

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 1 FEBRUARY 2017, 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, Dagg, Burke, Sander and Lyons.

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Senior Media & Communication Officer
Corporate Governance Officer
Relief Executive Assistant

MINUTES: **MOTION** *Moved:* Councillor Stapleford *Seconded:* Councillor Dagg

95

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 14 December 2016, 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. DI1/2017

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.

NIL

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

NIL

MAYORAL MINUTES

MAYORAL MINUTES NO. MM1/2017

SUBJECT: PROPOSED CLOSURE OF WESTON FIRE STATION

MOTION **Moved:** Mayor Pynsent

96

RESOLVED

1. That Council write to Mr Clayton Barr MP, State Member for Cessnock and the Hon Troy Grant MP, Minister for Emergency Services and Ms Catherine Cusack, Parliamentary Secretary for the Hunter thanking them for supporting the community in retaining the Weston Fire Station.
2. That Council request Fire & Rescue NSW to provide Council and the community with information on the current staffing levels at Weston Fire Station, including any current shortfalls of retained firefighters, and what actions or strategies have been undertaken or planned in regards to recruitment and training to fill these current vacancies.
3. That Council request the Deputy Commissioner for Fire & Rescue NSW Mr Jim Hamilton, who is the Acting Commissioner pending the commencement of Commissioner Designate Mr Paul Baxter in March or April 2017, to address Council as a matter of urgency on strategies to ensure the adequate resourcing of both firefighters and appliances for all Fire & Rescue Stations in Cessnock LGA to ensure the protection of communities which considers issues such as distance and accessibility in times of disaster events which Cessnock LGA has experienced in recent times.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU1/2017

SUBJECT: MOTIONS OF URGENCY

RECOMMENDATION

That Councillors now indicate if there are any matters of urgency which they believe should be conducted at this meeting of Council.

NIL

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE1/2017

SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING REPORT - DECEMBER 2016 QUARTER

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Gray
97
RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC1/2017

SUBJECT: REGIONAL PROCUREMENT TENDER FOR THE SUPPLY AND DELIVERY OF BULK CATIONIC BITUMEN CRS (REGPRO221617)

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Stapleford
98
RESOLVED

1. That Council accept Regional Procurement Tender for the Supply and Delivery of Bulk Cationic Bitumen CRS (REGPRO221617).
2. That Downer EDI Works Pty Ltd be accepted as the single source supplier to Cessnock City Council under Regional Procurement Tender for the Supply and Delivery of Bulk Cationic Bitumen CRS (REGPRO221617).
3. That Council note the contract term for the Supply and Delivery of Bulk Cationic Bitumen CRS (REGPRO221617) is from 1 January 2017 to 31 December 2018 with an option for a 12 month contract extension based on satisfactory supplier performance.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC2/2017

SUBJECT: INVESTMENT REPORT - DECEMBER 2016

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Stapleford
99

RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN1/2017

SUBJECT: UPGRADE OF BELLBIRD BMX TRACK

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

That Council investigate the upgrade of Bellbird BMX Track to a standard that is acceptable for the use as a competition track and user friendly to all ages. A report to be brought back to Council as soon as possible with costings and designs so we can plan the improvements of this facility.

AMENDMENT **Moved:** Councillor Dunn **Seconded:** Councillor Fitzgibbon

1. That a report be brought back to Council, immediately after the 2017 Recreation & Open Space Strategic Plan is delivered to Council on the implementation of the Key Recommendations from the Cessnock Skate and BMX Facilities Needs Assessment 2020 that was undertaken in 2011 and any recommendations from the 2017 Recreation & Open Space Strategic Plan, specifically pertaining to the Charmichael Park BMX Track precinct.
2. That the report outline what works have been completed and what is planned, as well as timeframes and sources of funding for all skate and BMX facilities, especially Bellbird BMX Track.

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)

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

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

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Fitzgibbon
100
RESOLVED

1. That a report be brought back to Council, immediately after the 2017 Recreation & Open Space Strategic Plan is delivered to Council on the implementation of the Key Recommendations from the Cessnock Skate and BMX Facilities Needs Assessment 2020 that was undertaken in 2011 and any recommendations from the 2017 Recreation & Open Space Strategic Plan, specifically pertaining to the Charmichael Park BMX Track precinct.

2. That the report outline what works have been completed and what is planned, as well as timeframes and sources of funding for all skate and BMX facilities, especially Bellbird BMX Track.

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

BUSINESS WITH NOTICE NO. BN2/2017

SUBJECT: INSTALLATION OF RACQUET BALL COURT

MOTION **Moved:** Councillor Olsen **Seconded:** Councillor Suvaal
101

RESOLVED

That Council investigate the installation of a Racquet Ball Court in the Cessnock Local Government Area (outdoor gym) with costings, location and findings be brought back to Council as soon as possible with the vision of installing this in the next financial year.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN3/2017

SUBJECT: TENDER FOR ROADWORKS

MOTION **Moved:** Councillor Olsen **Seconded:** Councillor Dunn

That Council change any policy for roadwork constructions or major improvements to roads and put all roadworks out to tender.

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 (1)	Total (12)

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

BUSINESS WITH NOTICE NO. BN4/2017

SUBJECT: UPGRADE OF SIGNAGE PROHIBITING THE RIDING OF BICYCLES ON FOOTPATHS

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

102

RESOLVED

1. That Council upgrade the signage which prohibits bicycles on footpaths in the Cessnock CBD and extends the prohibition to scooters and skateboards.
2. That Council write to the NSW Police Force requesting more resources be made available for the policing of the use of the footpaths in the Cessnock CBD.
3. The General Manager investigate resourcing in relation to enforcing the rule and a report be brought back to Council explaining how.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ1/2017

SUBJECT: OUTDOOR STAFF EMPLOYEES

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ2/2017

SUBJECT: BRIEFING FOR SECTION 94 CONTRIBUTIONS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ3/2017

**SUBJECT: INTERSECTION OF WOLLOMBI ROAD/O'NEILL STREET WEST
 CESSNOCK**

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ4/2017

SUBJECT: O'NEILL PARK - MACQUARIE AVENUE, WEST CESSNOCK

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ5/2017

SUBJECT: UPDATE INTERSECTION MAIN ROAD/HEDDON STREET

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ6/2017

SUBJECT: BUSINESS PAPERS ON I-PAD

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Ann Sander

CONSULTANT COSTS

Councillor Sander asked what the cost was for Consultants in the last 3 years and the areas where the funds have been expended?

Councillor Rod Doherty

ABERDARE STREET, KURRI KURRI - KERB & GUTTERING AND DRAINAGE WORKS

Councillor Doherty asked where and where from and what budget items in the delivery plan has the money for Aberdare Street, Kurri Kurri been taken from and what forward works will be put off in this financial year as a result of this blowout in costs?

Councillor Rod Doherty

CASUAL RV STOP OVER AT JOHNS PARK, BRANXTON

Councillor Doherty understands that the Casual RV Stop Over at Johns Park, Branxton has been stopped by Council due to flooding concerns and asked for a full report to Councillors on why the Branxton Community is being deprived of an RV Stop Over when they have already installed an RV Dump Point and had previously promised the Community an RV Camp.

Councillor Paul Dunn

ABBOTSFORD STREET BRIDGE UPDATE

Councillor Dunn asked for an update on the time frame and completion date for the Abbotsford Street bridge.

Councillor Melanie Dagg

BUS SHELTER ADJACENT TO GRETA CENTRAL OVAL, NEW ENGLAND HIGHWAY, GRETA

Councillor Dagg referred to the bus shelter adjacent to Greta Central Oval, New England Highway, Greta which was damaged and the shelter removed and asked whether any investigations had been undertaken to replace the shelter and if not are there any due to take place in the foreseeable future.

Councillor Mark Lyons

OUTDOOR GYM

Councillor Lyons asked whether Council was approached several years ago by an organisation in Abernethy to privately fund the creation of an Outdoor Gym and why was this proposal rejected?

Councillor Mark Lyons

KERB MAINTENANCE CHARGES & POLICY

Councillor Lyons asked in the makeup of the rates is kerb maintenance charged by the Council? What is the maintenance policy for kerbs in residential streets?

Councillor Di Fitzgibbon

INSTALLATION OF SPLASH PAD

Councillor Fitzgibbon asked if Council Officers could investigate the cost of a Splash Pad, similar to the one at Maitland, and identify any grants needed for funding this project.

Councillor Ian Olsen

OPENING FRAME DRIVE BRIDGE

Councillor Olsen asked whether all of the \$4 million was spent on the bridge and the road works and if not why haven't Council done the road works when will they be done and why was the bridge opened before the road works were done?

Councillor Ian Olsen

TRAFFIC COMMITTEE - REFERRAL OF ISSUES

Councillor Olsen submitted a request regarding stop signs at Moore Street/Lightfoot Street and advised that these particular requests were previously sent to the Traffic Committee to be investigated. Councillor Olsen advised that he had received an answer without the matter being reported to the Traffic Committee and asked why they aren't referred anymore.

Councillor Jay Suvaal

REPORT PE1/2017 - DEVELOPMENT APPLICATION PERFORMANCE MONITORING

Councillor Suvaal noticed that the Complying Development only 1 had been issued by Council and 52 by Private Certifiers and asked for an overview of why the significant difference.

The Director Planning and Environment advised, in short, that it is a huge discrepancy and that further details will be provided to the next Council meeting in that regard.

CORRESPONDENCE

CORRESPONDENCE NO. CO1/2017

SUBJECT: **MINISTER FOR THE ENVIRONMENT, MARK SPEAKMAN, EAST CESSNOCK FLYING-FOX CAMP - RESPONSE TO RESOLUTIONS 16 APRIL 2016.**

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Stapleford
103
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

CORRESPONDENCE NO. CO2/2017

SUBJECT: NORTH ROTHBURY PRIORITY SEWERAGE SCHEME - RESPONSES FROM THE MINISTER FOR LANDS & WATER AND HUNTER WATER CORPORATION

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
104
RESOLVED

1. That Council note the correspondence received.
2. That Council write to the Minister for Lands and Waste thanking him for his correspondence and requesting North Rothbury be the top priority of the 3 townships mentioned due to the health concerns at the Village.
3. That Council write requesting consideration of options which will allow the North Rothbury reconnection to commence prior to the completion of the Wyee Project, whether that be by running both project simultaneously or by tapping into the existing sewere system at Huntlee.

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

CORRESPONDENCE NO. CO3/2017

SUBJECT: CESSNOCK CORRECTIONAL CENTRE EXPANSION - RESPONSES UPDATE

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Stapleford
105
RESOLVED:

That Council note the correspondence.

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'S REPORTS

Mayor Pynsent

Australia Day

The Mayor reported that Australia Day was a very successful day. All of the emergency services who participated were thankful for being acknowledged. There were 24 new Australia Citizens and the concept of the Mayor Cricket Challenge. The Mayor congratulated the Cessnock Rep side of defeating the Mayor's 11 on the 2nd last ball.

The Meeting Was Declared Closed at 7.28pm

CONFIRMED AND SIGNED at the meeting held on 15 February 2017

.....CHAIRPERSON

.....GENERAL MANAGER