

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 1 JUNE 2016, COMMENCING AT  
6.30 PM**

**PRESENT:** His Worship the Mayor, Councillor R Pynsent (in the Chair) and Councillors Gibson, Doherty, Olsen, 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  
Recreation Services Manager  
Development Services Team Leader  
Strategic Recreation and Community Facilities Planner  
Corporate Administration Officer  
General Managers Executive Assistant

**APOLOGIES:**

**MOTION**                      **Moved:** Councillor Stapleford  
   **Seconded:** Councillor Gibson  
1687

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**MINUTES:**

**MOTION**

**Moved:** Councillor Smith  
**Seconded:** Councillor Stapleford

1688

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 18 May 2016, as circulated, be taken as read and confirmed as a correct record.

**FOR**

**AGAINST**

Councillor Gibson  
Councillor Doherty  
Councillor Olsen  
Councillor Ryan  
Councillor Stapleford  
Councillor Hawkins  
Councillor Smith  
Councillor Campbell  
Councillor Parsons  
Councillor Pynsent  
**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

# DISCLOSURES OF INTEREST

## DISCLOSURES OF INTEREST NO. DI9/2016

**SUBJECT: DISCLOSURES OF INTEREST**

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**MOTION**      **Moved:** Councillor Stapleford      **Seconded:** Councillor Smith  
1689

**RESOLVED**

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

**WI29/2016 – 2016 Kurri Kurri Community Festival Sponsorship** – Councillor Doherty declared a Non Pecuniary Significant Conflict for the reason that he is the President of the Kurri Kurri Business Chamber who are the applicants for the festival. Councillor Doherty advised that he would leave the Chamber and take no part in discussion and voting.

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**PETITIONS**

NIL

**MOTIONS OF URGENCY**

**MOTIONS OF URGENCY NO. MOU9/2016**

**SUBJECT: MOTIONS OF URGENCY**

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NIL

**PLANNING AND ENVIRONMENT**

**PLANNING AND ENVIRONMENT NO. PE35/2016**

**SUBJECT: SECTION 96(2) APPLICATION PROPOSING TO MODIFY DEVELOPMENT CONSENT 8/2010/527/1**

**CESSNOCK ROAD, NEATH**

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**MOTION**            **Moved:** Councillor Smith            **Seconded:** Councillor Campbell  
1690  
**RESOLVED**

That Council determine the Section 96(2) Application (8/2010/527/2) proposing to modify Development Consent 8/2010/527/1 seeking to increase the size; and alter the layout and design of the approved pigeon loft, at Lot 85 DP 755259 Cessnock Road Neath, pursuant to Section 96(2) of the Environmental Planning and Assessment Act 1979, by the granting of consent subject to the conditions contained in this report.

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE36/2016**

**SUBJECT: PLANNING PROPOSAL - REMOVAL OF MINIMUM LOT SIZE, HEDDON GRETA**

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**MOTION**      **Moved:** Councillor Smith      **Seconded:** Councillor Campbell  
1691  
**RESOLVED**

1. That Council request a Gateway determination for the Planning Proposal from the Department of Planning and Environment pursuant to the *Environmental Planning and Assessment Act 1979*.
2. That Council request the use of delegations in respect of the Minister for Planning plan making functions under section 59 of the EPA Act 1979 for the Planning Proposal.
3. That Council consult and exhibit the Planning Proposal in accordance with the Gateway determination.
4. That Council receive a report back on the Planning Proposal if unresolved written objections are received during the consultation with the Community; otherwise forward the Planning Proposal to the Department of Planning and Environment requesting that the plan be made.

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	Councillor Ryan
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (9)</b>	<b>Total (1)</b>

**CARRIED**

**CORPORATE AND COMMUNITY**

**CORPORATE AND COMMUNITY NO. CC30/2016**

**SUBJECT: MINUTES OF THE ACCESS ADVISORY COMMITTEE MEETING HELD ON 4 MAY 2016**

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**MOTION**      **Moved:** Councillor Campbell      **Seconded:** Councillor Stapleford  
1692  
**RESOLVED**

1. That Council adopt the minutes of the meeting of the Access Advisory Committee Meeting held on 4 May 2016.
2. That the General Manager be requested to liaise with Mai-Wel and other interested local disability service providers regarding International Day of Disability and report back to the next Access Advisory Committee Meeting.
3. That Council note that an extraordinary meeting of the Access Advisory Committee was scheduled for Wednesday 25 May 2016 to examine the Draft PAMP and prepare a submission from the Access Advisory Committee.

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC31/2016**

**SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER  
ADVISORY COMMITTEE MEETING OF CESSNOCK CITY COUNCIL  
HELD ON 6 MAY 2016**

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**MOTION**            **Moved:** Councillor Smith            **Seconded:** Councillor Doherty  
1693  
**RESOLVED**

**That Council adopt the minutes of the meeting of the Aboriginal and Torres Strait  
Islander Advisory Committee held on 6 May 2016.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

# WORKS AND INFRASTRUCTURE

## WORKS AND INFRASTRUCTURE NO. WI29/2016

**SUBJECT: 2016 KURRI KURRI COMMUNITY FESTIVAL SPONSORSHIP**

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Councillor Doherty declared a Non Pecuniary Significant Conflict for the reason that he is the President of the Kurri Kurri Business Chamber who are the applicants for the festival. Councillor Doherty left the Chamber and took no part in discussion and voting.

*Councillor Doherty left the meeting, the time being 6.34 pm*

**MOTION**      **Moved:** Councillor Campbell      **Seconded:** Councillor Smith  
1694

**RESOLVED**

1. That Council supports the 'Kurri Kurri Community Festival' on 22 October 2016 by providing the following in-kind support:
  - Waiving of fees for the use of Rotary Park
  - Waiving of fees for each stall holder;
  - Assistance with waste services and cleaning of toilets.
  
2. That Council considers the provision of \$3,000 in support funding for the event as part of the 2016/17 Operational Budget process, with funding currently provided in the draft budget.

FOR	AGAINST
Councillor Gibson	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (9)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

*Councillor Rod Doherty returned to the meeting, the time being 6.34 pm*

**WORKS AND INFRASTRUCTURE NO. WI30/2016**

**SUBJECT: LAWN CEMETERY GATES**

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**MOTION**      **Moved:** Councillor Smith      **Seconded:** Councillor Parsons  
1695

**RESOLVED**

**That Council endorses the proposal of the gates at the Gordon Williams Memorial Lawn Cemetery and the Kurri Kurri Cemetery being locked at dusk and opened at dawn each day of the year.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI31/2016**

**SUBJECT: CESSNOCK CYCLING STRATEGY**

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

1. That Council adopt the draft Cessnock Cycling Strategy as amended.
2. That Council notify persons who made a submission during the draft Cessnock Cycling Strategy exhibition period of Council's decision.
3. That Council makes provision for the implementation of the draft Cessnock Cycling Strategy in consideration of priority and available resources.

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

1. That Council rejects this draft Cessnock Cycling Strategy.
2. That the Council seeks a Strategy which will actually improve the cycling opportunities for the people who live in the LGA predominately in the main population centres of Millfield, Ellalong, Paxton, Bellbird, Cessnock, Aberdare, Neath, Kurri Kurri, Mulbring and Heddon Greta.
3. That Council ask the consultants to redraft the Strategy to benefit the residential population of the Cessnock LGA, with a view to providing integrated meaningful cycling routes throughout the LGA which connect the LGA to the Newcastle and Maitland LGA's in particular.

**FOR**

Councillor Olsen  
Councillor Ryan

**Total (2)**

**AGAINST**

Councillor Gibson  
Councillor Doherty  
Councillor Stapleford  
Councillor Smith  
Councillor Campbell  
Councillor Parsons  
Councillor Hawkins  
Councillor Pynsent

**Total (8)**

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

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

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Campbell  
1696  
**RESOLVED**

1. That Council adopt the draft Cessnock Cycling Strategy as amended.
2. That Council notify persons who made a submission during the draft Cessnock Cycling Strategy exhibition period of Council's decision.
3. That Council makes provision for the implementation of the draft Cessnock Cycling Strategy in consideration of priority and available resources.

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	Councillor Olsen
Councillor Doherty	Councillor Ryan
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (8)</b>	<b>Total (2)</b>

**CARRIED**

**WORKS AND INFRASTRUCTURE NO. WI32/2016**

**SUBJECT: WORKPLACE CULTURE & SOCIAL CONNECTION**

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**MOTION**      **Moved:** Councillor Smith      **Seconded:** Councillor Campbell  
1697

**RESOLVED**

**That Council endorses the high-viz pink work shirt/vest initiative during August – October 2016, in support of breast cancer awareness.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI33/2016**

**SUBJECT: EVALUATION OF TENDERS FOR BIRRALEE PARK - NEW AMENITIES BUILDING (T1516/05)**

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**MOTION**      **Moved:** Councillor Smith      **Seconded:** Councillor Campbell  
1698  
**RESOLVED**

1. That Council accepts the tender from RTC Commercial Pty Ltd in the lump sum amount of \$872,520 (including GST) to replace the amenities building at Birralee Park, Kurri Kurri.
2. That Council allocates additional funds, totaling \$62,900 in the 2015/16 Capital Works Budget to cover the cost of the tender for the Birralee project, with these funds being sourced from Council's Miscellaneous & Property Reserve.

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**ANSWERS TO QUESTIONS FOR NEXT MEETING**

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ39/2016**

**SUBJECT: INVITATION TO FUNCTIONS AND EVENTS**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ40/2016**

**SUBJECT: REQUEST FOR FLYING FOX CORRESPONDENCE**

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The answer was noted.

**QUESTIONS FOR NEXT MEETING**

*Councillor Catherine Parsons*

**KURRI KURRI CEMETERY TAP**

Councillor Parsons referred to a tap that was previously in the Methodist section of Kurri Kurri Cemetery and asked had it been removed, and if so why, and could it be replaced.

**CORRESPONDENCE**

**CORRESPONDENCE NO. CO1/2016**

**SUBJECT: LOCAL GOVERNMENT NSW - CONTRIBUTION TO LEGAL ASSISTANCE FOR BATHURST REGIONAL COUNCIL**

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**MOTION**            **Moved:** Councillor Smith            **Seconded:** Councillor Campbell  
1699  
**RESOLVED:**

**That Council contributes \$1,071.76 in legal assistance for Bathurst Regional Council in accordance with the Local Government NSW request for contribution.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Gibson	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **COUNCILLORS REPORTS**

NIL

*The Meeting Was Declared Closed at 6.54.pm*

**CONFIRMED AND SIGNED** at the meeting held on 15 June 2016

.....**CHAIRPERSON**

.....**GENERAL MANAGER**