

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 17 AUGUST 2016, COMMENCING
AT 6.30 PM**

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

IN ATTENDANCE: Acting General Manager (Director Planning and Environment)
Acting Director Planning and Environment (Development Services Manager)
Director Corporate and Community Services
Director Works and Infrastructure
Manager Governance and Business Services
Media & Communication Officer
Corporate Administration Officer
Relief Executive Assistant

MINUTES: **MOTION** **Moved:** Councillor Parsons
Seconded: Councillor Doherty
1778
RESOLVED that the Minutes of the Ordinary Meeting of Council held on 3 August 2016, as circulated, be taken as read and confirmed as a correct record.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI14/2016

SUBJECT: DISCLOSURES OF INTEREST

NIL

PETITIONS

NIL

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 Geoff Armstrong		Against	PE60/2016 - Section 96(1A) Application proposing to amend Development Consent 2013/735 which granted approval for a two lot subdivision. The application seeks to amend the proposed lot configuration 10 Anderson Avenue, Paxton		3 mins

EXTENSION OF TIME

Moved:

Councillor Doherty

Seconded:

Councillor Hawkins

1779

RESOLVED

That an extension of one minute be granted to allow the speaker to complete his presentation.

FOR

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

Total (10)

AGAINST

Councillor Olsen

Total (1)

CARRIED

PLANNING AND ENVIRONMENT NO. PE60/2016

SUBJECT: SECTION 96(1A) APPLICATION PROPOSING TO AMEND DEVELOPMENT CONSENT 2013/735 WHICH GRANTED APPROVAL FOR A TWO LOT SUBDIVISION. THE APPLICATION SEEKS TO AMEND THE PROPOSED LOT CONFIGURATION

10 ANDERSON AVENUE, PAXTON

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

1. That Council determine the Section 96(1A) Application (8/2013/735/2) proposing to modify Development Consent 8/2013/735/1, seeking to amend the lot configuration at 10 Anderson Avenue, Paxton, pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979, by refusing to grant consent for the reasons detailed in this report.
2. That Council prepare a Planning Proposal to amend the Cessnock Local Environmental Plan 2011 to resolve development constraints relating to the dual zoning and dual lot size anomalies in Anderson Avenue, Paxton.

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

That the Section 96(1A) application 8/2013/735/2 be approved.

FOR	AGAINST
Councillor Gibson	Councillor Troy
Councillor Olsen	Councillor Doherty
Councillor Ryan	Councillor Smith
Councillor Stapleford	Councillor Campbell
Councillor Hawkins	Councillor Parsons
	Councillor Pynsent
Total (5)	Total (6)

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

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

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1780

RESOLVED

1. That Council determine the Section 96(1A) Application (8/2013/735/2) proposing to modify Development Consent 8/2013/735/1, seeking to amend the lot configuration at 10 Anderson Avenue, Paxton, pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979, by refusing to grant consent for the reasons detailed in this report.

2. That Council prepare a Planning Proposal to amend the Cessnock Local Environmental Plan 2011 to resolve development constraints relating to the dual zoning and dual lot size anomalies in Anderson Avenue, Paxton.

FOR	AGAINST
Councillor Troy	Councillor Gibson
Councillor Doherty	Councillor Olsen
Councillor Hawkins	Councillor Ryan
Councillor Smith	Councillor Stapleford
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (7)	Total (4)

CARRIED

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU14/2016

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU10/2016

SUBJECT: MINUTES OF THE INTERNAL AUDIT COMMITTEE MEETING HELD 2 AUGUST 2016 COMMENCING AT 9.00AM IN THE ANTE ROOM

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1781
RESOLVED

That the Minutes of the Internal Audit Committee of 2 August 2016 be adopted as a resolution of the Ordinary Council.

FOR	AGAINST
Councillor Gibson	Councillor Ryan
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (10)	Total (1)

CARRIED

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE61/2016

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING
REPORT - JUNE 2016 QUARTER**

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1782
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE62/2016

SUBJECT: JUNE 2016 QUARTER REVIEW OF 2013-17 DELIVERY PROGRAM AND FIT FOR THE FUTURE IMPROVEMENT PROPOSAL

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1783
RESOLVED

1. That Council note the progress in implementing the 2013-17 Delivery Program as at 30 June 2016.
2. That Council endorse the following changes to the 2015-16 Capital Works Program:
 - a. Remove: CRL-2016-001 Kurri Kurri Library Raised Threshold
 - b. Add: CBS-2016-008 Sale St Greta foot bridge
 - c. Add: CBS-2016-002 Hetton St Bridge refurbishment
 - d. Add: CBS-2016-007 Cedar Creek Bridge
 - e. Add: CBS-2016-009 Lindsay St Bridge
 - f. Add: CBS-2016-010 Hunter St Bridge
 - g. Remove: PMF-2016-002 Wollombi Flood Risk Management Plan Priority Recommendations
 - h. Remove: PMF-2016-003 Cessnock City (Black Creek) Flood Risk Management Plan Priority Recommendations (grant funding dependent)
 - i. Remove: PMF-2016-004 Swamp/Fishery Creek Flood Risk Management Plan Priority Recommendations
 - j. Add: RFR-2016-008 Peace Park Pond Bank Stabilisation Investigation
 - k. Add: CFR-2014-006 Mount View Basin Drainage – stage 3
3. That Council note the inclusion of individual projects in the Capital Works Local Road Special Rate Variation Resurfacing Program and the Regional Road Special Rate Variation Resurfacing Program.
4. That Council note the progress in the implementation of Council’s Improvement Proposal and the updated forecasts against the Fit for the Future benchmarks.

FOR	AGAINST
Councillor Troy	Councillor Gibson
Councillor Olsen	Councillor Doherty
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (9)	Total (2)

CARRIED

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC52/2016

SUBJECT: LOCAL GOVERNMENT NSW - CONTRIBUTION TO LEGAL ASSISTANCE FOR COWRA SHIRE COUNCIL

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Hawkins
1784
RESOLVED

That Council makes a voluntary contribution of \$584.38 in legal assistance for Cowra Shire Council in accordance with the Local Government NSW request for contribution.

FOR	AGAINST
Councillor Pynsent	Councillor Gibson
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Total (10)	Total (1)

CARRIED

CORPORATE AND COMMUNITY NO. CC53/2016

SUBJECT: REVOTING OF EXPENDITURE FROM 2015-16 TO 2016-17

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Parsons
1785

RESOLVED

That Council authorise the revoting of expenditure from 2015-16 to 2016-17 being:

	Council Funds	Section 94 Funds	Grants	Total Revotes
Local Road Renewal Program	291,000			291,000
Local Road Construction Program		28,600		28,600
Vineyard Roads Construction Program	548,800			548,800
Pathways Construction Program	211,800			211,800
Strategic Infrastructure Planning Projects	183,000			183,000
Total Roads, Bridges & Drainage	1,234,600	28,600		1,263,200
Recreational Buildings & Pools Renewal Program	44,500			44,500
Recreation Facilities Construction Program	47,100		185,400	232,500
Recreation Buildings Construction Program		600,000	130,300	730,300
Cessnock Civic Precinct Revitalisation Project		38,100		38,100
Total Recreation Services	91,600	638,100	315,700	1,045,400
Visitors Information Centre	19,600			19,600
CYCOS Building		25,000		25,000
Total Other Projects	19,600	25,000	0	44,600
Total Revotes – All sources	1,345,800	691,700	315,700	2,353,200

FOR**AGAINST**

Councillor Gibson
Councillor Troy
Councillor Doherty
Councillor Olsen
Councillor Ryan
Councillor Stapleford
Councillor Hawkins
Councillor Smith
Councillor Campbell
Councillor Parsons
Councillor Pynsent
Total (11)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC54/2016

SUBJECT: INVESTMENT POLICY

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1786

RESOLVED

That Council adopt the revised Investment Policy.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC55/2016

SUBJECT: INVESTMENT REPORT - JULY 2016

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1787

RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC56/2016

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1788

RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Gibson	
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
Councillor Ryan	
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN6/2016

SUBJECT: PROVISION OF FUNDS TO LOCAL GOVERNMENT FOR INFRASTRUCTURE PROJECTS

MOTION **Moved:** Councillor Campbell **Seconded:** Councillor Stapleford
1789
RESOLVED

1. That Council notes that the Reserve Bank has lowered the cash rate to a historic low of 1.5%, as a response to persistently low inflation and sluggish economic growth.
2. That Council notes that 10 year Government bond yields have fallen below 2%.
3. That Council notes that councils around Australia face long-standing infrastructure backlogs, with the issue especially acute in regional areas.
4. That Council writes to the Prime Minister and the Treasurer urging them to stimulate local economies by providing grants to Local Governments for infrastructure projects.
5. That Council submit motions to the NSW and National Local Government Associations for consideration.

FOR	AGAINST
Councillor Ryan	Councillor Gibson
Councillor Stapleford	Councillor Troy
Councillor Hawkins	Councillor Doherty
Councillor Smith	Councillor Olsen
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (7)	Total (4)

CARRIED

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ54/2016

**SUBJECT: ECOLOGICAL CONSIDERATIONS IN REGARD TO THE CESSNOCK
CORRECTIONAL CENTRE DRAFT SUBMISSION TO INCLUDE
REGENT HONEY EATER**

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ55/2016

SUBJECT: CESSNOCK BASKETBALL STADIUM CONTRACT

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ56/2016

SUBJECT: CESSNOCK SKATE PARK

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ57/2016

SUBJECT: SANITARY SERVICE

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ58/2016

**SUBJECT: COUNCIL'S STORAGE AREA ADJACENT TO THE FOOTBALL FIELDS
- MARGARET JOHNS**

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ59/2016

SUBJECT: EAST CESSNOCK FLYING FOXES - CAMP MANAGEMENT PLAN

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Catherine Parsons

SANITARY SERVICES – PORT-A-LOO SERVICE

Councillor Parsons referred to her previous question and advised that she was referring to the port-a-loo service and asked how many there are in the area and does Council have a Management Plan for the disposal of grey water.

COUNCILLOR'S REPORTS

Councillor Smith

Cessnock/Kurri Kurri Local Health Advisory Committee

Councillor Smith advised that a number of changes have occurred over the last couple of months. A restructure has resulted in Cessnock and Kurri Kurri Hospitals coming under the same Health Services Manager, Jenny Whiting. In the near future, a staff specialist emergency physician will be appointed to Cessnock Hospital which will reduce the load on local GP's. The new rehabilitation wing at Kurri Kurri will be open shortly and will result in the consolidation of rehabilitation services for the sector and bring two rehabilitation specialists to Kurri Kurri. In 2017 it is proposed that a Registrar from Maitland Hospital will be deployed to Kurri Kurri on the day shift.

The impact of the expansion of the jail on the Hospital in regard to patients and Corrective Services staff as well as privacy on both staff and prisoners who are being escorted was also discussed.

The renovation works on Cessnock House are now complete, and a number of Allied Health Services will be moving in.

Councillor Gibson

Acknowledgement to Staff and Councillors

Councillor Gibson advised that this will be his last Council meeting, and wished to thank staff and Councillors for their support and contribution over the past 4 years.

The Mayor thanked Councillor Gibson on behalf of the Council and the Community for his contribution.

The Meeting Was Declared Closed at 7.07pm

CONFIRMED AND SIGNED at the meeting held on 7 September 2016

.....CHAIRPERSON

.....GENERAL MANAGER