

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 17 NOVEMBER 2021,  
COMMENCING AT 6.30PM**

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

**IN ATTENDANCE:** General Manager  
Director Planning and Environment  
Director Corporate and Community Services  
Acting Director Works and Infrastructure (Open Space and Community Facilities Manager)  
Development Services Manager  
Strategic Planning Manager  
Chief Finance and Administration Manager  
Media & Communication Officer  
Help Desk Support Officer  
Corporate Governance Officer

**APOLOGY:** **NIL**

**MINUTES:** **MOTION** **Moved:** Councillor Gray  
**Seconded:** Councillor Fitzgibbon  
1876  
**RESOLVED**

That the Minutes of the Ordinary Meeting of Council held on 20 October 2021, as circulated, be taken as read and confirmed as a correct record.

That the Minutes of the Extraordinary Meeting of Council held on 28 October 2021, 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 Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **DISCLOSURES OF INTEREST**

### **DISCLOSURES OF INTEREST NO. DI10/2021**

**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.**

**PE60/2021 - Planning proposal to rezone land at 532 Main Road, Cliftleigh from RU2 Rural Landscape to R2 Low Density Residential** – Councillor Fitzgibbon declared a Pecuniary Interest for the reason that she has an interest in another Investigation Area in the new Urban Growth Management Plan. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

**GMU18/2021 – 2020/2021 Economic Development Grants and Sponsorship Program Acquittal Report** - Councillor Burke declared a Pecuniary Interest for the reason that a business he owns is contracted by the Cessnock Chamber of Commerce. Councillor Burke advised that he would leave the Chamber and take no part in discussion and voting.

**PE65/2021 – Development Application No. 8/2020/20819/1 proposing establishment of a new cemetery - 64 Wine Country Drive, Nulkaba** - Councillor Burke declared a Pecuniary Interest for the reason that he is a Funeral Celebrant. Councillor Burke advised that he would leave the Chamber and take no part in discussion and voting.

**WI83/2021 – Banners within Cessnock LGA** - Councillor Burke declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that he holds a contract with the Cessnock Chamber of Commerce. Councillor Burke advised that he would remain in the Chamber and take part in discussion and voting as it has no impact on the way he votes tonight.

**PE65/2021 - Development Application No. 8/2020/20819/1 proposing establishment of a new cemetery - 64 Wine Country Drive, Nulkaba** – The Mayor declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that his wife is a Celebrant who conducts funerals. The Mayor advised that he will remain in the Chamber and take part in discussion and voting as the conflict has not influenced him in carrying out his public duty.

## PETITIONS

NIL

### ADDRESS BY INVITED SPEAKERS

The following people addressed the meeting of Council:

Speakers	For / Against	Report	Page No.	Duration
Furqan Yousuf - Audit Office		CC84/2021 - Annual Financial Statements for the Year Ended 30 June 2021	3	10 - 15 mins

### CORPORATE AND COMMUNITY NO. CC84/2021

**SUBJECT:** ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Dunn  
1877  
**RESOLVED**

That the Annual Financial Statements, incorporating the Auditor's Reports for the year ended 30 June 2021, be received and the information be noted.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (1)</b>

**CARRIED**

<b>Speakers</b>	<b>For / Against</b>	<b>Report</b>	<b>Page No.</b>	<b>Duration</b>
Shayne Herring	For	PE59/2021 - Planning Proposal 18/2021/3 Heritage Listing of Wills Hill Road	173	3 mins

**EXTENSION OF TIME**

1878

**Moved:**  
**Seconded:**

Councillor Stapleford  
Councillor Suvaal

**RESOLVED**

**That an extension of 1 minute be given to Mr Herring to complete his presentation.**

**FOR**

Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent

**Total (11)**

**AGAINST**

Councillor Olsen

**Total (1)**

**CARRIED**

**PLANNING AND ENVIRONMENT NO. PE59/2021**

**SUBJECT: PLANNING PROPOSAL 18/2021/3 HERITAGE LISTING OF WILLS HILL ROAD**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Fitzgibbon  
1879

**RESOLVED**

1. That Council requests a Gateway determination for the Planning Proposal Heritage Listing of Wills Hill Road from the Department of Planning and Environment pursuant to the *Environmental Planning and Assessment Act 1979*.
2. That Council requests authorisation under Section 3.31 of the Environmental Planning and Assessment Act 1979 to act as the local plan-making authority to make the Local Environmental Plan.
3. That Council undertakes consultation with public authorities and the community as determined by the Department of Planning and Environment Gateway determination.
4. 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 and Environment requesting that the Plan be made.

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

**CARRIED UNANIMOUSLY**

Speakers	For / Against	Report	Page No.	Duration
Tim Morris	Against	PE61/2021 - Amendment to the Cessnock Development Control Plan 2010 - The Vintage	191	3 mins

**PLANNING AND ENVIRONMENT NO. PE61/2021**

**SUBJECT: AMENDMENT TO THE CESSNOCK DEVELOPMENT CONTROL PLAN 2010 - THE VINTAGE**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Fitzgibbon  
1880

**RESOLVED**

1. That Council adopts the draft Vintage Development Control Plan (DCP) chapter of the Cessnock Development Control Plan 2010.
2. That Council notifies in writing the persons who made a submission with regard to the draft DCP, of Council's decision.

FOR	AGAINST
Councillor Dunn	Councillor Olsen
Councillor Fagg	Councillor Doherty
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (2)</b>

**CARRIED**

Speakers	For / Against	Report	Page No.	Duration
Cruz & Yannis Comino representing McDonalds Australia Limited C/- SLR Consulting Australia	For	PE64/2021 - Development Application 8/2021/21283/1 proposing the extension of trading hours of a McDonalds restaurant – 12-14 Allandale Road, Cessnock	278	3 mins

**PLANNING AND ENVIRONMENT NO. PE64/2021**

**SUBJECT: DEVELOPMENT APPLICATION 8/2021/21283/1 PROPOSING THE EXTENSION OF TRADING HOURS OF A MCDONALDS RESTAURANT - 12-14 ALLANDALE ROAD, CESSNOCK**

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Suvaal  
1881  
**RESOLVED**

**That the report be deferred to the new Council.**

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

**CARRIED UNANIMOUSLY**

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

**MOTION**            **Moved:**    Councillor Doherty            **Seconded:**    Councillor Sander  
1882

### **RESOLVED**

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

NI8/2021	Notice of Intention to Deal with matters in Confidential Session.	
PE53/2021	Report No. PE69/2021 – Compliance Issues relating to existing Service Station and Food and Drink Premises - 247 Wine Country Drive, Nulkaba..121 Environmental Zoning Framework - Public exhibition outcomes and Planning Proposal 18/2021/6/1 - Environmental Zone Land Uses and Objectives .....	123
GMU19/2021	Minutes of the Extraordinary Audit and Risk Committee meeting held 19 October 2021 .....	170
‡ PE67/2021	Community Engagement Strategy Implementation 2020/21 .....	391
CC80/2021	Minutes of the Dollar for Dollar Grants Committee Meeting of Cessnock City Council held 13 October 2021 .....	404
‡ CC83/2021	September 2021 Review of the 2017-21 Delivery Program .....	432
‡ CC85/2021	Annual Report 2020-21 .....	471
‡ CC86/2021	End of Term Report - 2017-21 .....	474
‡ CC87/2021	Investment Report - October 2021 .....	477
‡ CO17/2021	Request for Additional Mental health funding for Regional Areas – Report BN22/2021 .....	560

***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 Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



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

**NOTICE OF INTENTION NO. NI8/2021**

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

**REPORT NO. PE69/2021 – COMPLIANCE ISSUES RELATING TO  
EXISTING SERVICE STATION AND FOOD AND DRINK PREMISES -  
247 WINE COUNTRY DRIVE, NULKABA**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1883

**RESOLVED**

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

Report No. PE69/2021 – Compliance issues relating to existing Service Station and Food and Drink Premises – 247 Wine Country Drive, Nulkaba as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

1. 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.

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

**CARRIED UNANIMOUSLY**

## **MAYORAL MINUTES**

NIL

### **MOTIONS OF URGENCY**

#### **MOTIONS OF URGENCY NO. MOU10/2021**

**SUBJECT: MOTIONS OF URGENCY**

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NIL

## DEFERRED BUSINESS

### DEFERRED BUSINESS NO. PE53/2021

**SUBJECT:** ENVIRONMENTAL ZONING FRAMEWORK - PUBLIC EXHIBITION  
OUTCOMES AND  
PLANNING PROPOSAL 18/2021/6/1 - ENVIRONMENTAL ZONE LAND  
USES AND OBJECTIVES

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1884  
**RESOLVED**

1. That Council adopts the Environmental Zoning Framework as amended.
2. That Council notifies in writing the persons who made a submission with regard to the draft framework, of Council's decision.
3. That Council requests a Gateway determination for the Planning Proposal – Environmental Zone Land Uses and Local Objectives (18/2021/6/1) from the Department of Planning, Industry and Environment pursuant to the *Environmental Planning and Assessment Act 1979*.
4. That Council requests authorisation under Section 3.31 of the *Environmental Planning and Assessment Act 1979* to act as the local plan-making authority to make the Local Environmental Plan.
5. That Council undertakes consultation with public authorities and the community as determined by the Gateway determination.

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

**CARRIED UNANIMOUSLY**

## GENERAL MANAGER'S UNIT

### GENERAL MANAGER'S UNIT NO. GMU18/2021

**SUBJECT:** 2020/2021 ECONOMIC DEVELOPMENT GRANTS AND SPONSORSHIP PROGRAM ACQUITTAL REPORT

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*Councillor Burke declared a Pecuniary Interest for the reason that a business he owns is contracted by the Cessnock Chamber of Commerce. Councillor Burke left the Chamber and took no part in discussion and voting.*

*Councillor Burke left the Chamber, the time being 7.08pm*

**MOTION**            **Moved:** Councillor Gray            **Seconded:** Councillor Suvaal  
1885  
**RESOLVED**

**That Council notes the 2020/2021 Economic Development Grants and Sponsorships Program Acquittal Report for a total of \$111,600 distributed over seven projects.**

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

**CARRIED UNANIMOUSLY**

*Councillor Burke returned to the Chamber, the time being 7.09pm*

**GENERAL MANAGER'S UNIT NO. GMU19/2021**

**SUBJECT: MINUTES OF THE EXTRAORDINARY AUDIT AND RISK COMMITTEE MEETING HELD 19 OCTOBER 2021**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1886  
**RESOLVED**

**That the Minutes of the Extraordinary Audit and Risk Committee Meeting held on 19 October 2021 be adopted as a resolution of the Ordinary Council.**

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

	<b>Total (0)</b>
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**CARRIED UNANIMOUSLY**

## PLANNING AND ENVIRONMENT

### PLANNING AND ENVIRONMENT NO. PE60/2021

**SUBJECT:** **PLANNING PROPOSAL TO REZONE LAND AT 532 MAIN ROAD, CLIFBLEIGH FROM RU2 RURAL LANDSCAPE TO R2 LOW DENSITY RESIDENTIAL.**

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*Councillor Fitzgibbon declared a Pecuniary Interest for the reason that she has an interest in another Investigation Area in the new Urban Growth Management Plan. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.*

*Councillor Fitzgibbon left the meeting, the time being 7.10pm*

**MOTION**            **Moved:**    Councillor Gray            **Seconded:**    Councillor Suvaal  
1887

#### **RESOLVED**

1.     **That Council considers the planning proposal after Council’s adoption of the Heddon Greta - Clifbleigh Urban Corridor Master Plan.**
2.     **That Council prioritise the preparation and completion of the “Heddon Greta – Clifbleigh Urban Corridor Master Plan”.**
3.     **That a report comes back to the February 2022 meeting outlining the progress of the Master “Heddon Greta – Clifbleigh Urban Corridor Master Plan”.**

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

#### **CARRIED UNANIMOUSLY**

*Councillor Fitzgibbon returned to the meeting, the time being 7.20pm*

**PLANNING AND ENVIRONMENT NO. PE62/2021**

**SUBJECT: AMENDMENT TO THE CESSNOCK DEVELOPMENT CONTROL PLAN 2011 - SOCIAL IMPACT ASSESSMENT AND CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

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**MOTION**      **Moved:** Councillor Stapleford      **Seconded:** Councillor Suvaal  
1888

**RESOLVED**

1. That Council pursuant to clause 18 of the Environmental Planning and Assessment Regulation 2000, exhibits the proposed amendments to the Cessnock Development Control Plan 2011 for a minimum period of 28 days.
2. That Council receives a further report following the public exhibition.

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

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE63/2021**

**SUBJECT: SECTION 4.55(2) APPLICATION PROPOSING TO MODIFY  
DEVELOPMENT CONSENT NO. 2017/461 SEEKING TO DELETE THE  
MANAGER'S RESIDENCE**

**17 ASH STREET, CESSNOCK**

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**MOTION**  
1889  
**RESOLVED**

**Moved:** Councillor Suvaal

**Seconded:** Councillor Fitzgibbon

1. That:

- (i) Section 4.55(2) Application No. 8/2017/461/5 proposing to modify Development Consent No. 2017/461 to delete the manager's residence, be approved pursuant to Sections 4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979*, subject to the conditions contained in this report.
- (ii) The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:
  - The proposal satisfies the provisions of Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*;
  - The development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted;
  - The development remains consistent with the provisions of the relevant State Environmental Planning Policies, *Cessnock Local Environmental Plan 2011* and the *Cessnock Development Control Plan 2010*;
  - The proposal incorporates adequate measures to ensure the development does not result in any adverse impacts on the natural and built environment;
  - The proposal incorporates adequate measures to ensure the development does not result in any adverse social or economic impacts; and
  - The development proposal is considered to maintain the public interest.



- (iii) Pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the *Environmental Planning and Assessment Act 1979*, in respect of considering community views, it is noted that two (2) submissions were received in response to the public exhibition period in relation to the Application. The submissions have been considered and addressed in this report, and it is concluded that the issues raised do not directly relate to the proposed modification.
- (iv) The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the *Environmental Planning and Assessment Act 1979*.

## **CONDITIONS OF CONSENT**

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It is recommended that Development Consent 8/2017/461/5 be modified in the following manner:

### **Condition 1**

Modify Condition No. 1 to include references to:

- the amended site plan - Drawing Name: General Layout Plan – Drawing No. 2 of 10 - Issue H – dated 15.3.21 prepared by Land Dynamics Australia” (this plan removes reference to the manager’s residence)
- the CCTV location plan – Project Ref: 5170 - Drawing Name: CCTV Plan - Drawing No. 10 of 10 – Issue D – dated 19.10.21 – prepared by Land Dynamics Australia
- the lighting plan – Drawing Name: Street Lights – Drawing No. FPLAN – Sheet No. 8 of 11 – Revision D – dated 8.3.21 prepared by A & K Harvey Power Consultants
- Delete reference to plan of manager’s residence (Managers Residence, Issue A - 11 August 2017)
- the “Addendum to Social Impact Statement” dated 2021 prepared by Complete Planning Solutions

### **Condition 6**

Modify Condition No. 6 to read as follows:

#### **Restriction to the number of bedrooms for dwellings**

Any future dwelling located within the manufactured home estate must not exceed two (2) bedrooms. ~~with the exception of one (1) dwelling that will be used for the purpose of a manager’s residence.~~ The estate managers must take reasonable measure to ensure that the restriction to the maximum number of bedrooms is conveyed to prospective residents and must not advertise dwelling sites in such a manner to mislead prospective residents/purchasers in this regard.

## **Condition 8**

Modify Condition No. 8 to read as follows:

### **Plan of Management Revision Requirement**

The draft Plan of Management for the Hunter Lifestyle Estate Dated November 2017 is to be amended to be consistent with all conditions of consent. The revised management plan is to be prepared and implemented for the development. The management plan must include:

- a. Restrictions to prevent any dwelling that has more than two (2) bedrooms being located on any of dwelling site. **with the exception of one dwelling site that is for the purpose of a Manager's residence.**
- b. Control access of residents and visitors to the development after the closing of the main gate.
- c. Provide **after-hours** contact details to all residents.
- d. The after-hours manager is to have the ability to access the premises **at all times.**
- e. **Ensure that the onsite manager is present on the premises at all hours.**
- f. Private waste collection information and schedules.
- g. Estate management is responsible for the regular maintenance of the buffer areas on the southern, eastern and western boundaries of the development site.
- h. A community map is to be provided;
- i. **Protocol for ongoing communication and complaint handling with stakeholder groups, including residents and neighbours.**
- j. **Protocol to ensure 24 hour unimpeded access to the premises for all emergency vehicles.**
- k. **An evacuation plan in the event of an emergency for all occupants of the site.**
- l. **Protocol for 24 hour surveillance of the CCTV monitor, including remote access to these monitors.**
- m. **Restrictions on unlawful access to the community facilities located on the site.**
- n. **Management protocol, operational procedures and duty requirements for the after-hours manager of the estate (including that the after-hours manager of the estate is to be contactable whenever the on-site manager is not working).**
- o. **Management protocol, operational procedures and duty requirements for the on-site manager of the estate (including that the on-site manager must be present on-site for a minimum of 38 hours per week).**
- p. **Contact details and operational procedures for the security contractor engaged to undertake after hours surveillance of the property.**
- q. **The frequency, timing and route of security patrols to be undertaken by the security contractor engaged.**

A copy of the amended Plan of Management is to be provided to Council prior to occupation of any part of the site.

The approved Plan of Management must be adhered to at all times.

## **Condition 110**

Modify Condition No. 110 to read as follows:

### **Gate Controls**

The entrance/exit points to the development site are to be fitted with electronic gates to control access to the site during the night by vehicles and pedestrians.

The design and management of the entrance/exit gates are to allow entrance for any emergency vehicles.

**The gated entry/exit points are to include the following features:**

- **Licence plate recognition**
- **Video intercom**
- **Smash glass in case of the need for emergency exit**
- **Remote entry operability**

### **Condition 138**

Modify Condition No. 138 to read as follows:

#### **Surveillance – CCTV**

Sufficient CCTV cameras are to be located in and around the clubhouse, maintenance shed, recreational areas and entrance/exit points including the Ash Street pedestrian pathway.

Minimum standards for CCTC are:

- a. CCTV to operate on a 24 hour basis;
- b. CCTV footage is to be recorded in digital format on a hard drive that is capable of retaining stored images for a 28 day period;
- c. Staff to be trained in the use of the CCTV system and be able to download footage for NSW Police use as required;
- d. CCTV camera covering the entrances/exits to be placed in a location as to allow the recording of persons faces upon entry;
- e. Recording equipment should be installed in a lockable, restricted area where persons/s cannot tamper with the equipment
- f. **The manager of the estate is to have remote access to CCTV monitors and footage.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Dunn	Councillor Stapleford
Councillor Fagg	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (2)</b>

**CARRIED**

**PLANNING AND ENVIRONMENT NO. PE65/2021**

**SUBJECT: DEVELOPMENT APPLICATION NO. 8/2020/20819/1 PROPOSING ESTABLISHMENT OF A NEW CEMETERY - 64 WINE COUNTRY DRIVE, NULKABA**

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*The Mayor declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that his wife is a Celebrant who conducts funerals. The Mayor remained in the Chamber and took part in discussion and voting.*

*Councillor Burke declared a Pecuniary Interest for the reason that he is a Funeral Celebrant. Councillor Burke left the Chamber and took no part in discussion and voting.*

*Councillor Burke left the meeting, the time being 7.25pm.*

**MOTION**            **Moved:**    Councillor Suvaal            **Seconded:**    Councillor Dunn  
1890  
**RESOLVED**

**That the report be deferred to the new Council.**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (11)**

**Total (0)**

**CARRIED UNANIMOUSLY**

*Councillor Burke returned to the meeting, the time being 7.26pm*

**PLANNING AND ENVIRONMENT NO. PE66/2021**

**SUBJECT: LOCAL INFRASTRUCTURE CONTRIBUTIONS AND PLANNING AGREEMENTS**

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Fitzgibbon  
1891

**RESOLVED**

1. That Council notes the information contained within this report is related to Local Infrastructure Contributions and Planning Agreements as at 30 September 2021.
2. That a dollar figure for each category be included in the Contributions balance breakdown graph.

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

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE67/2021**

**SUBJECT: COMMUNITY ENGAGEMENT STRATEGY IMPLEMENTATION 2020/21**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1892

**RESOLVED**

**That Council notes the information in this report including that 72% of actions are complete or, implemented on an ongoing basis, in the first year of the Community Engagement Strategy to 30 June 2021.**

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

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE68/2021**

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING  
REPORT - SEPTEMBER QUARTER 2021**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Burke  
1893  
**RESOLVED**

**That Council receives and notes the Development Performance Monitoring Report for the September quarter 2021/22.**

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

**CARRIED UNANIMOUSLY**



## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC80/2021**

**SUBJECT: MINUTES OF THE DOLLAR FOR DOLLAR GRANTS COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD 13 OCTOBER 2021**

---

**MOTION**            **Moved:**    Councillor Doherty            **Seconded:**    Councillor Sander  
1894

#### **RESOLVED**

1. That Council adopt the Minutes of the Dollar for Dollar Grants Committee meeting held 13 October 2021.
2. That Council provides funds through the Community and Cultural Development Dollar for Dollar Grant Scheme to:
  - Lions Club of Branxton Inc in the amount of \$2,937.50
  - Cessnock Bellbird Uniting Church in the amount of \$1,575.00
  - Wine Country Music Association in the amount of \$485.45
  - Early Links Inclusion Support Service in the amount of \$2,863.00
  - Richmond Vale Railway Museum in the amount of \$954.50
  - Samaritans Foundation in the amount of \$800.00
  - Cessnock Seniors Citizens Association in the amount of \$700.00
  - Sculpture in the Vineyards Inc in the amount of \$3,000.00
3. That the remaining funds of \$11,684.55 be transferred to the 2022/23 round of the Community and Cultural Development Dollar for Dollar Grant Scheme.
4. That the General Manager writes to all applicants advising them of the outcome of their application and thanking them for their contribution to the development of community, arts and culture in the Cessnock Local Government Area.
5. That Council provides funds through the Community Facilities - Dollar for Dollar Grant Scheme to:
  - Abermain Plaza Hall Section 355 Committee in the amount of \$4,236.00
  - Branxton Community Hall Section 355 committee in the amount of \$6,501.00
  - Kurri Kurri Retired Mineworkers in the amount of \$2,645.00
  - Wollombi Community Hall Section 355 Committee in the amount of \$1,159.00
  - Wollombi Valley Progress Association in the amount of \$504.00
6. That Council advertises a second round of the Community Facilities Dollar for Dollar Grant Scheme in early 2022 with the surplus funding of \$14,955.00.
7. That the General Manager writes to all applicants advising them of the outcome of their application and thanking them for their ongoing support and commitment to the enhancement of Council's community facilities.

8. That Council provides funds through the Sporting Facilities - Dollar for Dollar Grant Scheme to:
- Bellbird Cricket Club in the amount of \$2,997.00
  - Branxton Croquet Club in the amount of \$1,982.00
  - Cessnock District Netball Association in the amount of \$1,290.00
  - Cessnock Dog Club in the amount \$1,182.00
  - Kurri Weston Cricket Club in the amount of \$3,102.00
  - Wollombi Pony Club in the amount of \$913.00
  - Wollombi Valley Tennis & Sports Association in the amount of \$2,828.00
9. That Council advertises a second round of the Sporting Facilities - Dollar for Dollar Grant Scheme in early 2022 with the surplus funding of \$15,706.00.
10. That the General Manager writes to all applicants advising the outcome of their application and thanking them for their ongoing support and commitment to the enhancement of Council's sporting facilities.

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

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC81/2021**

**SUBJECT: COUNCIL RECESS PERIOD/DELEGATION OF AUTHORITY TO  
GENERAL MANAGER AND MAYOR**

---

**MOTION**            **Moved:**    Councillor Suvaal            **Seconded:**    Councillor Stapleford  
1895

**RESOLVED**

1.     That Council be in recess from 18 November 2021 to the first Ordinary meeting of Council in February 2022.
2.     That Council pursuant to Section 377 of the *Local Government Act 1993*, delegate authority to the Mayor and the General Manager jointly to exercise any function of Council during the recess period.
3.     That a list of any matters considered under such delegated authority be submitted for Council's information to the next Ordinary Meeting of Council scheduled to be held 16 February 2022.

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

**Total (0)**

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC82/2021**

**SUBJECT: QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2021**

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
1896

**RESOLVED**

1. That Council notes that the September 2021 Quarterly Budget Review Statement were endorsed for presentation to Council by the Audit and Risk Committee on 9 November 2021.
2. That Council notes that the Quarterly Budget Review Statement reflects a forecast operating surplus for the year of \$277,317.
3. That Council notes the September 2021 Quarterly Budget Review Statement forecasts all six key performance indicators (including the key financial sustainability ratios of Operating Performance and Own Source Operating Revenue) will exceed Office of Local Government benchmarks.

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

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC83/2021**

**SUBJECT: SEPTEMBER 2021 REVIEW OF THE 2017-21 DELIVERY PROGRAM**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1897

**RESOLVED**

**That Council notes the progress in implementing the 2017-21 Delivery Program as at 30 September 2021.**

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

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC85/2021**

**SUBJECT: ANNUAL REPORT 2020-21**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1898

**RESOLVED**

1. That Council receives and notes the Annual Report for 2020-21.
2. That Council notes the Annual Report has been posted on Councils website.
3. That Council notes the link to the Annual Report has been forwarded to the Minister for Local Government as required by Section 428 of the *Local Government Act 1993*.

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

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC86/2021**

**SUBJECT: END OF TERM REPORT - 2017-21**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1899  
**RESOLVED**

**That Council notes the End-of-Term report.**

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

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC87/2021**

**SUBJECT: INVESTMENT REPORT - OCTOBER 2021**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1900

**RESOLVED**

**That Council receives the Investment Report for October 2021 and notes that:**

- **Investments are held in accordance with Council's Investment Policy, which accords with the Ministerial Investment Order.**
- **Council's month end cash and investments balance was \$61,456,524.**

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

**CARRIED UNANIMOUSLY**



**CORPORATE AND COMMUNITY NO. CC88/2021**

**SUBJECT: RESOLUTIONS TRACKING REPORT**

---

**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Suvaal  
1901

**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 Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## **WORKS AND INFRASTRUCTURE**

### **WORKS AND INFRASTRUCTURE NO. WI81/2021**

**SUBJECT: MINUTES OF THE ROADS REVIEW COMMITTEE MEETING HELD ON 18 OCTOBER 2021**

---

**MOTION**      **Moved:** Councillor Stapleford      **Seconded:** Councillor Suvaal  
1902  
**RESOLVED**

**That the Minutes of the Roads Review Committee Meeting held on 18 October 2021 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 Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI82/2021**

**SUBJECT: MINUTES OF THE CESSNOCK LOCAL TRAFFIC COMMITTEE MEETING 18 OCTOBER 2021**

---

**MOTION**            **Moved:**    Councillor Gray            **Seconded:**    Councillor Burke  
1903  
**RESOLVED**

**That the Minutes of the Cessnock Local Traffic Committee Meeting of 18 October 2021 be adopted as a resolution of the Ordinary Council.**

- 1. TC42/2021 – That Council authorises the installation of a pedestrian refuge and associated signage and line marking on Cumberland Street, Cessnock in accordance with the Cumberland Street Cessnock \_ Signage & Line Marking Diagram.**
- 2. TC43/2021 – That Council authorises the temporary regulation of traffic on Paynes Crossing Road, Wollombi for the Wollombi Public Holiday Markets events in accordance with the Paynes Crossing Road Wollombi \_ Traffic Control Plan.**
- 3. TC44/2021 - That Council authorises the temporary regulation of traffic for the Grapevine Gathering and Red Hot Summer events on Broke Road and Wilderness Road, Pokolbin in accordance with Various Roads Pokolbin \_ Grapevine Gathering Traffic Control Plans.**
- 4. TC45/2021 - That Council authorises the installation of regulatory signage and line marking on Fletcher Street, Pinchen Street and Valley View Place, Nulkaba in accordance with the Fletcher Street Nulkaba \_ Signage & Line Marking Diagram.**
- 5. TC46/2021 - That Council authorises the temporary regulation of traffic for the Sunset Sounds event on Broke Road and Wilderness Road, Pokolbin in accordance with Various Roads Pokolbin \_ Sunset Sounds Traffic Control Plans.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Fagg	Councillor Dunn
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (10)</b>	<b>Total (2)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI83/2021**

**SUBJECT: BANNERS WITHIN CESSNOCK LGA**

---

*Councillor Burke declared a Non Pecuniary Interest – Less Than Significant Conflict for the reason that he holds a contract with the Cessnock Chamber of Commerce. Councillor Burke remained in the Chamber and took part in discussion and voting.*

**MOTION**            **Moved:**    Councillor Burke            **Seconded:**    Councillor Fitzgibbon  
1904

**RESOLVED**

- 1. That Council notes the information provided in regards to the annual schedule for raising and removing banners, budgets associated with the replacement and purchase of new banners and funding options.**
- 2. That the General Manager consider the Economic Development Unit being involved in the management of banners and banner poles.**
- 3. That funding for replacement, purchase of new banners be considered as part of future delivery programs.**

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

**CARRIED UNANIMOUSLY**

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

### **BUSINESS WITH NOTICE NO. BN28/2021**

**SUBJECT: QUEENS DIAMOND JUBILEE**

---

**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Doherty  
1905  
**RESOLVED**

That the General Manager prepare a report and a briefing on possible options and their costs on ways that the City of Cessnock can honour and celebrate the Queens Diamond Jubilee in 2022, including consideration of:-

- Affordable, meaningful and culturally appropriate ways to honour and celebrate this auspicious occasion.
- Working with primary schools in the LGA and running competitions with small prizes to get the children involved, and
- Noting that similar civic organisations throughout the Commonwealth are planting trees in honour of her majesty as one example.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	Councillor Lyons
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Pynsent	
<b>Total (11)</b>	<b>Total (1)</b>

**CARRIED**

**BUSINESS WITH NOTICE NO. BN29/2021**

**SUBJECT: NORTH ROTHBURY RETICULATED SEWER SCHEME**

---

**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Suvaal  
1906  
**RESOLVED**

1. That the General Manager writes to the Hunter Water Corporation, the Minister for Water, Property and Housing, the Hon. Melinda Pavey MP and Parliamentary Secretary for the Hunter, the Hon Taylor Martin MP seeking a further urgent review and update in relation to the provision of sewerage reticulation services in North Rothbury and other villages within the Cessnock Local Government Area as a high priority.
2. That Council writes to the State Member for Cessnock Clayton Barr, MP requesting ongoing support for Council's decision.
3. That Council writes to all candidates in the Federal electorate of Hunter in the next Federal election also the candidates for the next State election in Cessnock.

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

**CARRIED UNANIMOUSLY**

**BUSINESS WITH NOTICE NO. BN30/2021**

**SUBJECT: CESSNOCK POOL DISABILITY ACCESS IMPROVEMENT AND SOLAR ENERGY FOR PUBLIC POOLS**

---

**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Burke  
1907

**RESOLVED**

1. That the General Manager bring a report back to Council with options and costs on:-
  - Improving access from the disability carpark adjacent to the pool
  - Mounting solar lights on the two pillars at the front entrance of the pool
2. The report include an update and timeframe on the installation of solar energy for the 3 pool complexes.
3. That the General Manager investigates the feasibility of moving the historic archway from across the road that leads over the small bridge into the carpark being placed back at the disabled entrance to the pool.

**FOR**

**AGAINST**

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

**Total (0)**

**CARRIED UNANIMOUSLY**

**BUSINESS WITH NOTICE NO. BN31/2021**

**SUBJECT: TRAFFIC CONCERNS - TRADERS WAY, HEDDON GRETA**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Sander  
1908

**RESOLVED**

1. That Council request the General Manager write to TfNSW requesting a review of the intersection of Main Road and Traders Way Heddon Greta to consider creating a right turn lane so traffic can turn towards Kurri Kurri and the Hunter Expressway.
2. That Council requests the Traffic Committee review the intersection of Radford Street and Traders Way Heddon Greta to allow for better access for large vehicles while construction around this area is underway.

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

**CARRIED UNANIMOUSLY**



**BUSINESS WITH NOTICE NO. BN32/2021**

**SUBJECT: THANK YOU TO THE RETIRING COUNCILLORS**

---

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Sander  
1909  
**RESOLVED**

1. That Council acknowledges the service and commitment of all the retiring Councillors at this election and thanks them for their contribution to our community.
2. That Council notes that Mayor Bob Pynsent has been the longest serving Mayor of our city and congratulates him on this achievement and thanks him for his dedication to the Cessnock LGA.

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

**CARRIED UNANIMOUSLY**

## CORRESPONDENCE

### CORRESPONDENCE NO. CO17/2021

**SUBJECT:** **REQUEST FOR ADDITIONAL MENTAL HEALTH FUNDING FOR REGIONAL AREAS - REPORT BN22/2021**

---

**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Sander  
1910  
**RESOLVED**

That Council notes the correspondence received from the office of the Federal Member for Hunter, the Hon. Joel Fitzgibbon MP and the Member for Cessnock, Clayton Barr MP regarding the request for additional mental health funding for regional areas.

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

**CARRIED UNANIMOUSLY**

**CORRESPONDENCE NO. CO18/2021**

**SUBJECT: VACCINATION RATES - MM9/2021**

---

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Fitzgibbon  
1911

**RESOLVED**

**That Council notes the correspondence received from the COVID-19 Response Team, Department of Regional NSW, on behalf of the former Deputy Premier and Minister for Regional NSW the Hon John Barilaro MP, and the correspondence received from the Hon Ben Morton MP, Minister Assisting the Prime Minister and Cabinet on behalf of the Prime Minister, regarding Vaccination Rates – MM9/2021.**

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

**CARRIED UNANIMOUSLY**

## COUNCILLORS' REPORTS

**NIL**

8.24PM

**Confidential reports (closed session)**

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Sander  
1912  
**RESOLVED**

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

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

**CARRIED UNANIMOUSLY**

8.25PM

**Open Session**

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

**PLANNING AND ENVIRONMENT NO. PE69/2021**

**SUBJECT: COMPLIANCE ISSUES RELATING TO EXISTING SERVICE STATION AND FOOD AND DRINK PREMISES**

**247 WINE COUNTRY DRIVE, NULKABA**

*This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Dunn  
1913  
**RESOLVED**

**That Council notes the contents of this report, including that Council’s solicitors have lodged a complaint with NSW Fair Trading on behalf of Council in relation to an identified non-compliance with respect to Development Consent No. 2015/545.**

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

**CARRIED UNANIMOUSLY**

*The Meeting Was Declared Closed at 8.27pm*

**CONFIRMED AND SIGNED** at the meeting held on 16 February 2022

.....**CHAIRPERSON**

.....**GENERAL MANAGER**