

MINUTES:

MOTION **Moved:** Councillor Doherty
Seconded: Councillor Sander

36

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 19 October 2016, as circulated, be taken as read and confirmed as a correct record.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI18/2016

SUBJECT: DISCLOSURES OF INTEREST

NIL

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

NIL

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU18/2016

SUBJECT: MOTIONS OF URGENCY

NIL

RESCISSION MOTIONS

RESCISSION MOTIONS NO. RM1/2016

SUBJECT: COUNCIL RECESS PERIOD

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Burke
37

RESOLVED

That the following motion in relation to report CC66/2016 Council Recess Period from the 19 October 2016 Ordinary Meeting of Council be rescinded:

1. *That Council be in recess from 7 December 2016 to 1 February 2017.*
2. *That Council pursuant to Section 377 of the Local Government Act 1993, delegate authority to the Mayor and/or Deputy Mayor, and the General Manager jointly to exercise any function of Council during the recess period.*
3. *That a full list of any matters considered under such delegated authority be submitted for Council's information to the first 2017 Ordinary Meeting of Council scheduled to be held on 1 February 2017.*

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (1)

CARRIED

New Motion

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Fitzgibbon
38

RESOLVED

1. That Council be in recess from 14 December 2016 to 1 February 2017.

2. That Council pursuant to Section 377 of the Local Government Act 1993, delegate authority to the Mayor and/or Deputy Mayor, and the General Manager jointly to exercise any function of Council during the recess period.

3. That a full list of any matters considered under such delegated authority be submitted for Council's information to the first 2017 Ordinary Meeting of Council scheduled to be held on 1 February 2017.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (1)

CARRIED

PLANNING AND ENVIRONMENT NO. PE76/2016

SUBJECT: 18/2011/9: PLANNING PROPOSAL - BLACK HILL

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Stapleford
39

RESOLVED

1. That Council endorse the Planning Proposal as an amendment to the *Cessnock Local Environmental Plan 2011* to rezone the site from RU2 Rural Landscape to E2 Environmental Conservation (40.4ha); IN2 Light Industrial (195.6ha); and E4 Environmental Living (64ha and maximum 4 lots) (Enclosure 1);
2. That Council refer the Planning Proposal to the Minister for Planning requesting the making of the plan in accordance with the provision of the Environmental Planning and Assessment Act, 1979; and
3. That Council endorse the voluntary Planning Agreement and delegate authority to the General Manager to execute the Planning Agreement.

FOR	AGAINST
Councillor Stapleford	Councillor Olsen
Councillor Fitzgibbon	Councillor Doherty
Councillor Gray	Councillor Dunn
Councillor Dagg	Councillor Fagg
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (8)	Total (4)

CARRIED

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC70/2016

SUBJECT: SCHEDULE OF ORDINARY MEETINGS OF COUNCIL DATES 2017

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Stapleford
40

RESOLVED

That Council adopt the following schedule of Ordinary Meetings of Council for 2017:

1 February	15 February
1 March	15 March
5 April	19 April
3 May	17 May
7 June	21 June
5 July	19 July
2 August	16 August
6 September	20 September
4 October	18 October
1 November	15 November
13 December	

FOR

Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (11)

AGAINST

Councillor Olsen

Total (1)

CARRIED

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI47/2016

SUBJECT: ROAD NAME - CRUICKSHANK STREET BELLBIRD

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Fitzgibbon

That Council not rename the road presently named Cruickshank Street, Bellbird.

AMENDMENT **Moved:** Councillor Stapleford **Seconded:** Councillor Gray

- 1. That Council resolves to advertise the proposed renaming of the road now known as Cruickshank Street to Cruickshank Street in accordance with the provisions of the Roads Act 1993 and the Roads Regulation 2008.**
- 2. That Council complies with the provisions of Section 162 of the Roads Act 1993 and the provisions of Regulations 7 – 10 of the Roads Regulation 2008 regarding notifications and advertising.**

That provided no submissions are received following notification and advertising, delegated authority be given to Council's Strategic Asset Planning Manager to proceed with the proposed naming as required by the provisions of the Roads Regulation 2008.

FOR	AGAINST
Councillor Dunn	Councillor Olsen
Councillor Fagg	Councillor Doherty
Councillor Stapleford	Councillor Dagg
Councillor Fitzgibbon	Councillor Burke
Councillor Gray	Councillor Sander
	Councillor Lyons
	Councillor Pynsent
Total (5)	Total (7)

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

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

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Fitzgibbon
41
RESOLVED

That Council not rename the road presently named Cruickshank Street, Bellbird.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI48/2016

SUBJECT: IMPROVED CROSSING BALDER CREEK - CEDAR CREEK ROAD TO SAWPIT ROAD

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Stapleford
42
RESOLVED

That Council receives and notes the report and further considers the construction of a concrete causeway and approach slabs, with or without low flow pipes, during the development of Council's four year Capital Works Program 2017 - 2021.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN13/2016

SUBJECT: INFRASTRUCTURE FUNDING - ESTABLISHMENT OF \$100 MILLION FUTURE FUND FOR CESSNOCK COUNCIL

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dunn

1. That Council write to the State Government via the Premier, Treasurer, Parliamentary Secretary for the Hunter and our local State MP seeking the establishment of a 10 year \$100 million future fund for the ongoing upgrade and replacement of local, Regional and State roads within the LGA (including bridges and drainage assets).
2. That the future fund allocate \$10 million per year to Cessnock City Council to undertake a rolling Capital Works Program.
3. That any unspent funds from the future fund would roll over to the next financial year.
4. That the future fund would be overseen in consultation with Treasury Corporation, Roads and Maritime Service and Cessnock City Council.

AMENDMENT **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Lyons

1. That Council write to the State Government via the Premier, Treasurer, Parliamentary Secretary for the Hunter and our local State MP seeking the establishment of a 10 year \$200 million future fund for the ongoing upgrade and replacement of local, Regional and State roads within the LGA (including bridges and drainage assets).
2. That the future fund allocate \$20 million per year to Cessnock City Council to undertake a rolling Capital Works Program.
3. That any unspent funds from the future fund would roll over to the next financial year.
4. That the future fund would be overseen in consultation with Treasury Corporation, Roads and Maritime Service and Cessnock City Council.

FOR	AGAINST
Councillor Stapleford	Councillor Olsen
Councillor Fitzgibbon	Councillor Doherty
Councillor Gray	Councillor Dunn
Councillor Dagg	Councillor Fagg
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (8)	Total (4)

The Amendment was **PUT** and **CARRIED** and as such became the **MOTION**.

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

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Lyons

43

RESOLVED

1. That Council write to the State Government via the Premier, Treasurer, Parliamentary Secretary for the Hunter and our local State MP seeking the establishment of a 10 year \$200 million future fund for the ongoing upgrade and replacement of local, Regional and State roads within the LGA (including bridges and drainage assets).
2. That the future fund allocate \$20 million per year to Cessnock City Council to undertake a rolling Capital Works Program.
3. That any unspent funds from the future fund would roll over to the next financial year.
4. That the future fund would be overseen in consultation with Treasury Corporation, Roads and Maritime Service and Cessnock City Council.

FOR	AGAINST
Councillor Olsen	Councillor Doherty
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (1)

CARRIED

BUSINESS WITH NOTICE NO. BN14/2016

SUBJECT: MEALS AT COUNCIL MEETINGS

MOTION **Moved:** Councillor Olsen **Seconded:** Councillor Dunn

That Council delete from the Code of Meeting Practice point 20.9 Meals at Council Meetings.

FOR	AGAINST
Councillor Olsen	Councillor Doherty
	Councillor Dunn
	Councillor Fagg
	Councillor Stapleford
	Councillor Fitzgibbon
	Councillor Gray
	Councillor Dagg
	Councillor Burke
	Councillor Sander
	Councillor Lyons
	Councillor Pynsent
Total (1)	Total (11)

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

BUSINESS WITH NOTICE NO. BN15/2016

SUBJECT: BUSHFIRE PREPAREDNESS

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Doherty

44

RESOLVED

That the General Manager report back to the Council on/or before the 14 December 2016 Council meeting on the following:-

- What is Councils current bush fire level of readiness?
- Does Council have emergency plans in place to deal with a major bush fire event?
- Has Council regularly undertaken risk assessments of its physical assets, including Greenfield sites, to ensure all steps have been taken toward protecting them and surrounding development from bushfires?
- Has Council recommended any sites to the Rural Fire Service to have hazard reduction assessments or burns conducted?
- Is Council regularly maintaining its real property assets which could be affected by fire (ie the last trench of Vineyard Grove estate, which in turn is effecting the cost of development)?
- Are Council's assets, that have been identified as at risk, adequately covered by insurance in the event of bushfires?

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ72/2016

SUBJECT: NOTICE OF MOTION - UPGRADE OF BIMBADEEN LOOKOUT

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ73/2016

SUBJECT: CAMPING AT KURRI KURRI NOSTALGIA FESTIVAL

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ74/2016

SUBJECT: REDUCING IMPACT OF TREES ON SOLAR PANELS FOR RESIDENTS

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Rod Doherty

PROPERTY REVIEW BRIEFING

Councillor Doherty asked when Councillors would receive a briefing on the property review?

Councillor Mark Lyons

TRAFFIC FLOW

Councillor Lyons referred to a motion from the previous Council meeting regarding traffic flow and asked if the traffic study area could be extended further to include Ivan Street/Wollombi Road and surrounding areas.

Councillor Mark Lyons

THE BASIN RE-DEVELOPMENT

Councillor Lyons asked when the consultants would be appointed to do the Masteplan?

Councillor Di Fitzgibbon

PARKING SIGNS WITHIN CESSNOCK CBD

Councillor Fitzgibbon asked if Council could investigate erecting parking signs within the CBD that indicate where parking is and how many spaces?

Councillor Ian Olsen

FLOODING - SOUTH CESSNOCK AREA

Councillor Olsen asked for an update in regard to the report on flooding in South Cessnock and also when would Councillors be having a briefing regarding this?

Councillor Ian Olsen

FRAME DRIVE BRIDGE - WEIGHT LIMITS

Councillor Olsen asked whether Council would be considering a weight limit on the new Frame Drive Bridge and surrounding roads including Gingers Lane once it is constructed?

CORRESPONDENCE

CORRESPONDENCE NO. CO4/2016

SUBJECT: PROVISION OF FUNDS TO LOCAL GOVERNMENT FOR
INFRASTRUCTURE PROJECTS UPDATE

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Sander
45
RESOLVED

That Council note the correspondence received.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

COUNCILLORS REPORTS

Councillor Stapleford

Sculpture in the Vines

Councillor Stapleford reported on his attendance at the official opening of Sculpture in the Vines and advised that it was very successful and the organisers would like to thank Council for its continued support

Councillor Lyons

Australian Postie Bike Grand Prix

Councillor Lyons advised of his attendance at the 3rd Annual Australian Postie Bike Grand Prix which attracted an almost record crowd this year. Councillor Lyons also advised that the organising Committee would like to thank Council for its invaluable support and its hardworking staff who worked tirelessly to ensure it was a success.

Mayor

Meeting with Minister for Corrections

The Mayor advised of a meeting that was held with the Minister for Corrections that himself, General Manager and the Director Environment & Planning attended on Monday as per Council's resolution. Staff are being briefed on Thursday, 3 November at 9am and at 11am the same brief will be given to the Community Consultative Committee. The Mayor advised that the meeting was positive but the Minister would not give specific details.

The Meeting Was Declared Closed at 7.09pm

CONFIRMED AND SIGNED at the meeting held on 16 November 2016

.....**CHAIRPERSON**

.....**GENERAL MANAGER**