

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 1 MAY 2019, COMMENCING AT  
6.30 PM**

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

**IN ATTENDANCE:** General Manager  
Director Planning and Environment  
Director Corporate and Community Services  
Director Works and Infrastructure  
Finance and Administration Manager  
Senior Media & Communication Officer  
Media & Communication Officer  
Corporate Governance Officer

**APOLOGIES:**

**MOTION**

**Moved:** Councillor Dagg  
**Seconded:** Councillor Sander

888

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

**FOR**

**AGAINST**

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

**Total (0)**

**CARRIED UNANIMOUSLY**

**MINUTES:****MOTION**

**Moved:** Councillor Suvaal  
**Seconded:** Councillor Fitzgibbon

889

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 17 April 2019, as circulated, be taken as read and confirmed as a correct record with the amendment relating to Councillor Olsen's question on Electric Cars, in that the question was seeking a response from the Mayor and not the General Manager, with the question being "Are you going to sell your 4 wheel drive and get an electric car".

**FOR**

Councillor Olsen  
Councillor Doherty  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (10)****AGAINST**

Councillor Burke

**Total (1)****CARRIED**

## **DISCLOSURES OF INTEREST**

### **DISCLOSURES OF INTEREST NO. DI8/2019**

**SUBJECT: DISCLOSURES OF INTEREST**

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#### **RECOMMENDATION**

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

**WI27/2019 – My Community Project** – The Mayor declared a Non Pecuniary Interest - Significant Conflict for the reason that he is a member of the Kurri Kurri Rotary Club who is an applicant for this grant. The Mayor advised that he would leave the Chamber and take no part in discussion and voting.

## ***PETITIONS***

NIL

## ***ADDRESS BY INVITED SPEAKERS***

NIL

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

NIL

## ***MOTIONS OF URGENCY***

***MOTIONS OF URGENCY NO. MOU7/2019***

***SUBJECT: MOTIONS OF URGENCY***

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### ***RECOMMENDATION***

**That Councillors now indicate if there are any matters of urgency which they believe should be conducted at this meeting of Council.**

NIL

## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC27/2019**

**SUBJECT: 2019 LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA  
NATIONAL CONGRESS - NOMINATIONS TO ATTEND**

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**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Fitzgibbon  
890  
**RESOLVED**

**That Council not send any delegates to the 2019 Local Government Professionals Australia National Congress to be held in Darwin from 31 July to 2 August 2019.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC28/2019**

**SUBJECT: SUBMISSION TO SPECIAL COMMISSION OF INQUIRY INTO THE DRUG 'ICE'**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Burke  
891  
**RESOLVED**

That Council lodge the enclosed cover letter and submission to the Special Commission of Inquiry into the Drug 'Ice', with an addition to the 2<sup>nd</sup> last paragraph of submission and inclusion in the covering letter, that Council would welcome a hearing being held in the Cessnock Local Government Area"

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



**CORPORATE AND COMMUNITY NO. CC29/2019**

**SUBJECT: PROPOSAL TO CHANGE THE LOCALITY NAME OF YENGO NATIONAL PARK TO YENGO**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
892  
**RESOLVED**

**That Council advise the Geographical Names Board that their proposal to change the name of the existing locality of Yengo National Park to Yengo is supported by Council.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC30/2019**

**SUBJECT: ACQUISITION OF LAND FOR ROAD WIDENING - SANDY CREEK ROAD, MT VINCENT**

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**MOTION**

893

**Moved:** Councillor Suvaal

**Seconded:** Councillor Fitzgibbon

**RESOLVED**

1. That Council acquire the land part Lot 120 and part Lot 122 of DP 755244 being land currently comprised in Conveyance Book 3144 No 987 and Conveyance Book 3333 No 5 for road purposes and dedicate the land to the public as public road;
2. That Council authorise the General Manager to negotiate compensation with the property owners by private agreement for acquisition of the Land subject to an independent valuation report and in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*;
3. That in the event that negotiations with the property owners cannot be satisfactorily finalised, that Council make application to the Office of Local Government for approval of the Minister and the Governor to proceed with compulsory acquisition of the Land being part Lot 120 and Part Lot 122 DP 755244;
4. That Council authorise the Common Seal of Cessnock City Council to be affixed to the plan of subdivision dedicating the land to be acquired as public road and Deed of Agreement for the acquisition of the Land between Cessnock City Council and the Estate of Amy Augusta Lewis and Thomas William Lewis and if necessary to the application to the Minister and the Governor for the compulsory acquisition of the Land part Lot 120 and part Lot 122 DP 755244;
5. That Council authorise the General Manager and Mayor/Councillor to execute the Plan of subdivision dedicating the land to be acquired as public road and Deed of Agreement for the acquisition of the Land between Cessnock City Council and the Estate of Amy Augusta Lewis and Thomas William Lewis and if necessary to the application to the Minister and the Governor for the compulsory acquisition of the Land part Lot 120 and part Lot 122 DP 755244.

**FOR**

**AGAINST**

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

**Total (0)**

***CARRIED UNANIMOUSLY***

**CORPORATE AND COMMUNITY NO. CC31/2019**

**SUBJECT: ADOPTION OF DRAFT 2019-20 OPERATIONAL PLAN FOR PUBLIC EXHIBITION**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Dagg

894

**RESOLVED**

1. That Council place the Draft 2019-20 Operational Plan on public exhibition for 28 days in accordance with Section 405 of the Local Government Act 1993.
2. That the investigation and design for drainage and flooding issues in Cruickshank Street, Bellbird be included in the draft Operational Plan 2019-20.
3. That the General Manager investigate the potential for inclusion of Henderson Avenue and Marlton Street between Maitland Road and Halcyon Street, to be included in the local road renewal program for 2019-20.

**FOR**

Councillor Doherty  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (10)**

**AGAINST**

Councillor Olsen

**Total (1)**

**CARRIED**

## WORKS AND INFRASTRUCTURE

### WORKS AND INFRASTRUCTURE NO. WI27/2019

**SUBJECT: MY COMMUNITY PROJECT**

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*The Mayor declared a Non Pecuniary Interest - Significant Conflict for the reason that he is a member of the Kurri Kurri Rotary Club who is an applicant for this grant. The Mayor left the Chamber and took no part in discussion and voting.*

*The Mayor left the meeting, the time being 7.01pm*

*Councillor Sander left the meeting, the time being 7.01pm*

*The Deputy Mayor, Councillor Dagg assumed the chair, the time being 7.01pm*

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Gray  
895

#### **RESOLVED**

1. That Council note the details of the NSW Government's 'My Community Project' program, including the key dates for project submissions and eligible organisations who can sponsor proposed projects.
2. That the General Manager assess any community requests for Council sponsorship of 'My Community Projects' using the following criteria;
  - the projects are undertaken at nil cost to Council, apart from minor in-kind project management costs,
  - the projects respond to an identified community need and provide clear benefit to the community, and;
  - the projects are in accordance with key objectives of Council's Community Strategic Plan and other associated plans, including the adopted strategic community and recreation plans.
  - that where projects are nominated that are also identified in Council's Operational Plan the General Manager be delegated authority to support those programs in accordance with the adopted policy/plan of Council to allow Council to enhance the overall project outcomes.

#### **FOR**

Councillor Olsen  
Councillor Doherty  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Lyons

**Total (9)**

#### **AGAINST**

**Total (0)**

#### **CARRIED UNANIMOUSLY**

*The Mayor returned to the meeting, and assumed the chair, the time being 7.04pm*

*Councillor Sander returned to the meeting, the time being 7.04pm*

**ANSWERS TO QUESTIONS FOR NEXT MEETING**

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ40/2019**

**SUBJECT:     BRANXTON MAIN STREET REVITALISATION**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ41/2019**

**SUBJECT:     CESSNOCK REGIONAL ART GALLERY - COUNCIL SUPPORT**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ42/2019**

**SUBJECT:     BUS ZONE AT BIG W - DARWIN STREET CESNOCK**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ43/2019**

**SUBJECT:     ELECTRICAL CHARGE POINTS**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ44/2019**

**SUBJECT:     GALLAGHER STREET - GARBAGE TRUCK - WHY IS GALLAGHER  
STREET A PRIORITY?**

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ45/2019***

***SUBJECT: ELECTRIC CARS***

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The answer was noted.

***ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ46/2019***

***SUBJECT: KURRI KURRI COMMUNITY CENTRE***

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The answer was noted.

## **QUESTIONS FOR NEXT MEETING**

*Councillor Jay Suvaal*

### **V8 SUPERCARS**

Councillor Suvaal asked what action has been taken in regard to a Notice of Motion in relation to the V8 Supercars and trying to get a team to base itself and do promotional work in the Vineyards during the Newcastle V8 Supercars Event.

*Councillor Rod Doherty*

### **BATTERY RECYCLING PLANT – MITCHELL AVENUE, KURRI KURRI**

Councillor Doherty asked for an update on the Battery Recycling Plant.



## **COUNCILLORS REPORTS**

Councillor Sander

Kurri Kurri Towns With Hearts

Councillor Sander would like to congratulate the Kurri Kurri Towns With Heart in regard the exhibition for the Anzac Presentation at the Cemetery at Kurri Kurri and also the old diggers pictures at the Anglican Church in Kurri Kurri. Both exhibitions were sensational and they should be recognised for their effort.

*The Meeting Was Declared Closed at 7.07pm*

**CONFIRMED AND SIGNED** at the meeting held on 15 May 2019

.....**CHAIRPERSON**

.....**GENERAL MANAGER**