

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 17 APRIL 2019, COMMENCING AT
6.30 PM**

PRESENT: His Worship the Mayor, Councillor R Pynsent (in the Chair) and Councillors Olsen, Doherty, Dunn, Fagg, Stapleford, Suvaal, Fitzgibbon, Gray, Dagg, Sander and Lyons.

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Strategic Planning Manager
Finance and Administration Manager
Infrastructure Manager
Operations Accountant
Governance Officer
Senior Strategic Land Use Planner
Media & Communication Officer
Corporate Governance Officer

APOLOGY:

MOTION

Moved: Councillor Sander

Seconded: Councillor Lyons

859

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

That Councillor Dunn be granted a leave of absence for the Council meeting on 1 May 2019.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

MINUTES:**MOTION**

Moved: Councillor Gray
Seconded: Councillor Dagg

860

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 3 April 2019, 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 Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)**CARRIED UNANIMOUSLY****MINUTES:****MOTION**

Moved: Councillor Gray
Seconded: Councillor Suvaal

861

RESOLVED that the Minutes of the Extraordinary Council held on 10 April 2019, 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 Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)**CARRIED UNANIMOUSLY**

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI7/2019

SUBJECT: DISCLOSURES OF INTEREST

RECOMMENDATION

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

WI18/2019 - Proposed Road Closure between Halls Road and De Beyers Road Pokolbin – Councillor Fitzgibbon declared a Non Pecuniary Interest - Less Than Significant Conflict for the reason that the applicant is a casual social acquaintance. Councillor Fitzgibbon advised that she would remain in the Chamber and participate in discussion and voting as the conflict has not influenced her in carrying out her public duty.

BN6/2019 Gaol Access – Councillor Suvaal declared a Non pecuniary Interest – Less Than Significant Conflict for the reason that his sister works for Justice Health at the Cessnock Correctional Centre. Councillor Suvaal 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 it will not impact on any voting.

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

The following people have been invited to address the meeting of Council:

Speakers	Company	For / Against	Report	Page No.	Duration
Zie Rohan	Twin Trees Country Cottages	For Recommendation	WI18/2019 - Proposed Road Closure between Halls Road and De Beyers Road Pokolbin	45	3 mins

DEFERRED BUSINESS

DEFERRED BUSINESS NO. WI18/2019

SUBJECT: PROPOSED ROAD CLOSURE BETWEEN HALLS ROAD AND DE BEYERS ROAD POKOLBIN

Councillor Fitzgibbon declared a Non Pecuniary Interest - Less Than Significant Conflict for the reason that the applicant is a casual social acquaintance. Councillor Fitzgibbon remained in the Chamber and participated in discussion and voting.

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Lyons
862

RESOLVED

1. That Council resolve to not close the Council public road between Halls Road and De Beyers Road Pokolbin as indicated in the Property Location Plan.
2. That the General Manager write to those who made submissions, informing them of Council's decision.
3. That the General Manager notify Google Maps and any other relevant mapping agencies that this is not a public road and should not show on their software.
4. That Council upgrade the existing road barriers to prevent car traffic but still allow for pedestrian and bicycle traffic flow in consultation with adjoining land owners.
5. That Council work to amend traffic management plans for major events in the surrounding areas to include measures to reduce traffic flow into Halls Road.
6. That a report come back to Council in 12 months to update Council on whether the traffic management items outlined above have reduced problem traffic incidents in the area.
7. That in the report to come back in 12 months time Council identify whether this road reserve will be included in the future vineyard cycleway plan.

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

CARRIED UNANIMOUSLY

Speakers	Company	For / Against	Report	Page No.	Duration
Mr Stephen Barr	Barr Property & Planning	For Recommendation	PE43/2019 - Draft Chapter E.18 Black Hill Employment Area of the Cessnock Development Control Plan 2010 - Public Consultation Outcomes	58	3 mins

PLANNING AND ENVIRONMENT NO. PE43/2019

SUBJECT: DRAFT CHAPTER E.18 BLACK HILL EMPLOYMENT AREA OF THE CESSNOCK DEVELOPMENT CONTROL PLAN 2010 - PUBLIC CONSULTATION OUTCOMES

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Lyons
863

RESOLVED

1. That Council adopt Chapter E.18, Black Hill Employment Area, of the Cessnock Development Control Plan 2010; and
2. That Council write to all those persons who made a submission thanking them for their input and to advise of Council's decision.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBE OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS

MOTION

864

Moved: Councillor Doherty

Seconded: Councillor Sander

RESOLVED

that having read and considered the reports in the agenda related to items

NI5/2019	Notice of Intention to Deal with matters in Confidential Session.	
	PE45/2019 - Report from Commissioner of Fire and Rescue NSW in relation to	
	Lot 2700 DP 1014080 336 Oakey Creek Road, Pokolbin.....	42
† CC24/2019	Investment Report - March 2019.....	80
† CC25/2019	Resolutions Tracking Report.....	87
CC26/2019	Tender Evaluation Report Corporate Management System - T1819-05	88
WI23/2019	Stormwater, Waterway and Floodplain Strategy 2018.....	105
† CO8/2019	Cessnock Correctional Centre Access Road.....	141

Council adopt the recommendations as printed for those items.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

NOTICE OF INTENTION NO. NI5/2019

**SUBJECT: NOTICE OF INTENTION TO DEAL WITH MATTERS IN
CONFIDENTIAL SESSION.**

**PE45/2019 - REPORT FROM COMMISSIONER OF FIRE AND
RESCUE NSW IN RELATION TO LOT 2700 DP 1014080 336 OAKEY
CREEK ROAD, POKOLBIN.**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Sander
865
RESOLVED

1. That Council consider in Confidential Session the following matters in accordance with Section 10A(2)(e) & (g) of the Local Government Act 1993:

Report No. PE45/2019 - Report from Commissioner of Fire and Rescue NSW in relation to Lot 2700 DP 101408 336 Oakey Creek Road, Pokolbin – as it deals with information that would, if disclosed, prejudice the maintenance of law.
2. That Council request the Mayor in accordance with Section 253 of Local Government (General) Regulation 2005 to report on these matters to the meeting in Open Session following completion of the Confidential Session.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	

Total (12)

Total (0)

CARRIED UNANIMOUSLY

MAYORAL MINUTES

MAYORAL MINUTES NO. MM6/2019

SUBJECT: PARLIAMENTARY SECRETARY FOR THE HUNTER

MOTION **Moved:** Councillor Pynsent
866

RESOLVED

That Council write to the NSW Premier, The Hon. Gladys Berejiklian MP asking the government to reconsider their decision to scrap the position of Parliamentary Secretary for the Hunter and Central Coast.

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

CARRIED UNANIMOUSLY

MAYORAL MINUTES NO. MM7/2019

SUBJECT: AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - FEDERAL ELECTION FUNDING CAMPAIGN

MOTION **Moved:** Councillor Pynsent

867

RESOLVED

1. That Council acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of council services and infrastructure.
2. That Council expresses its concern about the decline in the value of Financial Assistance Grants funding at the national level from an amount equal to around 1% of Commonwealth Taxation Revenue in 1996 to a current figure of around 0.55%.
3. That Council calls on all political parties contesting the 2019 Federal Election and their local candidates to support the Australian Local Government Association's call to restore the national value of Financial Assistance Grants funding to an amount equal to at least 1 % of Commonwealth Taxation revenue and therefore to provide a Fairer Share of Federal funding for our local communities.
4. That Council write to all candidates in the Federal seats of Paterson and Hunter outlining Council's position on Financial Assistance Grants.

FOR

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (11)

AGAINST

Councillor Fagg

Total (1)

CARRIED

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU6/2019

SUBJECT: MOTIONS OF URGENCY

NIL

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE42/2019

**SUBJECT: UPDATE ON THE IMPLEMENTATION OF THE EAST CESSNOCK
FLYING-FOX CAMP MANAGEMENT PLAN**

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Sander
868
RESOLVED

1. That Council note the actions being undertaken to implement the East Cessnock Flying-Fox Camp Management Plan.
2. That Council invite an Officer from Environment and Heritage to a briefing on what the State Government plans are in regard to Flying Foxes.

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

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE44/2019

SUBJECT: CESSNOCK VINEYARD DISTRICT PLANNING PROJECT UPDATE

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Dagg
869

RESOLVED

1. That Council note the update regarding the Cessnock Vineyard District Planning Project.
2. That Council endorse the Cessnock Vineyard District Planning Project Consultation Plan.
3. That Council endorse the following for membership of the Cessnock Vineyard District Community Working Group:-

James Shelton, NSW Department of Planning and Environment
Helen Squired – NSW Department of Primary Industries
Singleton Council
Stewart Ewen – Hunter Valley Wine and Tourism Association
John Drayton – Parish of Pokolbin
Alex Stuart – Lovedale chamber of Commerce
Anita Hugo – Property Council of Australia
Dennis Eldridge – Around Hermitage
Michael Hope
Ian Tinkler
Gregory Matthews
Sasha Dagen – Hunter Valley Stays
Kyle McKendry
Joe Spagnolo
Stephen Leathley – Insite Planning
Robert Scott – Scott Property

4. That all Councillors receive an invitation to participate in the Community Working Group.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC22/2019

SUBJECT: MINOR CHANGE TO COUNCIL'S CODE OF CONDUCT

MOTION

870

RESOLVED

Moved: Councillor Gray

Seconded: Councillor Sander

1. That Council adopt the minor changes to Clause 6.6 of the adopted Code of Conduct, being:

6.6 Where you:

- a) receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing.
- b) refuse a gift or benefit of more than token value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing.
- c) refuse a gift or benefit of token value other than one referred to in clause 6.2, you are encouraged to disclose this promptly to your manager or the general manager in writing.

The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in Council's gift register

- a) Whether the gift was accepted or refused
- b) the nature of the gift or benefit
- c) the estimated monetary value of the gift or benefit
- d) the name of the person who provided the gift or benefit, and
- e) the date on which the gift or benefit was received

2. That the adopted Code of Conduct to become effective from 1 May 2019.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC23/2019

SUBJECT: RATES SUBSIDY TO COMMUNITY ORGANISATIONS POLICY

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Sander
871

RESOLVED

That Council places the draft Rates Subsidy to Community Organisations Policy on public exhibition for a period of 28 days and if there are no significant public submissions received that the policy be automatically adopted at the end of the exhibition period.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC24/2019

SUBJECT: INVESTMENT REPORT - MARCH 2019

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Sander
872

RESOLVED

That Council receive the report and note the information.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC25/2019

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Sander
873

RESOLVED

That Council receive the report and note the information.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC26/2019

**SUBJECT: TENDER EVALUATION REPORT
CORPORATE MANAGEMENT SYSTEM - T1819-05**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Sander
874
RESOLVED

1. That Council endorse the acceptance of the tender from LG Software Solutions Pty Ltd ("Pulse Software") for Tender No. T1819/05 for the provision of a Corporate Management System for the amount of \$381,370 (GST exclusive) to be incurred over five years.
2. That Council endorse a phased approach to implementation of the Corporate Management System commencing with Corporate Planning and Reporting and Human Resources Modules followed by Project Management.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

7.16PM

MOTION

Moved: Councillor Gray

Seconded: Councillor Lyons

875

RESOLVED

That Council move into confidential session to discuss matters relating to Report Number WI22/2019.

FOR

Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Sander
Councillor Lyons
Councillor Pynsent

Total (11)

AGAINST

Councillor Olsen

Total (1)

CARRIED

Councillor Dagg left the meeting, the time being 07:21 PM

MOTION

Moved: Councillor Gray

Seconded: Councillor Lyons

876

RESOLVED

That the meeting move back into Open Session.

FOR

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Sander
Councillor Lyons
Councillor Pynsent

Total (11)

AGAINST

Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI22/2019

SUBJECT: UPGRADE CARPARK P8, 232A WOLLOMBI ROAD, REAR OF
CESSNOCK HOTEL

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Sander
877

RESOLVED

That the report be deferred until the adjoining property issues are resolved through the Strategic Property Committee.

Councillor Dagg returned to the meeting, the time being 7.23pm

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

CARRIED

WORKS AND INFRASTRUCTURE NO. WI23/2019

SUBJECT: STORMWATER, WATERWAY AND FLOODPLAIN STRATEGY 2018

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Sander
878

RESOLVED

1. That Council note that no submissions were received during the public exhibition.
2. That Council adopt the Stormwater, Waterway and Floodplain Strategy 2018.
3. That Council makes provision for the implementation of the Stormwater, Waterway and Floodplain Strategy with consideration of priority and available resources, including grant funding and development contributions.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI24/2019

SUBJECT: STREET TREE STRATEGY

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Gray
879

RESOLVED

That Council note the information contained within the report.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI25/2019

SUBJECT: KURRI KURRI NETBALL COURTS RESURFACING

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Doherty
880

RESOLVED

1. That Council notes the information contained within the report.
2. That Council allocates \$19,000 from a future quarterly budget review to cover the cleaning works that were undertaken.
3. That Council completes the asphaltting of Courts 1 – 4 in the 2019/2020 financial year using funds from the Recreation Facilities Renewal Program within the 2019 - 2020 Operational Plan.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI26/2019

SUBJECT: TENDER EVALUATION REPORT T1819-10 CBD/CIVIC PRECINCT, CESSNOCK

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Sander
881
RESOLVED

That Council accept the tender from CA&I Pty Ltd in the lump sum amount of \$1,642,810.93 (including GST) for T1819-10 CBD/Civic Precinct, Cessnock.

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

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN6/2019

SUBJECT: GAOL ACCESS

Councillor Suvaal declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that his sister works for Justice Health at the Cessnock Correctional Centre. Councillor Suvaal remained in the Chamber and participated in discussion and voting.

MOTION Moved: Councillor Olsen **Seconded:** Councillor Fitzgibbon

That Council contact the Hon. Anthony Roberts, Minister for Counter Terrorism and Corrections; the Hon. David Elliot, Minister for Police and Emergency Services; Guy Zangari, Shadow Minister for Police, Corrections and Emergency Services and the State Member for Cessnock, Clayton Barr and ask them to supply a design of the preferred access road and a commitment to complete within 3 months otherwise Council will be left with no option but to enter into the process of closing the Lindsay and Kerlew Street accesses due to the excess traffic and damage to local roads.

AMENDMENT Moved: Councillor Suvaal **Seconded:** Councillor Gray

- 1. That Council reaffirms its position that Lindsay Street is not an option for the ongoing entrance/exit to the Cessnock Correctional Centre.**
- 2. That the General Manager and Mayor request a meeting with the State Member for Cessnock and the new Minister for Corrective Services as soon as possible to discuss the State Governments plan for the new access to the Cessnock Correctional Centre and how and when the State Government intends to resolve this issue by implementing the wishes of the Cessnock community.**
- 3. That a further report come back to Council outlining the outcomes of the meeting.**

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	Councillor Stapleford
Councillor Fagg	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (2)

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

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

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
882
RESOLVED

1. That Council reaffirms its position that Lindsay Street is not an option for the ongoing entrance/exit to the Cessnock Correctional Centre.
2. That the General Manager and Mayor request a meeting with the State Member for Cessnock and the new Minister for Corrective Services as soon as possible to discuss the State Governments plan for the new access to the Cessnock Correctional Centre and how and when the State Government intends to resolve this issue by implementing the wishes of the Cessnock community.
3. That a further report come back to Council outlining the outcomes of the meeting.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	Councillor Stapleford
Councillor Fagg	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (2)

CARRIED

BUSINESS WITH NOTICE NO. BN7/2019

SUBJECT: TOMALPIN STREET

MOTION

Moved: Councillor Olsen

Seconded: Councillor Suvaal

883

RESOLVED

1. That the General Manager work with the School Community to investigate and develop cost effective options for a safe drop off/pick up area adjacent to Kearsley Public, including options for the Tomalpin Street entrance.
2. That the General Manager work with the School Principal in relation to potential changes to internal pedestrian amenity, which may assist in providing a cost effective option for a safe drop off/pick up area.
3. That Council be presented with a briefing within 6 months, detailing the findings of the investigation and design/costings and that following the briefing a report be brought back to Council for further consideration of the matter

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN8/2019

SUBJECT: HART ROAD/GINGERS LANE ROUNDABOUT

MOTION Moved: Councillor Olsen

That Council put on display the design of the new round-a-bout for the intersection of Hart Road/Gingers Lane and ask for feedback from the public with any concerns that residents may have with the concept design so Council can raise these issues with RMS before it is put to tender and built.

The Motion lapsed for want of a Secunder.

BUSINESS WITH NOTICE NO. BN9/2019

SUBJECT: BIG W

MOTION

884

MOTION

Moved: Councillor Lyons

Seconded: Councillor Fitzgibbon

That Council write to the management of Big W and Target expressing community concerns over the rumoured closure of their Cessnock stores and the impact such a closure would have on the community including:

- the loss of a valuable source of employment for the LGA
- the multiplier effects of a loss of a major business in the LGA resulting in further economic and retail leakage to other areas
- that any such decision would seem to be at odds with the opportunities for growth with increases in population from development activity in the LGA
- that any such decision would seem to be at odds with other nearby developments pointing to confidence in the local economy.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
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. AQ33/2019

SUBJECT: \$8M COMMITMENT FOR ROADWORKS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ34/2019

SUBJECT: CESSNOCK ROAD, WESTON - CRM 25/2019

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ35/2019

SUBJECT: ELECTRICAL CHARGE POINTS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ36/2019

SUBJECT: TRAFFIC COUNT - LEGGETTS DRIVE

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ37/2019

***SUBJECT: TRAFFIC MANAGEMENT - WINE COUNTRY DRIVE - ENTRANCE TO
NEW SERVICE STATION***

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ38/2019

***SUBJECT: EXPECTED COMPLETION DATE - WINE COUNTRY DRIVE -
ENTRANCE TO NEW SERVICE STATION***

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ39/2019

SUBJECT: RESOURCES FOR REGIONS FUNDING

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Melanie Dagg

BRANXTON MAIN STREET REVITALISATION

Councillor Dagg asked when the work is expected to commence on the Branxton Main Street Revitalisation?

Councillor Melanie Dagg

CESSNOCK REGIONAL ART GALLERY

Councillor Dagg asked what support Council provides to the facility including financial, in-kind and subsidised?

Councillor Suvaal left the meeting, the time being 08:07 PM

Councillor Di Fitzgibbon

OPEN ENDED BUS ZONE – BIG W

Councillor Fitzgibbon asked why there is an open ended bus zone in the front of Big W in Darwin Street.

Councillor Mark Lyons

ELECTRICAL CHARGE POINTS

Councillor Lyons referred to the Answer to Question regarding the Electrical Charge Points and asked for a report back or a briefing on the results of the meeting with Lake Macquarie and NRMA.

Councillor Ian Olsen

GALLAGHER STREET – GARBAGE TRUCK WHY IS GALLAGHER A PRIORITY

Councillor Olsen asked why Gallagher Street was a priority to put in a turning circle half way along the street when Council has 15 streets that have the same issue and he is not aware of any complaints from the residents of Gallagher Street.

Councillor Ian Olsen

ELECTRIC CARS

Councillor Olsen referred to a statement that was made by the Federal Labor Member stating that 50% of cars will be running on electricity by 2030 and he asked when the Mayor will be trading in his 4WD to get an electrical car.

Councillor Darrin Gray

KURRI KURRI COMMUNITY CENTRE

Councillor Gray asked when construction will begin on the Kurri Kurri Community Centre.

CORRESPONDENCE

CORRESPONDENCE NO. CO8/2019

SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS ROAD

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Sander
885

RESOLVED

That the correspondence be noted.

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

CARRIED UNANIMOUSLY

COUNCILLOR'S REPORTS

Councillor Dagg

Development Consultation Forum

Councillor Dagg reported on her attendance at the Development Consultation Forum and advised that this year was Council's 12th bi-annual forum which was well attended.

Councillor Dagg acknowledged the importance of Council continually working to improve their relationship with stakeholders and customers and would like to thank Council and staff for organising the event.

Councillor Lyons

Austar Site visit – down to underground workings.

Councillor Lyons advised that himself and Councillors Fitzgibbon and Burke attended an Austar site visit last Wednesday where they went down to the underground workings which was fascinating as they saw how the workings proceed.

8.11PM

Confidential reports (closed session)

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Lyons
886
RESOLVED

That the meeting move into closed session in order to consider confidential items.

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

CARRIED UNANIMOUSLY

8.12 PM

Open Session

The meeting moved back into open session and the General Manager reported on the outcome.

PLANNING AND ENVIRONMENT NO. PE45/2019

**SUBJECT: REPORT FROM COMMISSIONER OF FIRE AND RESCUE NSW IN
RELATION TO LOT 2700 DP 1014080 336 OAKLEY CREEK ROAD,
POKOLBIN**

This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.

MOTION Moved: Councillor Dagg **Seconded:** Councillor Sander
887

RESOLVED

1. That Council note the correspondence dated 22 March 2019 on behalf of the Commissioner of Fire and Rescue NSW.
2. That Council in accordance with Schedule 5, Part 8, Section 17 of the *Environmental Planning and Assessment Act 1979*,
 - A. Acknowledge receipt of a fire inspection report and recommendations on behalf of the Commissioner of Fire and Rescue NSW in relation to Lot 2700 DP 1014080 336 Oakley Creek Road Pokolbin, and
 - B. Determine to follow up the matters raised in accordance with Council's Compliance and Enforcement Policy by seeking voluntary compliance in the first instance, and if compliance is not achieved with the recommendations of Fire and Rescue NSW by 30 May 2019, then to consider issuing a fire safety order requiring statutory compliance; and
 - C. Give notice of Council's determination to the Commissioner of Fire and Rescue NSW.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

The Meeting Was Declared Closed at 8.14pm

CONFIRMED AND SIGNED at the meeting held on 1 May 2019

.....**CHAIRPERSON**

.....**GENERAL MANAGER**