

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 7 SEPTEMBER 2016, COMMENCING
AT 6.30 PM**

PRESENT: His Worship the Mayor, Councillor R Pynsent (in the Chair) and Councillors Troy, 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
Health & Building Manager
Building Services Team Leader
Media & Communication Officer
Corporate Administration Officer

APOLOGY:

MOTION **Moved:** Councillor Hawkins
Seconded: Councillor Troy

1790
RESOLVED that the apology tendered on behalf of Councillor Gibson, for unavoidable absence, be accepted and leave of absence granted.

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

CARRIED UNANIMOUSLY

MINUTES:

MOTION

Moved: Councillor Smith
Seconded: Councillor Stapleford

1791

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 17 August 2016, as circulated, be taken as read and confirmed as a correct record.

FOR

AGAINST

Councillor Troy
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. DI15/2016

SUBJECT: DISCLOSURES OF INTEREST

MOTION **Moved:** Councillor Troy **Seconded:** Councillor Hawkins
1792
RESOLVED

PE64/2016 – Development Application No. 8/2016/337/1 for a change of use from a garage to a dwelling – Councillor Stapleford declared a Non Pecuniary Interest - Significant Conflict for the reason that he knows several people who had made a submission in the Report. Councillor Stapleford advised that he will leave the Chamber and take no part in discussion and voting.

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

CARRIED UNANIMOUSLY

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

NIL

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU15/2016

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU11/2016

SUBJECT: CESSNOCK CITY COUNCIL PICNIC DAY

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Campbell
1793

RESOLVED

That the report be received and noted.

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

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE63/2016

SUBJECT: END OF TERM REPORT - 2016

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

That Council note the End-of-Term report.

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

1. **That Council note the end of term report.**
2. **That Council thanks staff for collating the report.**
3. **That Council notes that the report records that the community does not agree that Council has met any of the 5 goals.**
4. **That Council acknowledges that it will need to work harder to achieve any of the goals in the next term.**

FOR	AGAINST
Councillor Olsen	Councillor Troy
Councillor Ryan	Councillor Doherty
	Councillor Stapleford
	Councillor Hawkins
	Councillor Smith
	Councillor Campbell
	Councillor Parsons
	Councillor Pynsent
Total (2)	Total (8)

The Amendment was PUT and LOST.

The Motion was then PUT and CARRIED.

MOTION

Moved: Councillor Smith

Seconded: Councillor Stapleford

1794

RESOLVED

That Council note the End-of-Term report.

FOR	AGAINST
Councillor Troy	Councillor Olsen
Councillor Doherty	Councillor Ryan
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (8)	Total (2)

CARRIED

PLANNING AND ENVIRONMENT NO. PE64/2016

SUBJECT: DEVELOPMENT APPLICATION NO. 8/2016/337/1 FOR A CHANGE OF USE FROM A GARAGE TO A DWELLING

Councillor Stapleford declared a Non Pecuniary Interest - Significant Conflict for the reason that he knows several people who had made a submission in the Report. Councillor Stapleford left the Chamber and took no part in discussion and voting.

Councillor Stapleford left the meeting, the time being 6.46pm

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Parsons
1795

RESOLVED

1. That Council determine Development Application No. 8/2016/337/1 proposing a change of use from a garage to a dwelling and ancillary structures at 10 Glennie Street Ellalong pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 by refusing to grant consent for the following reasons:-
 1. The proposed change of use from a shed to a dwelling does not meet the desired rural landscape character of the RU2 rural landscape zone.
 2. The proposed change of use from a shed to a dwelling does not maintain the scenic character of the land in the RU2 rural landscape zone.
 3. The visual impact of the proposed development is unsatisfactory and is not considered suitable and consistent with other land uses in the area.
 4. The development is not in the public interest.
2. That Council ensure the matter of the unlawful conversion of a shed into a dwelling is followed up in accordance with the adopted Compliance and Enforcement Policy.

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

CARRIED UNANIMOUSLY

Councillor Stapleford returned to the meeting, the time being 6.51pm

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC57/2016

SUBJECT: FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016 - REFER FOR AUDIT AND COUNCIL CERTIFICATION

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Parsons
1796
RESOLVED

1. That the financial statements are formally referred for external audit.
2. That in accordance with Section 413(2)(c) of the Local Government Act, 1993 the following statement of Council be adopted:

The General Purpose Financial Report has been prepared in accordance with:

- The Local Government Act 1993 and the Regulations made thereunder.
- The Australian Accounting Standards and professional pronouncements.
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these reports:

- Present fairly the Council's operating result and financial position for the year, and
- Accord with Council's accounting and other records.

We are not aware of any matter that would render the reports false or misleading in any way.

3. That in accordance with the Local Government Code of Accounting Practice and Financial Reporting the following statement of Council be adopted:

The Special Purpose Financial Reports have been prepared in accordance with:

- The Local Government Code of Accounting Practice and Financial Reporting.
- NSW Government Policy Statement "Application of National Competition Policy to Local Government".
- Department of Local Government Guidelines "Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality".

To the best of our knowledge and belief, these reports:

- Present fairly the operating result and financial position for each of Council's declared Business Activities for the year, and
- Accord with Council's accounting and other records.

We are not aware of any matter that would render the reports false or misleading in any way.

- 4. That Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statements by Council on its Opinion of the 2015-16 Financial Statements.
- 5. That following receipt of the Auditor’s Report, the Ordinary Meeting of 16 November 2016 be set as the meeting at which the 2015-16 Financial Statements will be presented to the public.

FOR	AGAINST
Councillor Troy	Councillor Olsen
Councillor Doherty	Councillor Ryan
Councillor Stapleford	
Councillor Hawkins	
Councillor Smith	
Councillor Campbell	
Councillor Parsons	
Councillor Pynsent	
Total (8)	Total (2)

CARRIED

CORPORATE AND COMMUNITY NO. CC58/2016

SUBJECT: FEASIBILITY FOR ADDITIONAL FLAGPOLES WITHIN THE ADMINISTRATION CENTRE CARPARK

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Stapleford
1797
RESOLVED

1. That Council installs two additional flagpoles within the car-park area of the Council Administration Centre, with the location as detailed in the report.
2. That the order of flag flying will be in accordance with flag flying protocols.
3. That the required funding be sourced from the operational budget for maintenance and an adjustment made at the September quarterly budget review.

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
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. WI44/2016

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD 15 AUGUST 2016

MOTION **Moved:** Councillor Smith **Seconded:** Councillor Troy
1798
RESOLVED

That Council endorse the recommendations of the Cessnock City Council Local Traffic Committee meeting held on 15 August 2016 for the items TC5/2016, TC6/2016, TC7/2016, TC8/2016 being:

1. That parking restriction signage be erected and parking bays be marked on Cessnock Street, Kitchener adjacent to Poppethead Reserve as follows:
 - Five R5-505 90° ANGLE PARKING REAR TO KERB signs,
 - Two R5-400 NO STOPPING signs,
 - Two R5-1-2 Disability User Limitation Parking Space signs,
 - Line marking for four car parking spaces,
 - Line marking for two accessible parking spaces, and
 - Pavement marking with international symbol of access on two accessible parking spaces.

2. That kerb extensions and associated line marking be installed on Congewai Street, Aberdare at the intersection of Quarrybylong Street with:
 - BB Double Barrier line extending 20m east on Congewai Street, and
 - C3 No Stopping line around the kerb corners for a 10m extent from the intersection.

3. That parking restriction signage and associated line marking be installed on Dalwood Road, East Branxton near Wyndham Street with:
 - Three R5-505 90° ANGLE PARKING REAR TO KERB signs,
 - Five R5-40 No Parking Symbolic signs,
 - Two R9-2 BUSES EXCEPTED signs,
 - Five R5-400 NO STOPPING signs,
 - Three R9-302 "KISS & RIDE AREA" signs, and
 - C3 no stopping line within signed no stopping lengths.

4. That kerb extensions and associated line marking be installed on Gordon Avenue, Cessnock at the intersection of Quarrybylong Street with:
 - BB Double Barrier line extending 15m west on Gordon Avenue,
 - BB Double Barrier line extending 20m north and south on Quarrybylong Street,
 - E1 Edge line extending 30m on the north and 20m on the south of Gordon Avenue,
 - E5 Median Outline line for the 25m eastern extent of the median on Gordon Avenue, and

- **C3 No Stopping line around the kerb corners for a 10m extent from the intersection.**

FOR	AGAINST
Councillor Troy	
Councillor Doherty	
Councillor Olsen	
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. AQ60/2016

SUBJECT: SANITARY SERVICES - PORT-A-LOO SERVICE

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Morgan Campbell

INTERSECTION OF GRETA AND COLLIERY STREETS, ABERDARE - GIVE WAY

Councillor Campbell asked for an update on the linemarking at the intersection of Greta and Colliery Streets, Aberdare.

The Director Works & Infrastructure advised that at the last meeting with the RMS they advised that the works have been put into their works program and should be undertaken within the coming months.

Councillor Cordelia Troy

CESSNOCK SKATEPARK UPDATE

Councillor Troy asked for an update on the Cessnock Skatepark.

The Director Works & Infrastructure advised that considerable work has been undertaken and there is work to be undertaken this year to finalise the Plan of Management/Master Plan for Mount View Basin with the intention to do a Concept Plan for the skatepark in that area and do a feasibility as part of that Concept Planning stage.

Councillor Cordelia Troy

NOTICE OF MOTION - UPGRADE OF BIMBADEEN LOOKOUT

Councillor Troy asked for an update on her Notice of Motion regarding the upgrade of the Bimbadeen Lookout.

Councillor Catherine Parsons

DRAINAGE ISSUES - 5 ELFORD AVENUE, WESTON

Councillor Parsons asked that the drain within 5 Elford Avenue, Weston be investigated as it is very overgrown and residents are concerned regarding flooding.

Councillor Ian Olsen

BRIDGE - BUCKLAND AVENUE/MCLEAN STREET

Councillor Olsen asked that the bridge at the intersection of Buckland Avenue and McLean Streets near the PCYC building be referred to the Traffic Committee as it is very narrow and there have been some near misses.

COUNCILLORS REPORTS

Councillor Troy

Councillor Troy acknowledged the work that all Council staff have put in over the last 10 years that she has been in Office, in addition to their help and advice that she has received along the way.

Councillor Doherty

Councillor Doherty tabled the agenda from the Bloomfield Colliery Consultative Committee that he attended.

Mayor Pynsent

The Mayor, on behalf of the community, thanked the Councillors for their contribution to Council and also the hard working staff of Cessnock City Council over the past 4 years, and he wished everyone good luck.

The Meeting Was Declared Closed at 7.09pm

CONFIRMED AND SIGNED at the meeting held on 5 October 2016

.....**CHAIRPERSON**

.....**GENERAL MANAGER**