

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 15 APRIL 2020, 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
Director Works and Infrastructure
Corporate Governance Officer
Acting Executive Assistant to General Manager

APOLOGY: **NIL**

MINUTES: **MOTION** **Moved:** Councillor Dagg
Seconded: Councillor Fitzgibbon
1235
RESOLVED that the Minutes of the Ordinary Meeting of Council held on 18 March 2020, 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 Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI5/2020

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.

MM3/2020 – Cessnock Correctional Centre Access & CO4/2020 – Cessnock Correctional Central Access – Councillor Suvaal declared a Non Pecuniary Interest Less Than Significant Conflict for the reason that his sister is an employee of Justice Health at the Cessnock Correctional Centre. Councillor Suvaal advised that he would remain in the meeting and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because it has no impact on her employment.

WI29/2020 Establishing a Rural Fire Service Brigade in the Community of Weston – Councillor Gray declared a Pecuniary Interest for the reason that he owns a property in the vicinity of the Fire Station and may have a real or perceived significant pecuniary interest in the outcome of the vote. Councillor Gray left the meeting and took no part in discussion and voting.

WI32/2020 – Cessnock CBD Street Parking Audit – Councillor Burke declared a Pecuniary Interest for the reason that he has a contract with Cessnock Chamber of Commerce who put in a submission on this report. Councillor Burke left the meeting and took 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

MOTION
1236

Moved: Councillor Suvaal

Seconded: Councillor Gray

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

NI3/2020	Notice of Intention to Deal with matters in Confidential Session. CC38/2020 - Sale of Council land at 10 & 12 Quorrobolong Road, Cessnock. WI35/2020 - Minutes of the Confidential Session of the Floodplain Management Committee meeting of 4 March 2020	49
PE12/2020	Hunter Water Channel Naturalisation Project - Cessnock Priorities ..	53
‡ PE13/2020	Development Application Performance Monitoring Report – December 2019 Quarter	57
CC33/2020	Ordinary Meetings of Council - Temporary Amendment to the Code of Meeting Practice.....	117
‡ CC34/2020	Decisions Made Under Delegated Authority	120
‡ CC36/2020	Investment Report - March 2020	180
‡ CC37/2020	Land Valuations For Rating July 2019 Base Date.....	187
WI28/2020	City of Cessnock _ Draft Road Safety Strategic Plan 2020-2024.....	199
WI31/2020	O'Connors Road, Nulkaba - School Zone Safety.....	218
WI33/2020	Wilderness Road, Lovedale - Transfer of Gillies Bridge to Transport for NSW	245
WI34/2020	Minutes of the Floodplain Management Committee Meeting held on 4 March 2020	248

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 Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (13)

Total (0)

CARRIED UNANIMOUSLY

NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

NOTICE OF INTENTION NO. NI3/2020

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

**CC38/2020 - SALE OF COUNCIL LAND AT 10 & 12
QUORROBOLONG ROAD, CESSNOCK.**

**WI35/2020 - MINUTES OF THE CONFIDENTIAL SESSION OF THE
FLOODPLAIN MANAGEMENT COMMITTEE MEETING OF 4 MARCH
2020**

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1237
RESOLVED

1. That Council considers in Confidential Session the following matters in accordance with Sections 10A (2) (c) & (dii) of the *Local Government Act 1993*:

Report No. CC38/2020 – Sale of Council land at 10 & 12 Quorrobolong Road, Cessnock as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Report No. WI35/2020 – Minutes of the Confidential Session of the Floodplain Management Committee Meeting of 4 March 2020 as it deals with commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.

2. That Council requests the Mayor in accordance with Clause 14.21 of Councils Code of Meeting Practice to report on these matters to the meeting in Open Session following completion of the Confidential Session.

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

MOTION
1238

Moved: Councillor Suvaal

Seconded: Councillor Burke

RESOLVED

That CO4/2020 – Cessnock Correctional Centre Access be bought forward prior to debating Mayoral Minute 3/2020 – Cessnock Correctional Centre Access.

FOR

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 (12)

AGAINST

Councillor Olsen

Total (1)

CARRIED

CORRESPONDENCE NO. CO4/2020

SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS

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

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1239

RESOLVED

1. That Council acknowledges the letter from Minister for Corrections, Anthony Roberts, dated 30 March 2020 regarding access to the Cessnock Correctional Centre which states Option 3a in the Cessnock Correctional Complex Road Options Analysis Report December 2019 is the Government's only viable option.
2. That Council notes the Minister has advised that points 6 & 7 from Council Resolution 1158 could not be considered until planning and design work is undertaken for the new entrance and, as such, Council accepts this approach.

FOR

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

AGAINST

Councillor Olsen
Councillor Stapleford

Total (2)

CARRIED

MAYORAL MINUTES

MAYORAL MINUTES NO. MM3/2020

SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS

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

MOTION **Moved:** Councillor Pynsent
1240

RESOLVED

1. That the General Manager writes to the Minister for Corrections Anthony Roberts giving support for Option 3a in the Cessnock Correctional Complex Road Options Analysis Report December 2019 and request a meeting for the General Manager and Mayor discuss entry to the Cessnock Correctional Centre.
2. That Council liaise with the State Member for Cessnock Clayton Barr to develop common strategies on this important project and invite Mr Barr to address Council at a Councillor Briefing Session.

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. MM4/2020

SUBJECT: COVID 19 - FINANCIAL SUPPORT

MOTION **Moved:** Councillor Pynsent
1241

RESOLVED

1. That Council calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
2. That Council calls for the packages to include the following measures:
 - Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.
 - Immediate financial assistance to support council employees, especially in early education and care.
 - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
 - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
3. That Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
4. That Council write to the local Federal and State Member(s) the Hon Joel Fitzgibbon MP, Meryl Swanson MP, Clayton Barr MP, Prime Minister the Hon Scott Morrison MP, NSW Premier the Hon Gladys Berejiklian MP, Federal Treasurer the Hon Josh Frydenburg MP, NSW Treasurer the Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Minister for Local Government the Hon Mark Coulton, Federal Opposition Leader the Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
5. That Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.
6. That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.

7. That Council encourages the NSW State Government to fully fund pensioner rebates to assist in offsetting the impacts on council rates and other revenues as a consequence of the COVID-19 Coronavirus Pandemic.
8. That Council encourages the NSW State Government to freeze/defer the intended 2020/21 increase in the State Emergency Services Levy.
9. That Council encourages the NSW State Government to remove restrictions on those funds rebated to Council under the NSW Waste Levy for financial years 2019/20 and 2020/21 to allow discretionary use of those funds over the course of the COVID-19 Coronavirus Pandemic, or alternatively, rebate an additional tranche of Waste Levy funds to council for discretionary use over the course of the pandemic.

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

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU5/2020

SUBJECT: MOTIONS OF URGENCY

NIL

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE12/2020

SUBJECT: HUNTER WATER CHANNEL NATURALISATION PROJECT - CESSNOCK PRIORITIES

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1242
RESOLVED

That Council notes that Hunter Water was advised of the following priorities for naturalisation projects in Cessnock:

1. C10 – Black Creek: Cessnock Commercial Precinct
2. C01 – Kearsley Creek, South Cessnock
3. C07 – Manning Park
4. C06 – Black Creek: Maitland/Allandale Road intersection to Henderson Avenue.

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

PLANNING AND ENVIRONMENT NO. PE13/2020

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

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1243
RESOLVED

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

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

PLANNING AND ENVIRONMENT NO. PE14/2020

**SUBJECT: IPART REVIEW OF PRICES FOR HUNTER WATER CORPORATION
DRAFT REPORT WATER PRICING MARCH 2020 RELATING TO
NORTH ROTHBURY PRIORITY SEWERAGE SCHEME**

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
1244
RESOLVED

1. That Council notes IPART Draft Report – Water Pricing – Review of Pricing for Hunter Water Corporation March 2020.
2. That Council notes IPART advice that the provision of backlog sewerage services to North Rothbury and other villages across the Cessnock Local Government Area is outside the scope of the IPART – Pricing Review and may be resolved between agencies.
3. That the General Manager make arrangements to meet with Hunter Water Corporation to advocate for and assist Hunter Water Corporation to develop an approach that provides equitably funded backlog sewage services to North Rothbury and other villages across the Cessnock Local Government Area.
4. That Council write to Mr Clayton Barr MP, State Member for Cessnock, Shadow Minister for the Hunter and Shadow Minister for Water seeking his support for Council's position and requesting that he make every representation on Council's behalf to the relevant Ministers and government authorities in this regard.

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

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC28/2020

**SUBJECT: MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY
FACILITIES COMMITTEE MEETING OF 1 APRIL 2020**

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Suvaal
1245
RESOLVED

1. That the Minutes of the Strategic Property and Community Facilities Committee of 1 April 2020 be adopted as a resolution of the Ordinary Council.
2. That Council, whilst investigations are underway, not hire, lease or licence 16 Vincent Street Cessnock and use the facility only for its own operational purposes.
 - (a) That the possible relocation of CYCOS, and the centralisation of youth and outreach services in Cessnock also be investigated for that space.
3. That Council endorses the Strategic Property Review project staged implementation plan 2020/21.
4. That Council asks the Committee to reassess 62-76 Cessnock Street, Aberdare.

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

CORPORATE AND COMMUNITY NO. CC29/2020

**SUBJECT: TRANSFER OF WOLLOMBI (EAST) AND ROTHBURY CEMETERIES
TO COUNCIL**

MOTION **Moved:** Councillor Sander **Seconded:** Councillor Fitzgibbon
1246

RESOLVED

1. That Council agrees to the transfer of the two land titles being lot 7 DP 239505 at Wollombi and Lot 1 DP 1142814 at Rothbury, and to classify as Operational Land.
2. That Council authorises the General Manager and the Mayor to execute transfer documentation.
3. That the General Manager contacts the Catholic Church Diocese of Maitland - Newcastle with a view to encompass the entire Wollombi Cemetery under one land title for ease of management.

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

CORPORATE AND COMMUNITY NO. CC30/2020

SUBJECT: DONATIONS UNDER SECTION 356 - RATES RELIEF

MOTION **Moved:** Councillor Sander **Seconded:** Councillor Dagg
1247

RESOLVED

1. That Council endorses the Rates Subsidy of 50% for the following Assessments in accordance with the “Rates Subsidy Policy” effective for the 2020-21 rating year.

Assessment	Organisation	Location
5173	Cessnock Masonic Hall	Cessnock
17178	Country Women’s Association	Cessnock
40386	RSL Hall - Maitland St, Branxton	Branxton
59204	Cessnock Homing Pigeon Club	Cessnock
123596	Trustees Masonic Hall	Paxton
139378	Weston Pre-School	Weston
139907	Weston Masonic Hall	Weston
158337	Cessnock Clay Target Gun Club	Cessnock
198655	Aberdare Pre-School	Aberdare
198861	Bellbird Pre-School	Bellbird
252916	Richmond Vale Preservation. Co-op Soc.	Kurri Kurri
275529	Cessnock Pistol Club	Cessnock
286674	Branxton Preschool	Branxton
291963	Kurri Kurri Early Childhood Centre	Kurri Kurri

2. That due to extenuating circumstances Greta Pre-school Kindergarten and Kurri Kurri Motor Cycle Club be given a month's extension from this meeting to complete the documentation necessary to comply with Council's Rates Relief Policy for the year 2020-21.
3. That the General Manager write to each applicant advising of Council’s decision according to the Rates Subsidy Policy.

FOR

Councillor Olsen
Councillor Dunn
Councillor Fagg
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (11)

AGAINST

Councillor Doherty
Councillor Stapleford

Total (2)

CARRIED

CORPORATE AND COMMUNITY NO. CC31/2020

SUBJECT: COMMUNITY SUPPORT FOR RATEPAYERS AS A RESULT OF THE COVID-19 PANDEMIC

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Dagg
1248
RESOLVED

1. That Council endorse the following measures to provide support to the community of Cessnock LGA.
 - a. Printing of an invitation on the 4th rates instalment to contact Council to make an arrangement should you be facing challenges in making payment by the due date.
The payment arrangement will consist of:
 - I. Extension to pay the 4th rates instalment until 31 August 2020.
 - II. No interest to be applied from the point of contact by the ratepayer until 31 August 2020.
 - b. Referral of ratepayers to the Financial Counsellor only if the ratepayer was in hardship prior to COVID-19.
 - c. Extension of the Hardship Policy to encompass all assessments.
 - d. That until 31 August 2020, no new debt collection legal action will commence and an update be given to Council at the August meeting to determine whether an extension is warranted.
 - e. That an extensive media campaign be undertaken to advise the community of the availability of extension of time for payment of rates for the next instalment.
2. That Council suspends Commercial and Operational Licensing and Leasing rent on a month by month basis from 1 April 2020.
3. That Council provides delegation to the General Manager to write off amounts of up to \$10,000 where hardship is assessed and accepted by Council as being related to COVID-19.
4. That any debts written off by the General Manager be included as part of the Quarterly Budget Review Statements.

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

CORPORATE AND COMMUNITY NO. CC32/2020

**SUBJECT: COUNCILLOR SUPERANNUATION DISCUSSION PAPER -
PROPOSED SUBMISSION**

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Suvaal
1249
RESOLVED

That Council write to the Office of Local Government recommending consideration of this matter be deferred in recognition of the COVID-19 crisis.

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

CORPORATE AND COMMUNITY NO. CC33/2020

**SUBJECT: ORDINARY MEETINGS OF COUNCIL - TEMPORARY AMENDMENT
TO THE CODE OF MEETING PRACTICE**

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1250
RESOLVED

That Council temporarily amends clause 3.1 of the Code of Meeting Practice, which deals with the timing of Ordinary Meetings of Council, to hold one meeting per month for the months of May, June and July 2020.

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

CORPORATE AND COMMUNITY NO. CC34/2020

SUBJECT: DECISIONS MADE UNDER DELEGATED AUTHORITY

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1251

RESOLVED

That Council notes that the Mayor pursuant to section 226(d) of the *Local Government Act 1993* exercised the following decisions of Council due to the COVID19 Pandemic:

- Temporarily amended clause 3.1 of the Code of Meeting Practice, which deals with the timing of Ordinary Meetings of Council.
- Cancelled the scheduled 1 April 2020 Ordinary Council 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

CORPORATE AND COMMUNITY NO. CC35/2020

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Burke
1252

RESOLVED

That Council receives the report and notes the information in the Resolutions Tracking 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	

Total (13)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC36/2020

SUBJECT: INVESTMENT REPORT - MARCH 2020

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1253

RESOLVED

That Council receives the Investment Report for March 2020 and notes:

- Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order
- Council's month end balance was \$41,110,698, year to date interest earned to 31 March was \$533,788 and the interest earned for March 2020 was \$52,789.

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

CORPORATE AND COMMUNITY NO. CC37/2020

SUBJECT: LAND VALUATIONS FOR RATING JULY 2019 BASE DATE

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1254

RESOLVED

That Council notes the following:

- Council is required to apply the most recent land valuation (1 July 2019) for rating purposes from 1 July 2020;
- There has been a 20.6% increase in rateable land value (to a total of \$5,768,275,782);
- Movement in the total land valuations from a general revaluation for Council does not directly result in increased revenues generated from rating;
- Council is only able to increase the total general rates by the permissible increase determined by IPART which has been announced at 2.6 percent, plus natural growth in the valuation total from development activity;
- Though valuations have increased significantly the average increase in general rates is anticipated to be around 2.78%, the increase above 2.6% recognises there will be some further sub-division activity for the remainder of this financial year;
- Land values increased within all categories however the largest increases were in farmland and mining;
- Due to the variation in the increase of land values across ratepayers there will be residents whose rates will reduce and others with an increase higher than the rate cap;
- The formula used to calculate rates includes a base rate (fixed amount) that moderates this variation.

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

WORKS AND INFRASTRUCTURE NO. WI27/2020

**SUBJECT: HALLS & DE BEYERS ROAD, POKOLBIN - TRAFFIC MANAGEMENT
& FUTURE VINEYARD CYCLEWAY PLAN**

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Dagg

1255

RESOLVED

1. That Council notes the effectiveness of traffic management solutions implemented to reduce problem traffic incidents in Halls and De Beyers Roads, Pokolbin.
2. That Council notes the inclusion of De Beyers Road, Pokolbin in the draft Concept Vineyard Cycleway Plan.

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. WI28/2020

SUBJECT: CESSNOCK CITY COUNCIL - DRAFT ROAD SAFETY STRATEGIC PLAN 2020-2024

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1256
RESOLVED

1. That Council notes the content of the Draft Cessnock City Council Road Safety Strategic Plan 2020–2024.
2. That Council endorses public exhibition of the Draft Cessnock City Council Road Safety Strategic Plan 2020 - 2024 for 28 days to seek public and stakeholder comment.
3. That the General Manager organise a Councillor Briefing on the Strategy during the public exhibition period.
4. That a further report be presented to Council at the end of the exhibition period prior to Council adopting the Strategy.

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. WI29/2020

SUBJECT: ESTABLISHING A RURAL FIRE SERVICE BRIGADE IN THE COMMUNITY OF WESTON

Councillor Gray declared a Pecuniary Interest for the reason that he owns a property in the vicinity of the Fire Station and may have a real or perceived significant pecuniary interest in the outcome of the vote. Councillor Gray left the meeting and took no part in discussion and voting.

Councillor Gray left the meeting, the time being 7.52pm

MOTION **Moved:** Councillor Sander **Seconded:** Councillor Burke
1257
RESOLVED

1. That Council notes the NSW Rural Fire Service is not supportive of establishing a Brigade in Weston given the area is within a Fire and Rescue NSW Fire District.
2. That Council does not proceed with the acquisition of the recently vacated NSW Fire and Rescue property on Swanson Street, Weston.

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

CARRIED

Councillor Gray returned to the meeting, the time being 7.54pm

WORKS AND INFRASTRUCTURE NO. WI30/2020

**SUBJECT: NSW OFFICE OF SPORT - FUTURE NEEDS OF SPORT
INFRASTRUCTURE STUDY**

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Burke
1258
RESOLVED

1. That Council endorse the active sport and recreation priorities for the Cessnock Local Government Area as identified in Enclosure 1.
2. That the NSW Office of Sport be advised in writing of these priorities in line with the requirements of the Future Needs of Sport Infrastructure Study.

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. WI31/2020

SUBJECT: O'CONNORS ROAD, NULKABA - SCHOOL ZONE SAFETY

MOTION

Moved: Councillor Suvaal

Seconded: Councillor Gray

1259

RESOLVED

That Council lists the previously adopted road safety and parking treatments within the Nulkaba Public School precinct for inclusion in the Operational Plan 2020-21 funded in the amount of \$53,500 from Council's annual Traffic Facilities Block Grant.

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. WI32/2020

SUBJECT: CESSNOCK CBD - STREET PARKING AUDIT

Councillor Burke declared a Pecuniary Interest for the reason that he has a contract with Cessnock Chamber of Commerce who put in a submission on this report. Councillor Burke left the meeting and took no part in discussion and voting.

Councillor Burke pecuniary interest taken out of meeting 7.58pm

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Suvaal
1260

RESOLVED

1. That Council notes the findings of the Cessnock CBD On-Street Parking Audit.
2. That Council notes that on-street parking capacity in the Cessnock CBD meets the current demand.
3. That Council retains the existing Multi-Use Zones and Special Purpose Zones within the Cessnock CBD.
4. That Council receives a full briefing to explain the methodology.

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

Councillor Burke returned to the meeting, the time being 8.02pm

WORKS AND INFRASTRUCTURE NO. WI33/2020

SUBJECT: WILDERNESS ROAD, LOVEDALE - TRANSFER OF GILLIES BRIDGE TO TRANSPORT FOR NSW

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1261
RESOLVED

That Council approves the transfer of the Council owned Gillies Bridge, Wilderness Road, Lovedale to Transport for NSW.

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. WI34/2020

**SUBJECT: MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE
MEETING HELD ON 4 MARCH 2020**

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1262
RESOLVED

1. That the Minutes of the Floodplain Management Committee of 4 March 2020 be adopted as a resolution of the Ordinary Council.
2. That Council endorses the recommendations of the *Mount View Detention Basin 2019 Surveillance Report*.
3. That Council notes the ongoing legislative dam safety activities to be funded from Council's operational budget for Strategic Asset Planning.
4. That Council notes the costs to meet the recommendations of the *Mount View Detention Basin 2019 Surveillance Report* (Table 4 of the Report) and that these costs will be funded from Council's existing capital works budget for the Drainage Construction Program.

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

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN14/2020

SUBJECT: MAYBURY PEACE PARK

MOTION

Moved: Councillor Burke

Seconded: Councillor Sander

1263

RESOLVED

That Council writes to Andrew Constance MP the Minister for Transport & Roads and Paul Toole MP Minister for Regional Transport & Roads, seeking an update and advice regarding Councils report sent to Transport for NSW, regarding the investigation of the intersection of Maybury Peace Park Weston.

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

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ2/2020

SUBJECT: ANSWERS TO QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

FOR COUNCIL'S INFORMATION

COUNCILLORS REPORTS

NIL

8.07PM

Confidential reports (closed session)

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Sander
1264
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 Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	

Total (13)

Total (0)

CARRIED UNANIMOUSLY

8.09PM

Open Session

That the meeting move back into open session and the General Manager reported on the outcomes.

CORPORATE AND COMMUNITY NO. CC38/2020

SUBJECT: SALE OF COUNCIL LAND AT 10 & 12 QUORROBOLONG ROAD, CESSNOCK

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

MOTION

1265

Moved: Councillor Suvaal

Seconded: Councillor Dunn

RESOLVED

1. That Council sells the two parcels of land known as 10 Quorrobolong Road, Cessnock (being Lot 507 DP755215) and 12 Quorrobolong Road, Cessnock (being Lot 508 DP755215) by private treaty using agents listed on the Cessnock City Council Real Estate Panel;
2. That Council authorises the General Manager to negotiate the sale of each property for no less than 90% of the independent valuation;
3. That Council authorises the General Manager and Mayor to execute the Transfer documentation between Cessnock City Council and the purchasers.
4. That Council allocates the proceeds of sale in accordance with the adopted Property Investment Fund Policy.

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. WI35/2020

SUBJECT: MINUTES OF THE CONFIDENTIAL FLOODPLAIN MANAGEMENT COMMITTEE MEETING HELD ON 4 MARCH 2020

This matter is considered to be confidential under Section 10A(2) (dii) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Sander
1266

RESOLVED

1. That the Minutes of the Confidential Floodplain Management Committee Meeting of 4 March 2020 be adopted as a resolution of the Ordinary Council.
2. That Council notes the impact of the adopted Greta Flood Study 2019 on the existing design for flood mitigation in Whitburn Estate, Greta.
3. That Council endorses the alternate Concept Design to not pipe the watercourse works in accordance with proposed Stage 3 and 4 works.
4. That Transport for New South Wales are contacted to be made aware of the outcomes of the Greta Flood Study 2019.
5. That consultation be undertaken with affected stakeholders.

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

The Meeting Was Declared Closed at 8.12pm

CONFIRMED AND SIGNED at the meeting held on 20 May 2020

.....**CHAIRPERSON**

.....**GENERAL MANAGER**