

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 5 FEBRUARY 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  
Strategic Planning Manager  
Senior Contributions Planner  
Finance and Administration Manager  
Governance and Council Support Coordinator  
Governance Officer  
Media & Communication Officer  
Corporate Governance Officer

**APOLOGY:** **NIL**

**MINUTES:**

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

1129

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 11 December 2019, as circulated, be taken as read and confirmed as a correct record.

<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**

# **DISCLOSURES OF INTEREST**

## **DISCLOSURES OF INTEREST NO. DI1/2020**

**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.**

**WI8/2020 - Rotary Park Kurri Kurri Park Naming** - Councillor Burke declared a Non Pecuniary Interest – Significant Conflict for the reason that at the time that the naming was initiated he was President of the Rotary Club and a member for quite some time and also made a submission. Councillor Burke advised that he would leave the Chamber and take no part in discussion and voting.

**WI8/2020 - Rotary Park Kurri Kurri Park Naming** – The Mayor declared a Non Pecuniary Interest – Significant Conflict for the reason that he is a personal friend of the Brown Family. The Mayor advised that he would leave the Chamber and take no part in discussion and voting.

**WI8/2020 - Rotary Park Kurri Kurri Park Naming** – Councillor Doherty declared a Non Pecuniary Interest – Significant Conflict for the reason that he is a personal friend of the Brown Family. Councillor Doherty 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 ENGLOBE OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS**

**MOTION**                      **Moved:**    Councillor Doherty                      **Seconded:**    Councillor Suvaal  
1130

### **RESOLVED**

**That having read and considered the reports in the agenda related to items**

GMU1/2020	Minutes of the Committee to Consider Council Initiated Awards Meeting of Cessnock City Council held on 18 December 2019 .....	47
‡ CC1/2020	Council Recess Period - Decisions Made Under Delegated Authority .....	71
CC2/2020	Councillor Professional Development and Training Report .....	74
CC3/2020	Minutes of the Cultural Facilities Committee Meeting of Cessnock City Council held 18 December 2019.....	81
CC4/2020	Acquisition of land by boundary adjustment to add to Turner Park and granting an easement for stormwater within Turner Park Lot 501 DP 1108309.....	84
‡ CC5/2020	2020 National General Assembly of Local Government - Call for Motions and Councillor Nominations to Attend.....	91
‡ CC6/2020	Investment Report - December 2019 .....	95
‡ CC7/2020	Local Government NSW Tourism Conference 2020 .....	101
WI3/2020	Congewai Road, Congewai - Petition for Bridge at Helens Crossing .....	135
WI4/2020	Heddon Street, Kurri Kurri - Reinstatement of Nature Strip .....	143
‡ WI6/2020	2019/20 Community Swimming Grants Program .....	157
WI9/2020	Minutes of Roads Review Committee Meeting held 6 December 2019 .....	167
‡ CO1/2020	Wollombi Community Bus Service .....	175

**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**

## **MAYORAL MINUTES**

NIL

### **MOTIONS OF URGENCY**

#### **MOTIONS OF URGENCY NO. MOU1/2020**

**SUBJECT: MOTIONS OF URGENCY**

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NIL

## **GENERAL MANAGER'S UNIT**

### **GENERAL MANAGER'S UNIT NO. GMU1/2020**

**SUBJECT: MINUTES OF THE COMMITTEE TO CONSIDER COUNCIL INITIATED AWARDS MEETING OF CESSNOCK CITY COUNCIL HELD ON 18 DECEMBER 2019**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1131  
**RESOLVED**

**That the minutes of the meeting of the Council Initiated Awards Committee held on 18 December 2019 be received and 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**

## **PLANNING AND ENVIRONMENT**

### **PLANNING AND ENVIRONMENT NO. PE1/2020**

**SUBJECT: DRAFT CESSNOCK CITY WIDE LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN**

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**MOTION**            **Moved:**    Councillor Suvaal            **Seconded:**    Councillor Burke  
1132  
**RESOLVED**

1. That Council place the draft Cessnock City Wide Local Infrastructure Contribution Plan on public exhibition for a minimum period of 28 days.
2. That in accordance with Clause 32 of the *Environmental Planning and Assessment Regulations 2000*, Council publish a notice of intent to repeal the following Plans:
  - Residential Section 94 Contributions Plan
  - Bellbird North Section 94 Contribution Plan 2010
  - Mount View Road, Millfield Precinct Section 94 Contribution Plan 2011
  - Government Road Precinct, Cessnock Section 94 Contribution Plan 2010
  - Averys Village, Heddon Greta Section 94 Contribution Plan 2013
  - Section 94 Contributions Plan Extension of Operations at Black Hill Quarry, Parish of Stockrington 1995
  - Nulkaba Section 94 Contributions Plan.
3. That following public exhibition, Council receive a further report on the outcomes of the public exhibition of the Draft Cessnock City Wide Local Infrastructure Plan, including details on the allocation of the repealed funds collected under those Plans proposed to be repealed.
4. That a further review of the Works Schedule and cost estimates contained within the Draft Cessnock City Wide Contribution Plan be undertaken within a period of 12 months from the date of adoption of the draft Plan.
5. That a second briefing to Councillors be scheduled at the conclusion of the exhibition period and include a comparison table of contributions covered in this plan by neighbouring Councils.

**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. PE2/2020**

**SUBJECT: AMENDMENT OF THE CESSNOCK SECTION 7.12 CONTRIBUTIONS PLAN AND REPEAL OF THE TOURISM SECTION 94 CONTRIBUTIONS PLAN**

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

1. That Council notes the draft amended Section 7.12 Levy Contributions Plan 2017 was publicly exhibited for 28 days from 30 October 2019 to 27 November 2019 and no public submissions were received.
2. That Council repeals the Tourism Section 94 Contributions Plan.
3. That Council allocates \$400,000 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Hunter Valley Wine Country Signage Strategy Implementation Project.
4. That Council adopts the amended Section 7.12 Levy Contributions Plan 2017 and transfer \$476,923.75 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Section 7.12 Levy Contributions Plan 2017.

**AMENDMENT**      **Moved:** Councillor Dunn      **Seconded:** Councillor Stapleford

1. That Council notes the draft amended Section 7.12 Levy Contributions Plan 2017 was publicly exhibited for 28 days from 30 October 2019 to 27 November 2019 and no public submissions were received.
2. That Council repeals the Tourism Section 94 Contributions Plan.
3. That Council allocates \$400,000 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Hunter Valley Wine Country Signage Strategy Implementation Project.
4. That Council adopts the amended Section 7.12 Levy Contributions Plan 2017 and transfer \$476,923.75 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Section 7.12 Levy Contributions Plan 2017.
5. That the \$476,923.75 in contributions collected from the repealed Tourism Section 94 Contributions Plan be specifically reserved for Tourism related projects within the 7.12 Plan.

**FOR**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (12)****AGAINST**

Councillor Stapleford

**Total (1)**

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

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

**MOTION**            **Moved:**    Councillor Dunn            **Seconded:**    Councillor Stapleford  
1133

**RESOLVED**

1.     **That Council notes the draft amended Section 7.12 Levy Contributions Plan 2017 was publicly exhibited for 28 days from 30 October 2019 to 27 November 2019 and no public submissions were received.**
2.     **That Council repeals the Tourism Section 94 Contributions Plan.**
3.     **That Council allocates \$400,000 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Hunter Valley Wine Country Signage Strategy Implementation Project.**
4.     **That Council adopts the amended Section 7.12 Levy Contributions Plan 2017 and transfer \$476,923.75 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Section 7.12 Levy Contributions Plan 2017.**
5.     **That the \$476,923.75 in contributions collected from the repealed Tourism Section 94 Contributions Plan be specifically reserved for Tourism related projects within the 7.12 Plan.**

**FOR**

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

**AGAINST**

Councillor Stapleford  
  
  
  
  
  
  
  
  
  
  
  
**Total (1)**

***CARRIED***

**PLANNING AND ENVIRONMENT NO. PE3/2020**

**SUBJECT: MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE MEETING OF 11 DECEMBER 2019**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Sander  
1134  
**RESOLVED**

1. That Council adopts the Minutes of the Strategic Property Committee of 11 December 2019 as a resolution of the Ordinary Council.
2. That Council adopts the Airport Strategic Plan as contained in the enclosure to 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. PE4/2020**

**SUBJECT: VINEYARD GROVE DEVELOPMENT - STAGE 8 UPDATE**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Burke  
1135

**RESOLVED**

1. That Council notes that the Residential Development (Vineyard Grove Stage 8) has been impacted by the redesign of the subdivision to support road widening, and legislative implications relating to the *Biodiversity Conservation Act 2016* may require a higher standard of review relating to environmental factors associated with the revised development plan which have delayed the progress of the project.
2. That as a consequence of the resourcing and legislative impacts the project is not likely to substantially commence until the 2020/21 financial year, and the 2019/20 Operational plan will be revised to remove both estimated revenue from the proposed sale of lots and associated expenditure, with an adverse impact on Council's forecast operating result for 2019/20.
3. That the proposed adjustments to the 2019/20 Operational plan will be reported for approval to Council as part of the December 2019 Quarterly Budget Review Statements on 19 February 2020.
4. That a detailed report be provided to the next Strategic Property & Community Facilities Committee meeting outlining the impacts of the planning legislative requirements; potential impacts on the project relating to the delay, including any additional costs or reduced returns and an updated expected timeline for finalisation for the project.

<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**

## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC1/2020**

**SUBJECT: COUNCIL RECESS PERIOD - DECISIONS MADE UNDER DELEGATED AUTHORITY**

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**MOTION**      **Moved:**    Councillor Doherty      **Seconded:**    Councillor Suvaal  
1136  
**RESOLVED**

**That Council notes that during the recess period of Council, the Mayor and General Manager under delegated authority exercised the following decisions of Council:**

- **Extended the public exhibition period for the Draft Cessnock Local Strategic Planning Statement to 28 February 2020.**
- **Determined to deal with issues relating to dwelling entitlements separately to the adoption of the Draft Cessnock Local Strategic Planning Statement to ensure statutory compliance for the adoption of the Draft Cessnock Local Strategic Planning Statement.**

<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. CC2/2020**

**SUBJECT: COUNCILLOR PROFESSIONAL DEVELOPMENT AND TRAINING REPORT**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1137  
**RESOLVED**

1. That Council adopts the draft Councillor Professional Development Plan 2020.
2. That Council notes the Councillor Professional Development Report 2018/19.

<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. CC3/2020**

**SUBJECT: MINUTES OF THE CULTURAL FACILITIES COMMITTEE MEETING  
OF CESSNOCK CITY COUNCIL HELD 18 DECEMBER 2019**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1138  
**RESOLVED**

**That the Minutes of the meeting of the Cultural Facilities Committee held on 18 December 2019 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**



**CORPORATE AND COMMUNITY NO. CC4/2020**

**SUBJECT: ACQUISITION OF LAND BY BOUNDARY ADJUSTMENT TO ADD TO TURNER PARK AND GRANTING AN EASEMENT FOR STORMWATER WITHIN TURNER PARK LOT 501 DP 1108309**

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**MOTION**            **Moved:**    Councillor Doherty            **Seconded:**    Councillor Suvaal  
1139  
**RESOLVED**

1. That Council consents to the boundary adjustment and gaining that additional land marked on the attached plans:
  - a) That Council authorises the General Manager to negotiate the agreement between the adjoining owners on Aberdare Road, Cessnock;
  - b) That Council authorises for the Common Seal of Cessnock City Council to be affixed to the related documents between Cessnock City Council and the owner of Lot 3 Section 50 DP 758002, Aberdare Road, Cessnock
  - c) That Council authorises the Mayor and the General Manager to execute all documents relating to the land transfer.
  
2. That Council consents to the granting of an easement benefiting Lot 3 Section 50 DP 758002 burdening Council land being Lot 501 DP 1108309 for stormwater purposes subject to the following:
  - a) The easement, of no greater than 1.5m wide to be located on the eastern boundary of Cessnock Tennis Courts Lot 501 DP 1108309 and in accordance with approved plans;
  - b) That the stormwater drainage infrastructure be constructed underground within the easement;
  - c) That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement;
  - d) That Council advises the applicant that all costs associated with the granting of the easement including survey, registration costs, Council's reasonable legal and valuation costs be borne by the benefiting property owner;
  - e) That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and
  - f) That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.

**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. CC5/2020**

**SUBJECT: 2020 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT -  
CALL FOR MOTIONS AND COUNCILLOR NOMINATIONS TO  
ATTEND**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1140  
**RESOLVED**

1. That Councillors submit motions for the 2020 National General Assembly of Local Government to the General Manager's office by 6 March 2020, so as to allow inclusion in the agenda for the meeting of 18 March 2020 for Council determination.
2. That Councillors seeking to attend the 2020 National General Assembly of Local Government submit a Request to Attend Conference application to the General Manager's office by 6 March 2020, so as to allow inclusion in the agenda for the meeting of 18 March 2020 for Council determination.

<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. CC6/2020**

**SUBJECT: INVESTMENT REPORT - DECEMBER 2019**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1141

**RESOLVED**

That Council receives the Investment Report for December 2019 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 \$40,534,344, year to date interest earned to 31 December was \$378,440 and the interest earned for December was \$58,088.

<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. CC7/2020**

**SUBJECT: LOCAL GOVERNMENT NSW TOURISM CONFERENCE 2020**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1142

**RESOLVED**

**That Councillors interested in attending the Local Government NSW Tourism Conference 2020 make application to the General Manager by Friday 7 February 2020 so that Council can determine attendees at the Council meeting of 19 February 2020.**

<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. WI1/2020**

**SUBJECT: FINANCIAL SUSTAINABILITY INITIATIVE PROJECTS**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Fitzgibbon  
1143

**RESOLVED**

1. That Council notes the information provided in the report relating to the progress of the Financial Sustainability projects.
2. That a media release to inform the community of this initiative be developed to include the conclusion and financial implications listed on page 108.

<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. WI2/2020**

**SUBJECT: MINUTES OF LOCAL TRAFFIC COMMITTEE HELD 18 NOVEMBER 2019**

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**MOTION**      **Moved:**    Councillor Suvaal      **Seconded:**    Councillor Dagg  
1144  
**RESOLVED**

That the Minutes of the Local Traffic Committee Meeting of 18 November 2019 be adopted as a resolution of the Ordinary Council.

1.    **TC46A/2019 - That Council authorises the installation of regulatory parking signage on Tomalpin Street, Kearsley in accordance with the Tomalpin Street Kearsley \_ Signage & Line Marking Diagram.**
2.    **TC47/2019 - That Council authorises the installation of regulatory parking signage on Rothbury Street, Nulkaba in accordance with the Rothbury Street Nulkaba \_ Signage Diagram.**
3.    **TC48/2019 - That Council authorises the installation of signage and barriers on the laneway between Mount View Road and Tempranillo Crescent, Cessnock in accordance with Tempranillo Crescent Cessnock \_ Signage & Barrier Diagram.**
4.    **TC49/2019 - That Council authorises installation of line marking on Averys Lane, Buchanan in accordance with the Averys Lane Buchanan \_ Line Marking Diagram.**
5.    **TC50/2019 - That Council authorises installation of line marking at the intersection of Beaufort Avenue and Kendall Street, Bellbird, in accordance with the Beaufort Avenue Bellbird \_ Line Marking Diagram.**
6.    **TC51/2019 - That Council authorises the installation of regulatory parking signage and line marking on Cumberland Street, Cessnock in accordance with the Cumberland Street Cessnock \_ Signage & Line Marking Diagram.**
7.    **TC52/2019 - That Council notes the consent of Roads and Maritime Services has been received for implementation of a 10km/h Shared Zone in Charlton Street, Cessnock as outlined in the Charlton Street Cessnock \_ Shared Zone Approval.**

**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. WI3/2020**

**SUBJECT: CONGEWAI ROAD, CONGEWAI - PETITION FOR BRIDGE AT HELENS CROSSING**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1145  
**RESOLVED**

1. That Council notes the petition lodged by residents requesting a bridge across the Congewai Creek at the top end of Congewai Valley.
2. That Council retain the existing causeway and notifies the petition organiser accordingly.

<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. WI4/2020**

**SUBJECT: HEDDON STREET, KURRI KURRI  
REINSTATEMENT OF NATURE STRIP**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1146  
**RESOLVED**

1. That Council notes the most recent request for the Developer to reinstate the nature strip on Heddon Street.
2. That Council notes, that in the event that the Developer does not undertake the reinstatement as requested, that Council carries out the required works and recovers the cost from the Developer in accordance with Council's adopted *Fees & Charges 2019-20*.

<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. WI5/2020**

**SUBJECT: CESSNOCK ROAD, WESTON - NAMING OF LANE**

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

1. That Council notes the proposed name of Middleby Lane for the existing unnamed lane adjoining 126 to 136 Cessnock Road, Weston in accordance Council's adopted Policy No.S35.2 – *Streets - Listing of Names for Use in naming of Streets* and the provisions of Section 162 of the *Roads Act 1993*.
2. That Council authorises the General Manager to notify and advertise the proposed name in accordance with the provisions of Regulation 7 of the *Roads Regulation 2018*.
3. That provided no contrary submissions are received following notification and advertising of the proposed name, Council authorises the General Manager to proceed with the proposed name by seeking gazettal as required by the provisions of Regulation 7 of the *Roads Regulation 2018*.

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

1147

**RESOLVED**

That the report be DEFERRED pending further information being received as to the reasons why the name Middleby has been submitted to 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**

**WORKS AND INFRASTRUCTURE NO. WI6/2020**

**SUBJECT: 2019/20 COMMUNITY SWIMMING GRANTS PROGRAM**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1148

**RESOLVED**

That Council notes the information contained within the report including that Council's application for funding under Swimming Australia's Community Swimming Grants program was unsuccessful.

<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. WI7/2020**

**SUBJECT: KURRI KURRI NOSTALGIA FESTIVAL - MARCH 2020**

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**MOTION**      **Moved:** Councillor Gray      **Seconded:** Councillor Burke  
1149

**RESOLVED**

1. That Council supports the Kurri Kurri Nostalgia Festival on 27, 28 and 29 March 2020 by providing in-kind support valued at \$8,417 as detailed in the report for the following services; waste management, road closure equipment, park management and amenity management.
2. That Council allocates an amount of \$4,000 from the Tourism Related Projects Budget to cover the cost of street vending and market stalls, as it is recognised that the event attracts a large number of visitors to the LGA and this directly support Objective 2.3 of Council's Delivery Program 2017-21 which is to increase tourism opportunities and visitation in the area.

**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**

**WORKS AND INFRASTRUCTURE NO. WI8/2020**

**SUBJECT: ROTARY PARK KURRI KURRI PARK NAMING**

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*Councillor Burke declared a Non Pecuniary Interest – Significant Conflict for the reason that at the time that the naming was initiated he was President of the Rotary Club and a member for quite some time and also made a submission. Councillor Burke left the Chamber and took no part in discussion and voting.*

*Councillor Doherty declared a Non Pecuniary Interest – Significant Conflict for the reason that he is a personal friend of the Brown Family. Councillor Doherty left the Chamber and took no part in discussion and voting.*

*The Mayor declared a Non Pecuniary Interest – Significant Conflict for the reason that he is a personal friend of the Brown Family. The Mayor left the Chamber and took no part in discussion and voting.*

*Councillors Burke and Doherty left the meeting, the time being 7.23pm*

*The Mayor vacated the Chair and left the meeting, the time being 7.23pm.*

*The Deputy Mayor assumed the Chair, the time being 7.23pm*

**MOTION**      **Moved:**    Councillor Gray      **Seconded:**    Councillor Sander  
1150  
**RESOLVED**

1.      **That Council notes the submissions received by the Geographical Names Board of NSW in relation to the proposed renaming of Rotary Park Kurri Kurri.**
2.      **That Council advises the Geographical Names Board of NSW that it wishes to formally name the park in Kurri Kurri known as Rotary Park as “Col Brown Rotary Park” subject to gazettal by the Geographical Names Board of NSW.**
3.      **That if approval is received from the Geographical Names Board of NSW, Council install appropriate signage.**
4.      **That the Rotary Club of Kurri Kurri Inc., as the applicant for the naming be notified of the outcome of the application.**

**FOR****AGAINST**

Councillor Olsen  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Sander  
Councillor Lyons  
**Total (10)**

**Total (0)**

***CARRIED UNANIMOUSLY***

*Councillors Burke and Doherty returned to the meeting, the time being 7.25pm*

*The Deputy Mayor vacated the chair, the time being 7.25pm*

*The Mayor returned to the meeting and assumed the Chair, the time being 7.25pm*

**WORKS AND INFRASTRUCTURE NO. WI9/2020**

**SUBJECT: MINUTES OF ROADS REVIEW COMMITTEE MEETING HELD 6  
DECEMBER 2019**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1151  
**RESOLVED**

**That the Minutes of the Roads Review Committee of 11 October 2019 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**



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

## **BUSINESS WITH NOTICE NO. BN1/2020**

**SUBJECT: MILLFIELD RFS PREMISES**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Stapleford  
1152

**RESOLVED**

**That the General Manager bring back a report and recommendation to Council within three months outlining:**

- a) **Councils current position relating to the location of new premises for the Millfield RFS brigade;**
- b) **How Council intends to further progress our current position;**
- c) **The costs and funding sources, internal and external to deliver the required infrastructure, as appropriate, in conjunction with external bodies;**
- d) **A timeline for delivery that takes in to account all stakeholders.**

<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. BN2/2020**

**SUBJECT: RE-INSTATE "QUESTIONS FOR NEXT MEETING"**

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

1. That the Cessnock City Council Code of Meeting Practice be amended to include the Agenda Item "Questions for Next Meeting" in Council's general order of business and that provision be made for each Councillor to ask no more than two "Questions for Next Meeting" per Council meeting.
2. That when such questions are asked, if there is nothing preventing an answer being given straight away, that the answer will be given.

**AMENDMENT**      **Moved:** Councillor Dagg      **Seconded:** Councillor Fitzgibbon

1. That Council support the current adopted Code of Meeting Practice which includes Questions with Notice.
2. That Council notes recent efforts by the General Manager to streamline the process for asking questions with the aim of maximising staff productivity and achieving outcomes from the delivery program.

<b>FOR</b>	<b>AGAINST</b>
Councillor Fagg	Councillor Olsen
Councillor Suvaal	Councillor Doherty
Councillor Fitzgibbon	Councillor Dunn
Councillor Gray	Councillor Stapleford
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (9)</b>	<b>Total (4)</b>

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

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

**MOTION**

**Moved:** Councillor Dagg

**Seconded:** Councillor Fitzgibbon

1153

**RESOLVED**

1. That Council support the current adopted Code of Meeting Practice which includes Questions with Notice.
2. That Council notes recent efforts by the General Manager to streamline the process for asking questions with the aim of maximising staff productivity and achieving outcomes from the delivery program.

**FOR**

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

**Total (10)**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn

**Total (3)**

**CARRIED**

**BUSINESS WITH NOTICE NO. BN3/2020**

**SUBJECT: GALLAGHER STREET, CESSNOCK**

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

The General Manager bring a report back to Council regarding the turning circle that is being investigated for the middle of Gallagher Street with the status of the project, and.

- The report is to include any evidence of justification of the installation of the turning area.
- If the project is to proceed how this will be funded and
- How this became a priority over the other 19 streets that have the same problem.

<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 (1)</b>	<b>Total (12)</b>

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

## **CORRESPONDENCE**

### **CORRESPONDENCE NO. CO1/2020**

**SUBJECT: WOLLOMBI COMMUNITY BUS SERVICE**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
1154

**RESOLVED**

**That the correspondence from Clayton Barr MP advising of his support for a Wollombi Community Bus Service 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**

## **COUNCILLORS REPORTS**

Councillor Gray

### **Richmond Vale Rail Trail Working Group**

Councillor Gray advised that the Richmond Vale Rail Trail Working Group met for the first time with Newcastle, Lake Macquarie and Cessnock Councils and Council's staff. It was a very productive catch up.

Newcastle Council have their Development Application ready for submission and looks like between March and June this year.

Lake Macquarie Council is very much like Cessnock Council, although Lake Macquarie has a lot of internal resources that they can work with to bring them up to speed. They only have 3km of the Trail so it is imperative for them to move before Cessnock.

Everybody understood that Cessnock is in a big financial dilemma, that this is a State Significant Project, everybody agrees with it, everybody is pushing for it, however the restrictions of the size of our Council, the size of our rate base and the direct pertinency to interconnectivity between our suburbs is not there, like it is within Newcastle. So for Cessnock rate payers to fund the development of this, Council is going to need external help.

Everybody agreed our staff is doing extraordinary well with the low resources they have and should be complimented on that.

The Group will meet every six months at this stage.

Mayor

### **Bushfire Recovery**

The Mayor advised that Council was one of the thirty three in New South Wales that was allocated \$1m. Council is planning on having a briefing next week to outline the proposals to spending that money. It is so important that Laguna and Wollombi are not forgotten, even though the fires occurred in the start of December.

The Mayor advised that he attended the bushfire recovery round table in Canberra last week by the Business Council of Australia who are concerned greatly about the effects on small business and as we would be as a Council the jobs that could disappear from small businesses really struggling in the bushfire situation and of course the Hunter Valley Wine Country Tourism Association surveying their members that 40 percent of tourists are not coming here with the confusion over whether our area is still open for business or not.

On top of that we have the issue of smoke taint with grapes so we are hoping that the Business Council of Australia's report from the round table will be available next week. Council is also looking at the \$76m tourism package that the Prime Minister spoke about in the middle of January. We are working with our Federal Members to learn as much as possible about where our submissions go to enable greater marketing throughout our Local Government Area so we can protect those small businesses that are under risk from this bushfire situation that we have had.

Hopefully, things tend to change every day. The availability of funds coming out to help Councils is certainly something that changes on a daily basis. Today we were allocated \$100,000 from the State Government Bushfire Community Resilience and Economic Recovery Fund. So we will be going out talking with the people, the Chambers at Laguna and Wollombi firstly, as to how we can help those businesses that were so badly affected when the main road was closed for more than three weeks and people were not allowed, apart from local residents to come into those businesses and it has been catastrophic for those businesses, so Council will whatever they can and hopefully at the next meeting we will be able to report back on how we are going to spend some of that money that has been allocated to Cessnock City Council to help our small businesses.

*The Meeting Was Declared Closed at 8.08pm*

**CONFIRMED AND SIGNED** at the meeting held on 19 February 2020

.....**CHAIRPERSON**

.....**GENERAL MANAGER**