

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 11 DECEMBER 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, Burke, Sander and Lyons.

**IN ATTENDANCE:** General Manager  
Director Planning and Environment  
Director Corporate and Community Services  
Acting Director Works and Infrastructure (Open Space and Community Facilities Manager)  
Strategic Planning Manager  
Acting Economic Development Manager  
Strategic Recreation & Community Facilities Planner  
Media & Communication Officer  
Corporate Governance Officer

**APOLOGY:** **NIL**

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

1097

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 20 November 2019, as circulated, be taken as read and confirmed as a correct record.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (1)</b>

**CARRIED**

## **DISCLOSURES OF INTEREST**

### **DISCLOSURES OF INTEREST NO. DI23/2019**

**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.**

**MM20/2019 - Donation to NSW Rural Fire Service in lieu of fireworks at Carols in the Park 2019** – Councillor Fagg declared a Non Pecuniary Less than Significant Conflict for the reason that his wife is an active member of call out officers for Rothbury Rural Fire Service. Councillor Fagg advised that he will remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty.

**MM19/2019 - Cessnock Correctional Centre Access** - Councillor Suvaal declared a Non Pecuniary Less than Significant Conflict for the reason that his sister is an employee of Justice Health working at the Cessnock Correctional Centre. Councillor Suvaal advise that he will 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 her employment.

***PETITIONS***

***NIL***

***ADDRESS BY INVITED SPEAKERS***

***NIL***

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

**MOTION**            **Moved:**    Councillor Doherty            **Seconded:**    Councillor Suvaal  
1098

**RESOLVED** that having read and considered the reports in the agenda related to items:-

‡ GMU24/2019	Business Capability Study Report.....	72
GMU25/2019	Acting General Manager .....	78
GMU26/2019	Minutes of the Audit and Risk Committee meeting held 12 November 2019 .....	80
‡ PE79/2019	Development Application Performance Monitoring Report – September 2019 Quarter .....	100
CC119/2019	Minutes of the Aboriginal and Torres Strait Islander Committee Held on 15 November 2019 .....	137
‡ CC120/2019	Disclosures of Interests in Written Returns .....	141
‡ CC121/2019	Investment Report - November 2019 .....	144
WI88/2019	Traffic & Transport Strategy - Resourcing for Implementation Program.....	151
WI91/2019	Roadside Drainage Strategy 2019 - Outcome of Exhibition and Adoption .....	203
WI94/2019	Review of Recreation & Open Space Strategic Plan 2018 .....	225
WI95/2019	Funding for Sporting Facility Infrastructure.....	230
WI97/2019	Adoption of the revised Naming of Council Assets Policy .....	239
‡ CO30/2019	Weston Fire and Rescue Station .....	268

**Council adopt the recommendations as printed for those items.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**PROCEDURAL MOTION**

**Moved:**

Councillor Pynsent

**Seconded:**

Councillor Sander

1099

**RESOLVED** that Mayoral Minute MM18/2019 be dealt with at the end of the Ordinary Meeting.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (13)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**MAYORAL MINUTES NO. MM19/2019**

**SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS**

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*Councillor Suvaal declared a Non Pecuniary Less than Significant Conflict for the reason that his sister is an employee of Justice Health working at the Cessnock Correctional Centre. Councillor Suvaal remained in the Chamber and participated in discussion and voting.*

**MOTION**            **Moved:**    Councillor Pynsent

- 1. That Council notes that the access to the Cessnock Correctional Centre is a decision for the State Government and the Department of Corrections;**
- 2. That Council reaffirms that Council's position is that access to the Correctional Centre at Lindsay Street/Mavis Street be closed and that a new access is created via direct route from Wine Country Drive onto land owned by Hunter New England Health;**
- 3. That Council notes that on a meeting on 12 November 2019 with Minister for Corrections Anthony Roberts and Member for Cessnock Clayton Barr, the Minister outlined concerns with the proposed route through Hunter New England Health land. Following this meeting the Member for Cessnock addressed a meeting of the Cessnock Correctional Centre Consultative Committee on 6 December 2019 and outlined the reasons why the Health Land Access Proposal would not progress;**
- 4. That Council requests the General Manager engage with the Department of Corrections to confirm their suggested solution to establish an access to the Cessnock Correctional Centre via Wine Country Drive; and**
- 5. That Council calls on the Department of Corrections to meet the following conditions when selecting the State Governments preferred access route:**
  - \* That access to the Correctional Centre is via a route that has minimal impact on private residences before it adjoins the State Road Network;**
  - \* Sufficient security fencing and screening be installed along the route to prohibit vehicle and pedestrian access near private residences;**
  - \* The route minimises traffic on Cessnock Council maintained roads; and**
  - \* That safe access be maintained where the route joins the State Road Network.**

**PROCEDURAL MOTION**

**Moved:**

Councillor Olsen

**Seconded:**

Councillor Fitzgibbon

**That the Mayoral Minute be Deferred to the first meeting in February to enable residents to investigate and come back to Council with their reasons to keep negotiating with Hunter Health.**

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Fitzgibbon  
Councillor Burke  
Councillor Sander  
**Total (8)**

Councillor Suvaal  
Councillor Gray  
Councillor Dagg  
Councillor Lyons  
Councillor Pynsent

**Total (5)**

**CARRIED**

**MAYORAL MINUTES NO. MM20/2019**

**SUBJECT: DONATION TO NSW RURAL FIRE SERVICE IN LIEU OF FIREWORKS AT CAROLS IN THE PARK 2019**

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*Councillor Fagg declared a Non Pecuniary Less than Significant Conflict for the reason that his wife is an active member of call out officers for Rothbury Rural Fire Service. Councillor Fagg remained in the Chamber and participated in discussion and voting.*

**MOTION**            **Moved:**    Councillor Pynsent  
1100

**RESOLVED**

1.    **That Council make a donation of \$4,500 to the NSW Rural Fire Service being in lieu of the fireworks exhibition originally planned for the Cessnock City 2019 Carols in the Park event, noting that the fireworks component of that event was cancelled due to the current bush fire conditions and in respect to fire fighters and people directly impacted by the fires.**
  
2.    **That the \$4,500 be distributed among the 14 RFS brigades in the Cessnock Local Government Area, as identified in the Cessnock Local Emergency Management Plan.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



**MOTIONS OF URGENCY**

**MOTIONS OF URGENCY NO. MOU21/2019**

**SUBJECT: MOTIONS OF URGENCY**

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NIL

## **GENERAL MANAGER'S UNIT**

### **GENERAL MANAGER'S UNIT NO. GMU24/2019**

**SUBJECT: BUSINESS CAPABILITY STUDY REPORT**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1101

**RESOLVED**

**That Council endorses the completed Cessnock City Business Capability Study (2019) report for publication and grant acquittal for the funding from the Australian Government's Building Better Regions Fund Community Investment Stream.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU25/2019**

**SUBJECT: ACTING GENERAL MANAGER**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1102

**RESOLVED**

That Council formally approves for the General Manager to appoint any of the Directors, as designated senior staff under the *Local Government Act 1993*, to act in the role of General Manager, with the associated delegations, when the General Manager is on leave.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU26/2019**

**SUBJECT: MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 12 NOVEMBER 2019**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1103  
**RESOLVED**

**That the Minutes of the Audit and Risk Committee Meeting held 12 November be adopted as a resolution of the Ordinary Council.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **PLANNING AND ENVIRONMENT**

### **PLANNING AND ENVIRONMENT NO. PE77/2019**

**SUBJECT: DRAFT CESSNOCK FLYING-FOX CAMP MANAGEMENT PLAN**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
1104

**RESOLVED**

**That Council places the draft Cessnock Flying Fox Camp Management Plan on public exhibition for a minimum period of fifty (50) days.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE78/2019**

**SUBJECT: FEES AND CHARGES AMENDMENT - BUILDING, REGULATORY AND LIBRARY SERVICES**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Dagg  
1105  
**RESOLVED**

**That Council adopts the amended and new fees and charges for fee types A, D, E, G in accordance with Schedule 1 of this report.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE79/2019**

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING  
REPORT - SEPTEMBER 2019 QUARTER**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1106  
**RESOLVED**

**That Council receives and notes the Development Application Performance Monitoring Report – September 2019 Quarter.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC118/2019**

**SUBJECT: COMPLAINT HANDLING POLICY AND COMPLAINT HANDLING PROCEDURES**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
1107  
**RESOLVED**

1. That Council adopts the Complaint Handling Policy and notes the Complaint Handling Procedures with the following amendments:-

**7.3 – Complaints forwarded by Councillors will be received as complaints and treated as a complaint received direct from the resident/complainant.**

**3.4.4 - include the word Councillor after member of Parliament.**

2. That Council receive a briefing on the policy.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



**CORPORATE AND COMMUNITY NO. CC119/2019**

**SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE HELD ON 15 NOVEMBER 2019**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1108  
**RESOLVED**

1. That the Minutes of the Aboriginal and Torres Strait Islander Committee held on 15 November 2019 be adopted as a resolution of the Ordinary Council.
2. That Council notes that the Aboriginal and Torres Strait Islander Committee meeting became inquorate prior to consideration of the final agenda item AACLM23/2019 Innovate Reconciliation Action Plan (2018-2020) and General Business, and accept the meeting notes for these two items.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC120/2019**

**SUBJECT: DISCLOSURES OF INTERESTS IN WRITTEN RETURNS**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1109

**RESOLVED**

That Council notes the tabling of the disclosures of interests written returns (for the period 1 August 2019 to 31 October 2019) by the General Manager in accordance with Council's Code of Conduct.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC121/2019**

**SUBJECT: INVESTMENT REPORT - NOVEMBER 2019**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1110

**RESOLVED**

That Council receives the report and notes:

- Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order; and
- Council's month end balance was \$41,837,495, year to date interest earned to 30 November was \$320,352 and the interest earned for November was \$54,191.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## WORKS AND INFRASTRUCTURE

### WORKS AND INFRASTRUCTURE NO. WI88/2019

**SUBJECT: TRAFFIC & TRANSPORT STRATEGY - RESOURCING FOR IMPLEMENTATION PROGRAM**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1111  
**RESOLVED**

1. That Council endorses the 12 month appointment of a Traffic Engineer and part time Technical Support Officer dedicated to developing an Implementation Program to deliver outcomes of the adopted *Cessnock LGA Traffic and Transport Strategy Report 2018 Technical Report*.
2. That Council allocates \$140,000 from the funds reserved for potential leverage against grant funding opportunities to fund the temporary appointment of the dedicated staff as detailed in the report.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI89/2019**

**SUBJECT: ELEVENTH AVENUE, MILLFIELD - LOCAL AREA TRAFFIC MANAGEMENT SCHEME**

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**MOTION**      **Moved:**    Councillor Stapleford    **Seconded:**    Councillor Fitzgibbon  
1112  
**RESOLVED**

1. That Council notes that the low traffic volumes in Millfield do not warrant the implementation of road closures and other Local Area Traffic Management treatments as proposed in Council's resolution (913) dated 15 May 2019, and further that these Local Area Traffic Management treatments are overwhelmingly opposed by the residents within the affected area.
2. That Council treats the Wollombi Road/Bennett Street intersection, and improves wayfinding signage, to reduce through traffic at the intersection of Eleventh Avenue and Millfield Road as part of the current Wollombi Road Millfield Stage 6, Regional Road Renewal Project.
3. That the General Manager liaise with the Traffic Committee to consider an appropriate traffic signage plan.
  1. That the traffic sign on Wollombi Road, west of Eleventh Avenue read "Sydney, Mulbring and Ellalong".
  2. The sign on Eleventh Avenue, north of Millfield Road reads "Sydney, Mulbring and Ellalong".
  3. That a sign be placed on Eleventh Avenue at the intersection of Tenth Avenue to read "No Through Road".
  4. The intersection of Eleventh Avenue and Millfield Road, a "Stop" sign be placed on the southern side with white line markings on the road.
  5. On the intersection of Millfield Road and Eleventh Avenue, that 'warning' marks be placed on the road warning of a 'Stop' sign.
  6. On the intersection of Millfield Road and Bennett Street, a larger sign be placed further away from the intersection to direct long and heavy vehicles down Bennett Street on to Wollombi Road.

**FOR****AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (13)**

**Total (0)**

***CARRIED UNANIMOUSLY***

**WORKS AND INFRASTRUCTURE NO. WI90/2019**

**SUBJECT: METCALFE LANE, SAWYERS GULLY - TRAFFIC MANAGEMENT**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Sander  
1113

**RESOLVED**

That Council notes that traffic on Metcalfe Lane, Sawyers Gully has been regulated under Section 115 of the *Roads Act 1993* by closure to through traffic in accordance with the Metcalfe Lane Sawyers Gully -Traffic Management Overview Option A.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI91/2019**

**SUBJECT:      ROADSIDE DRAINAGE STRATEGY 2019 - OUTCOME OF EXHIBITION AND ADOPTION**

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**MOTION**           **Moved:**   Councillor Doherty           **Seconded:**   Councillor Suvaal  
1114  
**RESOLVED**

1.     **That Council notes the outcome of the public exhibition and submission received.**
2.     **That Council adopts the Roadside Drainage Strategy 2019.**
3.     **That Council makes provision for the implementation of the Roadside Drainage Strategy in consideration of future Operational Plans and available resources.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



**WORKS AND INFRASTRUCTURE NO. WI92/2019**

**SUBJECT: REVIEW OF UNSEALED RURAL ROADS MAINTENANCE**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Stapleford  
1115

**RESOLVED**

1. That Council adopts Option 3 of the revised *Rural Road Maintenance Schedule* where Category 1 roads are based on the past three year average servicing history and all other roads are based on one service annually; and
2. That Council notes that Option 3 of the revised *Rural Road Maintenance Schedule* is within the current Works and Operations Road Maintenance budget allocations.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (1)</b>

**CARRIED**

**WORKS AND INFRASTRUCTURE NO. WI93/2019**

**SUBJECT: EXHIBITION OF DRAFT TRAILS STRATEGY**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
1116

**RESOLVED**

1. That Council places the draft Trails Strategy on public exhibition in late January 2020 for a minimum period of 28 days and invite public submissions.
2. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Trails Strategy.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI94/2019**

**SUBJECT: REVIEW OF RECREATION & OPEN SPACE STRATEGIC PLAN 2018**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1117

**RESOLVED**

**That Council note the amendments to the adopted Recreation and Open Space Strategic Plan 2018.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI95/2019**

**SUBJECT: FUNDING FOR SPORTING FACILITY INFRASTRUCTURE**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1118

**RESOLVED**

1. That \$60,000 from the 2019/20 Recreation Buildings Renewal Program be allocated towards the replacement of the electronic scoreboard at Cessnock Sportsground.
2. That \$3,746 from the 2019/20 Recreation Buildings Renewal Program be allocated towards the repairs to the synthetic hockey surface at Baddeley Park Hockey Centre.
3. That the Cessnock Rugby League Football Club and the Cessnock District Hockey Association be thanked for their contribution.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (13)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI96/2019**

**SUBJECT: FEES AND CHARGES - OPEN SPACE AND RECREATION**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Sander  
1119

**RESOLVED**

1. That Council place the draft Fees and Charges for vegetation removal, security keys, cemetery memorial plaques and swimming lessons on public exhibition for 28 days.
2. That the General Manager investigate the cost of a Coffin lowering device.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI97/2019**

**SUBJECT: ADOPTION OF THE REVISED NAMING OF COUNCIL ASSETS POLICY**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1120  
**RESOLVED**

**That Council adopts the Naming of Council Assets Policy.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI98/2019**

**SUBJECT: INFRASTRUCTURE GRANTS PROGRAM NOVEMBER 2019 ROUND**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Fitzgibbon  
1121

**RESOLVED**

1. That Council endorses the submission of an application for the Miller Park Community Hub under the November 2019 Round of the Infrastructure Grants Program.
2. That if the application is successful, Council contributes up to \$121,200 in co-contribution funding from the funds reserved for potential leverage against grant funding opportunities.
3. That Council write to the following to seek their support for the project:-

**Member for Cessnock Clayton Barr  
Shadow Minister for Local Government, Greg Warren  
Relevant minister  
Taylor Martin MLC**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (1)</b>

**CARRIED**

**WORKS AND INFRASTRUCTURE NO. WI99/2019**

**SUBJECT: WASTE LEVY EXEMPTION - AREAS EFFECTED BY FIRE**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Dagg  
1122

**RESOLVED**

1. That Council waives the fees to dispose of waste generated as a result of bushfire events declared in AGRN 871 Natural Disaster Declaration to assist affected residents of fire affected communities.
2. That Council notifies fire affected communities advising them of the opportunity to dispose of eligible waste at no cost.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



**WORKS AND INFRASTRUCTURE NO. WI100/2019**

**SUBJECT: BUILDING BETTER REGIONS FUND - ROUND FOUR**

---

**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Suvaal  
1123

**RESOLVED**

1. That Council endorses the submission of an application under the Building Better Regions Fund: *Infrastructure Projects Stream, Round Four – Drought Support* for the Branxton to Greta Cycleway project,
2. That Council allocates a co-contribution of \$650,000 (25%) from within Council operational funding for cycleways, the grant funding leverage reserve and potential loans to fund the project, should the grant be successful.
3. That the General Manager work towards ensuring that more projects are shovel ready from adopted strategies across the whole LGA.
4. That Council write to the Federal Member for Hunter seeking his support.

**FOR**

Councillor Doherty  
Councillor Fagg  
Councillor Suvaal  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (9)**

**AGAINST**

Councillor Olsen  
Councillor Dunn  
Councillor Stapleford  
Councillor Fitzgibbon

**Total (4)**

**CARRIED**

## **BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN**

### **BUSINESS WITH NOTICE NO. BN31/2019**

**SUBJECT: MAITLAND ROAD ROUNDABOUT**

---

**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Stapleford

1. That Council considers the roundabout at the intersection of Maitland Road, Old Maitland Road and Gallagher Street in the development of the implementation program related to the Traffic and Transport Strategy.
2. That investigation into previous plans be undertaken.

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

1. That Council considers a roundabout or suitable intersection treatment at the intersection of Maitland Road, Old Maitland Road and Gallagher Street in the development of the implementation program related to the Traffic and Transport Strategy.
2. That investigation into previous plans be undertaken.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (1)</b>

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 Suvaal  
1124  
**RESOLVED**

1.      **That Council considers a roundabout or suitable intersection treatment at the intersection of of Maitland Road, Old Maitland Road and Gallagher Street in the development of the implementation program related to the Traffic and Transport Strategy.**
  
2.      **That investigation into previous plans be undertaken.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**BUSINESS WITH NOTICE NO. BN32/2019**

**SUBJECT: NULKABA SCHOOL SAFETY**

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**MOTION**            **Moved:** Councillor Olsen            **Seconded:** Councillor Dunn  
1125

**MOTION**

**That the General Manager investigates the safety around the Nulkaba Public School at times of drop off and pick up of children and design a plan that can improve the safety for all students and pedestrians, and that the General Manager bring this back to Council within 6 months for ratification and finding funds to complete any improvements recommended.**

*Councillor Doherty left the meeting, the time being 7.47pm*

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

*Councillor Doherty returned to the meeting, the time being 7.49pm*

## **CORRESPONDENCE**

**CORRESPONDENCE NO. CO30/2019**

**SUBJECT: WESTON FIRE AND RESCUE STATION**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1126

**RESOLVED**

**That the correspondence from the Member for Cessnock, Clayton Barr MP, in regards to the Weston Fire and Rescue Station be noted.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## COUNCILLOR'S REPORTS

NIL

7.50pm

**MOTION**  
1127

**Moved:** Councillor Suvaal

**Seconded:** Councillor Gray

**RESOLVED** that the meeting move into Committee of the Whole to consider Mayoral Minute MM18/2019.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (13)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

8.00pm

*The meeting moved back into Open Session and the Mayor reported on the outcome.*

**MAYORAL MINUTES NO. MM18/2019**

**SUBJECT: MINUTES OF THE REVIEW OF THE GENERAL MANAGER'S EMPLOYMENT ARRANGEMENTS COMMITTEE MEETING - 20 NOVEMBER 2019**

---

**MOTION**        *Moved:*    Councillor Pynsent  
1128  
**RESOLVED**

1.    That Council adopt the minutes of the Review of the General Manager's Employment Arrangement Committee meeting – 20 November 2019.
2.    That the General Managers draft Performance Agreement for the period of November 2019 – November 2020 be adopted by Council.
3.    That the Council delegate authority to the Mayor to make changes to the Performance Agreement in relation to items 2b) and 5b) of the Agreement following receipt of further information from the General Manager and that the changes be reported back to Council.
4.    That the Mayor engages with HR Manager and General Manager to develop a KPI involving road infrastructure funding.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	Councillor Stapleford
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (1)</b>

**CARRIED**

*The Meeting Was Declared Closed at 8.02pm*

**CONFIRMED AND SIGNED** at the meeting held on 5 February 2020

.....**CHAIRPERSON**

.....**GENERAL MANAGER**