

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 21 OCTOBER 2020, COMMENCING
AT 6.30 PM**

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

IN ATTENDANCE: General Manager
Acting Director Planning and Environment (Strategic Planning Manager)
Director Corporate and Community Services
Acting Director Works and Infrastructure (Infrastructure Manager)
Information Technology Manager
Economic Development and Tourism Manager
Finance & Administration Manager
Acting Strategic Planning Manager (Acting Principal Strategic Planner)
Open Space & Community Facilities Manager
Senior Media & Communication Officer
Corporate Governance Officer

APOLOGY:

MOTION

Moved:
Seconded:

Councillor Dagg
Councillor Sander

1450

RESOLVED that the apology tendered on behalf of Councillor Fagg, for unavoidable absence, be accepted.

That Leave of Absence be granted to Councillor Fitzgibbon for the Ordinary Council meeting to be held on 18 November 2020 and Councillor Gray for the Ordinary Council meeting to be held on 9 December 2020.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

MINUTES:

MOTION

Moved:
Seconded:

Councillor Doherty
Councillor Suvaal

1451

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 16 September 2020, as circulated, be taken as read and confirmed as a correct record.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI11/2020

SUBJECT: DISCLOSURES OF INTEREST

Nil

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 Dagg
1452

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

NI7/2020	Notice of Intention to Deal with matters in Confidential Session.
	CC100/2020 - Authorisation for Sale of Land:
	• 26 Tulloch Street, East Branxton
	• 27 Aberdare Street, Kitchener
	• 29 Aberdare Street, Kitchener
	• 29 Cessnock Street, Kitchener
	• 31 Aberdare Street, Kitchener
	• 16A Stephen Street, Cessnock
	WI82/2020 – South Cessnock Flood Mitigation Scheme Update 57
GMU23/2020	NSW Bushfire Community and Resilience Fund Grant Opportunity.. 59
CC93/2020	Councillor Professional Development and Training Report..... 99
CC96/2020	Public Art Policy116
‡ CC97/2020	Annual Unreasonable Customer Conduct Report.....133
WI78/2020	Multipurpose Half Courts and Outdoor Exercise Equipment in Council Open Space.....225
WI81/2020	Minutes of the Floodplain Management Committee 2 September 2020254
‡ CO13/2020	Local Government Exclusion from National Cabinet – Mayoral Minute MM8/2020265
‡ CO15/2020	BN10/2020 NOM - Funding Support for Youth Programs274
‡ CO16/2020	MM10/2020 - Medicare Eligibility for Magnetic Resonance Imaging 277

Council adopt the recommendations as printed for those items.

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

CARRIED UNANIMOUSLY

**NOTICE OF INTENTION TO DEAL WITH MATTERS IN
CONFIDENTIAL SESSION**

NOTICE OF INTENTION NO. NI7/2020

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

CC100/2020 - AUTHORISATION FOR SALE OF LAND:

- 26 TULLOCH STREET, EAST BRANXTON
- 27 ABERDARE STREET, KITCHENER
- 29 ABERDARE STREET, KITCHENER
- 29 CESSNOCK STREET, KITCHENER
- 31 ABERDARE STREET, KITCHENER
- 16A STEPHEN STREET, CESSNOCK

**WI82/2020 – SOUTH CESSNOCK FLOOD MITIGATION SCHEME
UPDATE**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1453

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. CC100/2020 – Authorisation of Sale of Land 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. WI82/2020 – South Cessnock Flood Mitigation Scheme Update 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 Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

MAYORAL MINUTES

MAYORAL MINUTES NO. MM12/2020

SUBJECT: LGNSW ANNUAL CONFERENCE 2020 - ALTERNATE VOTING DELEGATE

MOTION **Moved:** Councillor Pynsent

1454

RESOLVED

That Council nominate Councillor Burke as an alternate voting delegate to the LGNSW virtual Annual Conference 2020 to replace Councillor Dagg who is now unable to attend.

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

CARRIED UNANIMOUSLY

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU11/2020

SUBJECT: MOTIONS OF URGENCY

Nil

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU23/2020

SUBJECT: NSW BUSHFIRE COMMUNITY AND RESILIENCE FUND GRANT OPPORTUNITY

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1455

RESOLVED

1. That Council delegates authority to the General Manager to submit grant applications under Phase 2 of the Bushfire Community Recovery and Resilience Fund that align with the expectations of bushfire affected communities; and
2. That Council receives a report with the projects that are submitted under Phase 2 of the Bushfire Community Recovery and Resilience Fund.

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

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE36/2020

SUBJECT: AMENDED PLANNING PROPOSAL FOR THE CESSNOCK COMMERCIAL PRECINCT

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Fitzgibbon
1456
RESOLVED

1. That Council requests an amended Gateway determination from the Department of Planning, Industry and Environment for the Planning Proposal – Cessnock Commercial Precinct.
2. That Council undertakes consultation with public authorities and the community as determined by the Department of Planning, Industry and Environment’s amended Gateway determination.
3. That Council receives a report back on the Planning Proposal if unresolved written objections are received during consultation with the community; otherwise forward the Planning Proposal to the Department of Planning, Industry and Environment requesting the Plan be made.

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

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE37/2020

**SUBJECT: EXHIBITION OF DRAFT CESSNOCK URBAN GROWTH
MANAGEMENT PLAN AND HOUSING STRATEGY**

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Fitzgibbon
1457
RESOLVED

1. That Council places the draft Cessnock Urban Growth Management Plan and draft Cessnock Housing Strategy on public exhibition for a period of 28 days.
2. That Council receives a further report following public exhibition of the draft documents.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC93/2020

SUBJECT: COUNCILLOR PROFESSIONAL DEVELOPMENT AND TRAINING REPORT

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1458
RESOLVED

1. That Council adopts the Councillor Professional Development Plan 2020-21.
2. That Council notes the Councillor Professional Development Report 2019-20.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC94/2020

SUBJECT: CARRYOVER AND REVOTING OF EXPENDITURE FROM 2019-20 TO 2020-21

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Burke
1459
RESOLVED

1. That Council notes that there are no revotes for 2019-20.
2. That Council notes the carryover of funds totalling \$9,201,968 from 2019-20 to 2020-21 for a number of projects contained in the report that commenced prior to 30 June 2020.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC95/2020

SUBJECT: FUNDING FOR THE PURCHASE OF REPLACEMENT COMPUTER ASSETS

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Lyons
1460
RESOLVED

1. That Council approves the use of an “internal loan” up to \$400,000 against Council’s available internal reserves to purchase replacement computer assets rather than the higher cost option of a leasing arrangement.
2. That Council notes that the budgeted lease payments will be used to repay the internal loan resulting in a higher investment return for these Council funds than would be realised from investing these funds externally.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC96/2020

SUBJECT: PUBLIC ART POLICY

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1461

RESOLVED

1. That Council places the amended Public Art Policy on public exhibition for 28 days.
2. That should public submissions be received, a further report be prepared and submitted to Council for consideration.
3. That should no public submissions be received, the amended Public Art Policy is adopted by Council.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC97/2020

SUBJECT: ANNUAL UNREASONABLE CUSTOMER CONDUCT REPORT

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1462

RESOLVED

1. That Council notes the Annual Unreasonable Customer Conduct Report for the period 19 September 2019 to 30 September 2020.
2. That Council notes that in the reporting period there was 8 instances of customers deemed to have exhibited unreasonable conduct in accordance with the Policy.
3. That Council notes that in the reporting period there was 5 customers that had been deemed to have exhibited unreasonable conduct in accordance with the Policy that had a scheduled review. All 5 customers had the imposed restrictions lifted.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC98/2020

SUBJECT: INVESTMENT REPORT - SEPTEMBER 2020

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1463

RESOLVED

That Council receives the Investment Report for September 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 \$49,129,057, year to date interest earned to 30 September was \$119,224 and the interest earned for September 2020 was \$37,809.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC99/2020

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Dagg
1464

RESOLVED

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

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC101/2020

SUBJECT: MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE MEETING OF 7 OCTOBER 2020

MOTION **Moved:** Councillor Sander **Seconded:** Councillor Fitzgibbon
1465

RESOLVED

1. That the Minutes of the Strategic Property and Community Facilities Committee of 7 October 2020 be adopted as a resolution of the Ordinary Council.
2. That Council adopts the Strategic Property and Community Facilities Committee Charter, inclusive of terms of reference revised to include responsibilities of the former Cultural Facilities Committee;
3. That Council revokes the Strategic Property and Community Facilities Committee Terms of Reference dated 7 June 2017.

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

CARRIED

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI75/2020

SUBJECT: CESSNOCK POOL SPLASH PAD

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
1466

RESOLVED

1. That Council notes details of the final design of the Cessnock Pool Splash Pad.
2. That Council notes the current cost estimate of \$1.5 Million plus or minus 10% and status of grant funding.
3. That Council approves the use of up to \$420,300 of Developer Contributions as an alternate funding source for the Cessnock Pool Splash Pad in the event that the funding application under Resources for Regions Round 7 is unsuccessful.

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

CARRIED

WORKS AND INFRASTRUCTURE NO. WI76/2020

SUBJECT: AQUATIC FACILITY FAMILY FUN DAYS AND COVID-19 SAFETY PLANS

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1467
RESOLVED

1. That Council notes the impact of COVID-19 Safety Plans on the operation of Council's aquatic facilities.
2. That Council endorses the provision of 10 free Family Fun Days at Cessnock and Branxton outdoor pools and the Kurri Kurri Aquatic & Fitness Centre.
3. That the General Manager continue to monitor the Cessnock Pool - Family Fun Day COVID-19 Safety Plan and the Branxton Pool - Family Fun Day COVID-19 Safety Plan and make amendments where necessary following any changes to the public health orders.
4. That the General Manager consider implementing a booking system as part of the COVID-19 Safety Plans and provide a report back to Council at the November 2020 Ordinary meeting.

Councillor Doherty left the meeting, the time being 7.17pm

Councillor Doherty returned to the meeting, the time being 7.19pm

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI77/2020

SUBJECT: CESSNOCK CBD SPACE - SHADE OVER BENCH SEATS

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Sander
1468

RESOLVED

1. That Council notes the recent trimming of trees and cleaning of bench seats.
2. That Council notes the constraints on structures in the flood zone and the planned future provision of bench seats in shaded locations.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI78/2020

SUBJECT: MULTIPURPOSE HALF COURTS AND OUTDOOR EXERCISE EQUIPMENT IN COUNCIL OPEN SPACE

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1469
RESOLVED

1. That Council notes the outcome of the investigation into a multipurpose half court or outdoor exercise equipment in Ellalong Park.
2. That the General Manager writes to the organiser of the petition regarding Ellalong Park to advise the outcome of the investigation.
3. That Council lists construction of a pathway connecting the existing multipurpose half court at Ellalong Park for consideration in the Recreation Facilities Renewal Program of the 2021-22 Operational Plan.
4. That Council lists preparation of an Open Space Guideline for Multipurpose Courts and Outdoor Exercise Equipment as an action for inclusion in the 2021-22 Operational Plan.
5. That the General Manager prepares a report to present the completed Open Space Guideline for Multipurpose Courts and Outdoor Exercise Equipment including proposed locations and costs.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI79/2020

SUBJECT: CLOSURE OF LANEWAY

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1470

RESOLVED

1. That Council notes the statutory process required to close a laneway on a Council public road.
2. That Council notes that the pathway between Duguid Close and Casson Avenue, Cessnock is the property of Housing NSW.
3. That Council notes the actions taken to curtail alleged antisocial and criminal behaviour in the area.
4. That the General Manager writes to Housing NSW to make them aware of the anti-social behaviour taking place on their land.
5. That the General Manager writes to the Member for Cessnock, Clayton Barr MP seeking his support in taking this matter to the Minister for Water, Property and Housing, Melinda Pavey, MP.

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

CARRIED

WORKS AND INFRASTRUCTURE NO. WI80/2020

SUBJECT: MINUTES OF CESSNOCK LOCAL TRAFFIC COMMITTEE OF 21 SEPTEMBER 2020

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Dagg
1471
RESOLVED

That the Minutes of the Cessnock Local Traffic Committee meeting of 21 September 2020 be adopted as a resolution of the Ordinary Council.

1. **TC24/2020 - That Council authorises the installation of a pedestrian crossing and regulatory signage on Empire Street and Town Lane, North Rothbury in accordance with the Empire Street North Rothbury _ Signage and Line Marking Diagram.**
2. **TC25/2020 - That Council authorises the installation of regulatory parking signage on Charlton Street, Cessnock in accordance with the revised Charlton Street Cessnock _ Signage & Line Marking Diagram.**
3. **TC26/2020 - That Council authorises the installation of Bus Zone signage on Wollombi Road, Bellbird, in accordance with the Wollombi Road Bellbird (Hetton Street) _ Bus Zone Signage Diagram.**
4. **TC27/2020 - That Council authorises the installation of Bus Zone signage on Wollombi Road, Bellbird, in accordance with the Wollombi Road, Bellbird (Abbotsford Street) _ Bus Zone Signage Diagram.**
5. **TC28/2020 - That Council authorises the installation of regulatory parking signage and line marking on McDonalds Road, Pokolbin, in accordance with the McDonalds Road Pokolbin _ Information Bay Signage & Line Marking Diagram.**

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI81/2020

**SUBJECT: MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE 2
SEPTEMBER 2020**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1472
RESOLVED

1. That the Minutes of the Floodplain Management Committee of 2 September 2020 be adopted as a resolution of the Ordinary Council.
2. **FLOCLM14/2020**
 - 2) That Council endorses public exhibition of the draft Cessnock City Wide Flood Study 2020.
3. **FLOCLM16/2020**
 - 2) That Council endorses an application for a grant under the NSW Floodplain Management Program for a new Cessnock Flood Study following adoption of a Climate Change Strategy to guide selection of an appropriate Australian Rainfall and Runoff climate change scenario.

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

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN30/2020

SUBJECT: FACT SHEET FOR A DANGEROUS DOG DECLARATION

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Burke
1473

RESOLVED

1. That the General Manager develop a fact sheet to provide to residents following a dangerous dog declaration initially being made.
2. That the fact sheet include the following information:
 - The process to be followed by the Council;
 - The appeal rights and process for the dog owner;
 - The compliance obligations and legal requirements of Council and the dog owner;
 - Where the dog owner can source further information or assistance regarding compliance; and
 - Any other relevant information.
3. That once developed a briefing on the fact sheet be provided to Councillors.

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

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN31/2020

SUBJECT: GAS FIRED POWER STATION

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dunn
1474

RESOLVED

1. That the General Manager write to the Prime Minister, The Hon Scott Morrison MP, Federal Minister for Energy, The Hon Angus Taylor MP, the Premier of NSW, The Hon Gladys Berejiklian MP, the Minister for Energy and Environment NSW, The Hon Matthew Kean MP, Cessnock State Member, Clayton Barr MP, Federal Member for Hunter, The Hon Joel Fitzgibbon MP and Meryl Swanson MP, Federal Member for Paterson and ask that they show their support for a gas-fired power generator in Kurri Kurri.
2. As part of the letter Cessnock City Council highlights the economic, employment, social and environmental benefits this project will bring to the Hunter in particular the Cessnock Local Government Area.

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

CARRIED UNANIMOUSLY

CORRESPONDENCE

CORRESPONDENCE NO. CO13/2020

**SUBJECT: LOCAL GOVERNMENT EXCLUSION FROM NATIONAL CABINET -
MAYORAL MINUTE MM8/2020**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1475
RESOLVED

That Council notes the correspondence from the Premier, the Hon Gladys Berejiklian MP; Federal Member for Paterson, Meryl Swanson MP and Federal Member for Hunter, the Hon Joel Fitzgibbon MP, in relation to having Local Government representation on National Cabinet.

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

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO14/2020

**SUBJECT: WOLLOMI COALMINING PROPOSAL - MAYORAL MINUTE
MM7/2020**

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Doherty
1476
RESOLVED

1. That Council notes the correspondence from the Deputy Premier, the Hon John Barilaro MP in relation to Council's concern that the historic Wollombi Valley has been included in "potential areas for release for coal exploration under the Strategic Release Framework".
2. That the General Manager reply to correspondence from the Deputy Premier,
 - Thanking him for his prompt correspondence,
 - Noting that the Department of Regional NSW both hold and are in the process of relinquishing Mining Exploration Licenses, and
 - That it is the preferred option for Cessnock City Council, that License AUTH263 be proposed for and ultimately relinquished.
3. That The General Manager write to the Member for Cessnock and the Parliamentary Secretary for the Hunter seeking their support on the matter.

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

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO15/2020

SUBJECT: BN10/2020 NOM - FUNDING SUPPORT FOR YOUTH PROGRAMS

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1477

RESOLVED

That Council notes the correspondence from the Office of the Hon. Greg Hunt MP, Minister for Health, Minister Assisting the Prime Minister for the Public Service and Cabinet in relation to the establishment of a full service Headspace in Cessnock.

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

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO16/2020

SUBJECT: MM10/2020 - MEDICARE ELIGIBILITY FOR MAGNETIC RESONANCE IMAGING

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Dagg
1478
RESOLVED

That Council notes the correspondence from The Hon. Brad Hazzard MP, Minister for Health and Medical Research and The Hon. Gabrielle Upton MP, Parliamentary Secretary to the Premier in relation to Medicare eligibility for Magnetic Resonance Imaging Unit at the new Maitland Hospital.

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

CARRIED UNANIMOUSLY

7.45PM

Confidential reports (closed session)

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Dagg
1479

RESOLVED

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

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

CARRIED UNANIMOUSLY

7.47PM

Open Session

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

7.47PM

MOTION

Moved: Councillor Dagg

Seconded: Councillor Burke

1480

RESOLVED

That the meeting move back into Closed Session to recommit CC100/2020 to amend a discrepancy.

FOR

AGAINST

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

Total (12)

Total (0)

CARRIED UNANIMOUSLY

7.52PM

Open Session

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

CORPORATE AND COMMUNITY NO. CC100/2020

SUBJECT: AUTHORISATION FOR SALE OF LAND:
• **26 TULLOCH STREET, EAST BRANXTON**
• **27 ABERDARE STREET, KITCHENER**
• **29 ABERDARE STREET, KITCHENER**
• **29 CESSNOCK STREET, KITCHENER**
• **31 ABERDARE STREET, KITCHENER**
• **16A STEPHEN STREET, 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 **Moved:** Councillor Suvaal **Seconded:** Councillor Dunn
1481

RESOLVED

1. **That Council approves the sale of the following properties classified as operational land:**
 - **26 Tulloch Street, East Branxton**
 - **27 Aberdare Street, Kitchener**
 - **29 Aberdare Street, Kitchener**
 - **29 Cessnock Street, Kitchener**
 - **31 Cessnock Street, Kitchener**
 - **16A Stephen Street, Cessnock.**

2. **That Council authorises the General Manager be delegated to negotiate each sale in accordance with not less than 90% of the independent valuation advice and execute documentation required to effect the transaction if the General Manager deems the sale is beneficial and at a timing deemed most beneficial to Council.**

3. **That the proceeds of sale be allocated in accordance with the adopted Property Investment & Development Policy.**

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI82/2020

SUBJECT: SOUTH CESSNOCK FLOOD MITIGATION SCHEME UPDATE

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 Dagg **Seconded:** Councillor Lyons

1482

RESOLVED

1. That Council reallocates \$100,000 from the 2020-21 Drainage Construction Program to fund completion of the detail design and property acquisition to facilitate the South Cessnock Flood Mitigation Scheme.
2. That Council accepts the discretionary offer made by Subsidence Advisory NSW towards the South Cessnock Flood Mitigation Scheme as discussed in this report.
3. That the General Manager prepares for a further application under the 2020-21 NSW Floodplain Management Program for funding towards the South Cessnock Flood Mitigation Scheme.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

The Meeting Was Declared Closed at 7.53pm

CONFIRMED AND SIGNED at the meeting held on 18 November 2020

.....**CHAIRPERSON**

.....**GENERAL MANAGER**