELOCATION (T1516/07)**

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Hawkins
1643
RESOLVED

That Council accept the tender from Knock Contractors Pty Ltd in the lump sum amount of \$82,445 (including GST) to install a new water main in Aberdare Street, Kurri Kurri.

FOR	AGAINST
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ23/2016

SUBJECT: Q111/2015 - CONFLICT OF INTEREST FROM AUDIT COMMITTEE REPRESENTATIVE

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ24/2016

SUBJECT: Q19/2016 POLICY - VISITS BY FEDERAL OR STATE MEMBERS ON WEB NOT WORKING

Q14/2016 MEETINGS WITH FEDERAL OR STATE MEMBERS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ25/2016

SUBJECT: Q22/2016 - PERSONAL INFORMATION OBTAINED BY THE PUBLIC

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ26/2016

SUBJECT: Q23/2016 - BLACK HILL CONFIDENTIAL ITEMS

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Ian Olsen

MOUNT VIEW ROAD - ROAD WORKS

Councillor Olsen referred to his previous question and answer regarding the failure of roadworks on Mount View Road and asked:

When a report will be coming back to Council on solutions to the problem?

Why have some of the damaged sections been repaired but not all of them?

And would like to know if the person that approved all these types of works, considering they all have failed, including Nelson Street, is still employed at Cessnock Council?

Councillor Ian Olsen

ELECTION COMMITMENT FOR ROADWORKS

Councillor Olsen referred to the election commitment that the Mayor made in regard to \$70 million being spend on roads, and knowing that \$20 million of that was from the State for Broke Road, asked the Mayor whether he had kept his promise to spend and if the Mayor was happy with the road network improvement in the Cessnock Local Government Area under his care?

Councillor Morgan Campbell

NULKABA FOOTPATH - OVERGROWN

Councillor Campbell asked when the footpath at Nulkaba would be scheduled for maintenance?

Councillor Morgan Campbell

GRETA/COLLIERY STREETS INTERSECTION - STOP SIGN

Councillor Campbell asked when the paint would be put on the road at the Stop sign at the Greta Street/Colliery Street intersection heading towards Kearsley as people are getting confused and don't realise they have to give way?

COUNCILLORS' REPORTS

Councillor Smith

NSW Public Library Central East Zone

Councillor Smith advised that he had relinquished the Chairmanship of the Zone and the new Chair is Councillor Wendy Harrison of Lake Macquarie. Councillor Smith also advised that the Zone had submitted a joint application for a library development grant for alignment of library management systems across the whole zone and advised that the application was unsuccessful.

Cessnock and Kurri Health Advisory Committee

Councillor Smith advised Council that he was concerned at the way in which the agenda of the Advisory Committee is being dictated by senior management at Hunter New England Health and after the next meeting of the Advisory Committee Councillor Smith will provide a recommendation to Council as to whether to remain a member of the Committee.

Mayor

Seniors Week

The Mayor advised that we are half way through Seniors Week with a cross over into Youth Week Activities next weekend.

The Meeting Was Declared Closed at 7.08pm

CONFIRMED AND SIGNED at the meeting held on 20 April 2016

.....CHAIRPERSON

.....GENERAL MANAGER