

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 4 APRIL 2018, 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
Acting Director Corporate and Community Services (Human Resources Manager)
Director Works and Infrastructure
Strategic Planning Manager
Manager Open Space & Community Facilities
Recreation & Community Facilities Planner
Media & Communication Officer
Corporate Governance Officer

APOLOGY:

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

468

RESOLVED that the apology tendered on behalf of Councillor Olsen, for unavoidable absence for 18 April 2018, be accepted and leave of absence granted.

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

MINUTES:

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

469

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 21 March 2018, as circulated, be taken as read and confirmed as a correct record.

FOR

AGAINST

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

Total (13)

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI5/2018

SUBJECT: DISCLOSURES OF INTEREST

RECOMMENDATION

That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

GMU9/2018 Minutes of the Town Coordinators Review Committee of Cessnock City Council held on 21 March 2018 - Councillor Burke declared a Pecuniary Interest for the reason that he is the Town Coordinator for Cessnock Chamber of Commerce. Councillor Burke advised that he would leave the Chamber and take no part in discussion and voting.

BN5/2018 Unlawful Conversion of Shed - Councillor Stapleford declared a Non Pecuniary Significant Conflict for the reason that he is related to the people involved. Councillor Stapleford advised that he would leave the Chamber and take no part in discussion and voting.

CC25/20182018 National General Assembly of Local Government - Call for Motions and Councillor Nominations to Attend – The Mayor declared a Pecuniary Interest for the reason that he is the owner of a Farmstay which would use these agencies. The Mayor advised that he would leave the Chamber and take no part in discussion and voting.

CC25/20182018 National General Assembly of Local Government - Call for Motions and Councillor Nominations to Attend – Councillor Fagg declared a Pecuniary Interest for the reason that he owns a holiday letting property. Councillor Fagg advised that he would leave the Chamber and take no part in discussion and voting.

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

NIL

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU5/2018

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU9/2018

SUBJECT: MINUTES OF THE TOWN COORDINATORS REVIEW COMMITTEE OF CESSNOCK CITY COUNCIL HELD ON 21 MARCH 2018

Councillor Burke declared a Pecuniary Interest for the reason that he is the Town Coordinator for Cessnock Chamber of Commerce. Councillor Burke left the Chamber and took no part in discussion and voting.

Councillor Burke left the meeting, the time being 6.33pm

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Suvaal
470

RESOLVED

- 1. That the Minutes of the Town Coordinators Review Committee held on 21 March 2018 be adopted as a resolution of the Ordinary Council.**
- 2. That Council adopt the amended Terms of Reference for the Town Coordinators Review Committee.**

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

Councillor Burke returned to the meeting, the time being 6.34pm

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE19/2018

SUBJECT: **PLANNING PROPOSAL TO RECLASSIFY VARIOUS PROPERTIES AT ABERDARE, CESSNOCK, EAST BRANXTON AND KITCHENER.**

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

1. That Council request a Gateway determination for the Planning Proposal – Reclassification and rezoning of properties at Aberdare, Cessnock, East Branxton and Kitchener, from the Department of Planning and Environment pursuant to the *Environmental Planning and Assessment Act 1979*.
2. That Council undertake consultation with public authorities and the community as determined by the Department of Planning and Environment Gateway determination.
3. That Council receive a report on the outcomes of the community consultation on the Planning Proposal.

AMENDMENT **Moved:** Councillor Olsen

1. That Council request a Gateway determination for the Planning Proposal – Reclassification and rezoning of properties at Aberdare, Cessnock, East Branxton and Kitchener with the exception of 6 William Street, Cessnock, from the Department of Planning and Environment pursuant to the *Environmental Planning and Assessment Act 1979*.
2. That Council undertake consultation with public authorities and the community as determined by the Department of Planning and Environment Gateway determination.
3. That Council receive a report on the outcomes of the community consultation on the Planning Proposal.

The Amendment lapsed for want of a Seconder.

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

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Stapleford
471

RESOLVED

1. That Council request a Gateway determination for the Planning Proposal – Reclassification and rezoning of properties at Aberdare, Cessnock, East Branxton and Kitchener, from the Department of Planning and Environment pursuant to the *Environmental Planning and Assessment Act 1979*.
2. That Council undertake consultation with public authorities and the community as determined by the Department of Planning and Environment Gateway determination.
3. That Council receive a report on the outcomes of the community consultation on the Planning Proposal.

FOR	AGAINST
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	
Total (12)	Total (1)

CARRIED

PLANNING AND ENVIRONMENT NO. PE20/2018

**SUBJECT: PLANNING PROPOSAL - KURRI KURRI DISTRICT STRATEGY
CONSEQUENTIAL LEP AMENDMENTS**

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Dagg
472
RESOLVED

1. That Council request a Gateway determination for the Planning Proposal - Kurri Kurri District Strategy Consequential LEP Amendments from the Department of Planning and Environment pursuant to the *Environmental Planning and Assessment Act 1979*.
2. That Council request 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 undertake consultation with public authorities and the community as determined by the Department of Planning and Environment Gateway determination.
4. That Council receive 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.

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. PE21/2018

SUBJECT: PROGRESS OF PLANNING AGREEMENTS AND DEVELOPMENT CONTRIBUTION PLANS

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Fitzgibbon
473
RESOLVED

That Council note the information provided on the progress of Planning Agreements and Development Contribution Plans.

FOR	AGAINST
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	
Total (12)	Total (1)

CARRIED

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC25/2018

**SUBJECT: 2018 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT -
CALL FOR MOTIONS AND COUNCILLOR NOMINATIONS TO ATTEND**

The Mayor declared a Pecuniary Interest for the reason that he is the owner of a Farmstay which would use these agencies. The Mayor left the Chamber and took no part in discussion and voting.

Councillor Fagg declared a Pecuniary Interest for the reason that he owns a holiday letting property. Councillor Fagg left the Chamber and took no part in discussion and voting.

Councillor Fagg left the Chamber, the time being 6.47pm

Mayor Pynsent vacated the chair and left the meeting, the time being 6.47pm

Councillor Burke (Deputy Mayor) assumed the chair, the time being 6.47pm

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Fitzgibbon
474

RESOLVED

- 1. That Council submit the following motion to the 2018 National General Assembly of Local Government: We call on the Federal Government to implement a national regulation and licensing scheme for short term holiday letting of properties through businesses like Air BnB and Stayz.**
- 2. That Council determine its delegates to attend the 2018 National General Assembly of Local Government as Councillors Pynsent, Dagg and Fitzgibbon.**
- 3. That Council determine its voting delegate for the 2018 National General Assembly of Local Government as the Mayor with Councillors Dagg and Fitzgibbon as alternates.**

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Total (10)	Total (1)

CARRIED

Councillor Fagg returned to the meeting, the time being 6.48pm

Mayor Pynsent returned to the meeting and assumed the chair, the time being 6.48pm.

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI23/2018

SUBJECT: NAMING OF JEFFERY PARK, KEARSLEY AFTER MR GEORGE JEFFERY

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Suvaal
475

RESOLVED

1. That Council formally names Jeffery Park at Kearsley “Sergeant George Jeffery Memorial Park” subject to gazettal by the Geographical Names Board of NSW.
2. In the event that the name is considered to be unsuitable by the Geographical Names Board of NSW that the next preferred name be George Jeffery Park.
3. That if approval is received from the Geographical Names Board of NSW, Council install appropriate signage in line with the adopted Cessnock LGA Signage Strategy.
4. That the family of the late Mr George Jeffery be notified the outcome of the application.

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. WI24/2018

**SUBJECT: STRONGER COUNTRY COMMUNITIES FUND ROUND TWO AND
REGIONAL SPORTS INFRASTRUCTURE FUND 2018**

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

476

RESOLVED

1. **That Council endorses the submission of six applications under the Stronger Country Communities Fund program for the following projects:**
 - **Baddeley Park Regional Sporting Complex Floodlight Upgrade**
 - **Regional Playground at Bridges Hill Park**
 - **Sporting Amenities Replacement at Birralee Park**
 - **Splashpad for Cessnock Pool**
 - **Branxton Town Centre Masterplan Public Domain Works**
 - **Community Halls Toilet Upgrade Program**

2. **That Council endorses the submission of an Expression of Interest under the Regional Sports Infrastructure Fund 2018 for the construction of the Cessnock Regional Skatepark at Mount View Park;**

3. **That if applications are successful Council contributes \$276,000 in co-contribution funding for the Baddeley Park Regional Sporting Complex Floodlight Upgrade project; and \$378,100 in co-contribution funding for the Cessnock Regional Skatepark project.**

4. **That the application for Round 2 of the Stronger Country Communities Fund be provided to the State Member for Cessnock, the Parliamentary Secretary for the Hunter and Central Coast, and to the Hon TM Martin MLC, for their information and support.**

5. **That the projects submitted for consideration for funding of Round 2 of the Stronger Country Communities Fund, and the process involved with the community, be included in a media release informing the community.**

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. WI25/2018

SUBJECT: AIRVENTURE PROPOSED AIR SHOW

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Burke
477

RESOLVED

1. That Council supports the proposed AirVenture Australia event and allocate \$75,000 to the event, noting \$37,000 relates to ongoing support and \$38,000 is a once off cost for infrastructure associated with the camping site;
2. That the General Manager negotiates suitable arrangements with respect to event promotion and liaison.
3. That the General Manager discuss with the Management Team of AirVenture the promotion of the Hunter Valley Visitor Information Centre as the nominated booking agency for accommodation for the event.
4. That Council, through the Strategic Property and Community Facilities Committee, investigate a plan to allow some of the works required to be permanent.
5. That Council request audited accounts of the event be presented to Council within three months of the event being held.
6. That the General Manager request from the event organisers a full financial plan of the event to be held in September and that this information be subject of a report to the Council.
7. That a report after the September event be prepared for Council's consideration relating to the long term sustainability of the event.

FOR	AGAINST
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	
Total (12)	Total (1)

CARRIED

WORKS AND INFRASTRUCTURE NO. WI26/2018

SUBJECT: TRAFFIC FACILITIES - PELAW MAIN PUBLIC SCHOOL

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

That Council reallocates \$136,000 of funds from the 17/18 Bridge Construction Program to the 17/18 Traffic Facilities Program to fund traffic facilities in the school zone of Pelaw Main Public School as listed in the 2017-21 Delivery Program.

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

478

RESOLVED that the report be Deferred for two months to await the grant outcome.

FOR	AGAINST
Councillor Olsen	Councillor Suvaal
Councillor Doherty	Councillor Gray
Councillor Dunn	Councillor Burke
Councillor Fagg	Councillor Sander
Councillor Stapleford	Councillor Pynsent
Councillor Fitzgibbon	
Councillor Dagg	
Councillor Lyons	
Total (8)	Total (5)

CARRIED

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN4/2018

**SUBJECT: BRANXTON, CESSNOCK AND KURRI KURRI AQUATIC CENTRES
FAMILY FUN DAYS**

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Burke
479
RESOLVED

That whilst preparing the upcoming staff report relating to the free Family Fun Days, investigations also be made as to:

1. The possible creation of a voucher system for free family pool passes to be sent with each yearly rates notice;
2. The cost implications of such vouchers, including mail out of the vouchers to all households on council's budget in comparison to the model used over the most recent pool season;
3. That this be included as a subsection of the report currently being prepared and therefore, an extension of time be given to allow for that amended report to be brought back to Council by the end of May 2018.

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

CARRIED

BUSINESS WITH NOTICE NO. BN5/2018

SUBJECT: UNLAWFUL CONVERSION OF SHED

Councillor Stapleford declared a Non Pecuniary Significant Conflict for the reason that he is related to the people involved. Councillor Stapleford left the Chamber and took no part in discussion and voting.

Councillor Stapleford left the meeting, the time being 7.48pm

MOTION **Moved:** Councillor Olsen **Seconded:** Councillor Burke
480

RESOLVED

That the General Manager ensure the matter of the unlawful conversion of a shed at 10 Glennie Street, Ellalong into a dwelling is followed up in accordance with the adopted Compliance and Enforcement Policy.

FOR	AGAINST
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)	Total (0)

CARRIED UNANIMOUSLY

Councillor Stapleford returned to the meeting, the time being 7.50pm

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ28/2018

SUBJECT: CHANGES TO PARKING ARRANGEMENTS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ29/2018

SUBJECT: GILLIES BRIDGE UPDATE

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ30/2018

SUBJECT: CLEAN UP AFTER NBN WORKS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ31/2018

SUBJECT: MAINTENANCE OF PEDESTRIAN CROSSINGS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ32/2018

SUBJECT: INSTALLATION OF CRICKET NETS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ33/2018

**SUBJECT: EXTENSION OF EXHIBITION OF PLANNING PROPOSAL AT MAIN
 ROAD CLIFBLEIGH**

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Di Fitzgibbon

NORTH END HALL BUS SHELTER

Councillor Fitzgibbon asked for an update on the North End Hall Bus Shelter.

Councillor Ian Olsen

MANAGEMENT CONTACT LIST

Councillor Olsen asked for an updated Management List which includes Directors and what Managers report to them, their contact numbers, what areas they are responsible for and if a position is vacant note that on the list.

Councillor Ian Olsen

ORGANIC BAGS

Councillor Olsen asked if Council could investigate the giving of organic bags to residents as they do at Kempsey Council.

Councillor Paul Dunn

COFFEE VANS – REST STOPS

Councillor Dunn asked if Council has any control regarding Coffee Vans and the like on the Hunter Expressway.

Councillor John Fagg

GILLIES BRIDGE

Councillor Fagg asked for another updated in regard to Gillies Bridge.

CORRESPONDENCE

CORRESPONDENCE NO. CO9/2018

SUBJECT: SUPPORT FOR GREYHOUND RACING TO RETURN TO CESSNOCK

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Dagg
481
RESOLVED

That Council note the correspondence received.

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

COUNCILLORS REPORTS

Nil

The Meeting Was Declared Closed at 7.52pm

CONFIRMED AND SIGNED at the meeting held on 18 April 2018

.....**CHAIRPERSON**

.....**GENERAL MANAGER**