

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 5 JULY 2017, COMMENCING AT  
6.30 PM**

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

**IN ATTENDANCE:** General Manager  
Acting Director Planning and Environment (Health & Building Manager)  
Acting Director Corporate and Community Services (Human Resource Manager)  
Director Works and Infrastructure  
Acting Development Services Manager (Team Leader Development Services)  
Economic Development Manager  
Environmental & Waste Services Manager  
Strategic Recreation & Facilities Planner  
Media & Communication Officer  
Corporate Governance Officer  
General Managers Executive Assistant

**APOLOGY:**

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

289

**RESOLVED** that the apology tendered on behalf of Councillor Fitzgibbon, for unavoidable absence, be accepted and leave of absence granted.

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

**CARRIED UNANIMOUSLY**

**MINUTES:**

**MOTION**

**Moved:** Councillor Dagg  
**Seconded:** Councillor Sander

290

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 21 June 2017, 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 Gray  
Councillor Dagg  
Councillor Burke  
Councillor Sander  
Councillor Lyons  
Councillor Pynsent  
**Total (12)**

**Total (0)**

**CARRIED UNANIMOUSLY**

# **DISCLOSURES OF INTEREST**

## **DISCLOSURES OF INTEREST NO. DI11/2017**

**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.**

**GMU11/2017 Economic Development Sponsorship Funding Provided by Council to the Community** – Councillor Doherty declared a Non Pecuniary Interest - Significant Conflict for the reason that his wife is the Chair of the Kurri Kurri Community Festival and he sits on the Committee as well. Councillor Doherty advised that he would leave the chamber and take no part in discussion and voting.

**PE33/2017 Section 96(2) Modification to an Approved Boarding Kennel to Amend Condition 3 to Increase the Number of Dogs from 72 to 100 and Cats from 20 to 30 and Deletion of Condition 4 to Allow Dogs to Exercise Outside Designated Areas Contained Within The Facility** - Councillor Doherty declared a Non Pecuniary Interest - Significant Conflict for the reason that he has known and associated with the proponents for around 15 years in a capacity as friend, member of Kurri Kurri Chamber Board and BEC. Councillor Doherty advised that he would leave the chamber and take no part in discussion and voting.

## **PETITIONS**

NIL

Councillor Doherty declared a Non Pecuniary Interest - Significant Conflict for the reason that he has known and associated with the proponents for around 15 years in a capacity as friend, member of Kurri Kurri Chamber Board and BEC. Councillor Doherty left the chamber and took no part in discussion and voting.

Councillor Rod Doherty left the meeting, the time being 6.32 pm.

### **ADDRESS BY INVITED SPEAKERS**

The following person addressed the meeting of Council:

Mr Marcus Nicholls	Against Recommendation	PE33/2017 - Section 96(2) Modification to an Approved Boarding Kennel to Amend Condition 3 to Increase the Number of Dogs from 72 to 100 and Cats from 20 to 30 and Deletion of Condition 4 to Allow Dogs to Exercise Outside Designated Areas Contained Within The Facility	64	3 mins
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# PLANNING AND ENVIRONMENT

## PLANNING AND ENVIRONMENT NO. PE33/2017

**SUBJECT: SECTION 96(2) MODIFICATION TO AN APPROVED BOARDING KENNEL TO AMEND CONDITION 3 TO INCREASE THE NUMBER OF DOGS FROM 72 TO 100 AND CATS FROM 20 TO 30 AND DELETION OF CONDITION 4 TO ALLOW DOGS TO EXERCISE OUTSIDE DESIGNATED AREAS CONTAINED WITHIN THE FACILITY**

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**MOTION**            **Moved:** Councillor Suvaal            **Seconded:** Councillor Gray  
291

**RESOLVED**

1. That Council approve the application under Section 96(2) to modify Development Consent 8/2005/122/3 to amend Condition 3 to increase the number of dogs from 72 to 100 and the number of cats from 20 to 30 and by the amendment of Condition 4 to permit dogs to exercise outside of the designated area within the facility and wholly within the property boundaries. No dogs are to be exercised on the footpath/road known as Bathurst Street.
2. That Council notify in writing the persons who made a submission with regard to the proposed development of Council's decision.

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

**CARRIED UNANIMOUSLY**

*Councillor Doherty returned to the meeting, the time being 6.38pm*

**MOTIONS OF URGENCY NO. MOU11/2017**

**SUBJECT: MOTIONS OF URGENCY**

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NIL

# GENERAL MANAGER'S UNIT

## GENERAL MANAGER'S UNIT NO. GMU11/2017

**SUBJECT: ECONOMIC DEVELOPMENT SPONSORSHIP FUNDING PROVIDED BY COUNCIL TO THE COMMUNITY**

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Councillor Doherty declared a Non Pecuniary Interest - Significant Conflict for the reason that his wife is the Chair of the Kurri Kurri Community Festival and he sits on the Committee as well. Councillor Doherty left the chamber and took no part in discussion and voting.

*Councillor Doherty left the meeting, the time being 6.38pm*

**MOTION**                      **Moved:** Councillor Burke                      **Seconded:** Councillor Gray  
292

### RESOLVED

1. That Council maintain the current Economic Development sponsorships as shown in this report for the 2017/2018 year.
2. That upon submission for funding, the applicants provide the following:
  - a. Demonstrate how the project/s aligns with Council's 2017/2018 Operational Plan (economic development outcomes)
  - b. KPI's must be set by the applicant and approved by the General Manager before funds are released.
  - c. Must show sustainability e.g. tapering of funding over multiple years.
3. That funds provided through a sponsorship must not be devolved.
4. That quarterly update reports on each of the project/s must be made to Council, with a final acquittal report provided on completion of the project/s.
5. That the GM develop KPI's around core principals including, but not limited to:  
Business Engagement  
Economic Development  
Community Interaction  
Education opportunities  
Sustainability

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

**CARRIED UNANIMOUSLY**

*Councillor Doherty returned to the meeting, the time being 6.43 pm.*

**CORPORATE AND COMMUNITY**

**CORPORATE AND COMMUNITY NO. CC47/2017**

**SUBJECT: FIRE AND EMERGENCY SERVICES LEVY COSTS**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Dagg  
293

**RESOLVED**

**That Council receive the report and note the information regarding the cost of preparing to implement the Fire and Emergency Services Levy.**

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

**CARRIED UNANIMOUSLY**



**CORPORATE AND COMMUNITY NO. CC48/2017**

**SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD ON FRIDAY 9 JUNE 2017**

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**MOTION**            **Moved:** Councillor Suvaal            **Seconded:** Councillor Stapleford  
294  
**RESOLVED**

**That the minutes of the meeting of the Aboriginal and Torres Strait Islander Committee held on 9 June 2017 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 Gray	
Councillor Dagg	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

# WORKS AND INFRASTRUCTURE

## WORKS AND INFRASTRUCTURE NO. WI47/2017

**SUBJECT: OPTIONS FOR CESSNOCK POOL**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
295  
**RESOLVED**

That consideration of the report be deferred for three months following:

1. A briefing with the Councillors on the options outlined in the report.
2. A site inspection of Council's facilities and facilities in neighbouring Local Government areas.
3. A briefing with the Councillors on possible options for shared facilities.

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

**CARRIED**

**WORKS AND INFRASTRUCTURE NO. WI48/2017**

**SUBJECT: OPERATION OF NEW WASTE TRANSFER STATION**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Stapleford  
296

**RESOLVED**

1. That Council endorses a proposed increase in Full Time Equivalent (FTE) staff numbers to accommodate the appointment of four additional Waste Services staff in order to adequately manage the new Waste Transfer Station.
2. That the new positions be funded from within Council's existing landfill operational budgets.

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

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI49/2017**

**SUBJECT: DUST ABATEMENT - URBAN UNSEALED ROADS - KLINE STREET, WESTON**

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

1. That Council notes the cost to seal a 120 metre section of Kline Street, Weston is estimated to be \$30,000.
2. That Council considers the Options provided in the report with respect to the sealing of a 120 metre section of Kline Street, Weston.
3. That Council includes the list of unsealed roads across the LGA (provided as Enclosures 1, 2 and 3 to this report) as annexures to the Existing Unsealed Roads Policy.
4. That Council consider including Kline Street, Weston and Walmsley Street Millfield in the 2018/2019 operational plan or if savings can be found in the 2017/2018 operational plan for it to move forward.

**AMENDMENT Moved: Councillor Fagg Seconded: Councillor Olsen**

1. That Council notes the cost to seal a 120 metre section of Kline Street, Weston is estimated to be \$30,000.
2. That Council considers the Options provided in the report with respect to the sealing of a 120 metre section of Kline Street, Weston.
3. That Council includes the list of unsealed roads across the LGA (provided as Enclosures 1, 2 and 3 to this report) as annexures to the Existing Unsealed Roads Policy.

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

The Amendment was **PUT** and **LOST**.

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

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

297

**RESOLVED**

- 1. That Council notes the cost to seal a 120 metre section of Kline Street, Weston is estimated to be \$30,000.
- 2. That Council considers the Options provided in the report with respect to the sealing of a 120 metre section of Kline Street, Weston.
- 3. That Council includes the list of unsealed roads across the LGA (provided as Enclosures 1, 2 and 3 to this report) as annexures to the Existing Unsealed Roads Policy.
- 4. That Council consider including Kline Street, Weston and Walmsley Street Millfield in the 2018/2019 operational plan or if savings can be found in the 2017/2018 operational plan for it to move forward.

<b>FOR</b>	<b>AGAINST</b>
Councillor Stapleford	Councillor Olsen
Councillor Suvaal	Councillor Fagg
Councillor Gray	Councillor Doherty
Councillor Dagg	Councillor Dunn
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (8)</b>	<b>Total (4)</b>

**CARRIED**

**WORKS AND INFRASTRUCTURE NO. WI50/2017**

**SUBJECT: BRANXTON GRETA BUSINESS CHAMBER - COMMUNITY BBQ EVENT  
25 JUNE 2017**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Burke  
298  
**RESOLVED**

1. That Council waives the applicable fees associated with Branxton Greta Business Chamber Community BBQ that was held on Sunday, 25 June 2017, being:
  - a. An application fee in conjunction with the Event and;
  - b. The fee associated with providing six additional general waste bins at Miller Park and removal of the collected waste at the conclusion of the event.

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

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI51/2017**

**SUBJECT: HUNTER CENTRAL COAST RID SQUAD 2017- 2021**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
299

**RESOLVED**

1. That Council continues participation in the Hunter Central Coast RID Squad as a Full Member Council.
2. That Council allocates \$50,000 from its Better Waste and Recycling grant to fund the cost of being a Full Member in the squad.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Gray	
Councillor Dagg	
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. BN29/2017**

**SUBJECT: CULTURAL FACILITIES**

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**MOTION**      **Moved:** Councillor Dagg      **Seconded:** Councillor Dunn  
300

**RESOLVED**

That Council appoints a Committee of three Councillors, the General Manager or representative and including representation from the Art Gallery to further this issue, and that this committee comprise of Councillors Fitzgibbon, Dunn and Dagg with Councillor Lyons being the alternate delegate.

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

**CARRIED**



**BUSINESS WITH NOTICE NO. BN30/2017**

**SUBJECT: SHOPPING TROLLEYS**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Stapleford  
301

**RESOLVED**

1. That an investigation be carried out into the policies of other Councils with reference to major CBD retailers' shopping trolleys, left in public and Council areas and the accountability of said major retailers for their removal.
2. That a policy come back to Council for adoption that provides a solution to the problem.

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

**CARRIED UNANIMOUSLY**

**QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN**

**QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN NO. QWNG1/2017**

**SUBJECT: COUNCIL'S ARTWORK COLLECTION**

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**FOR COUNCIL'S INFORMATION**

**ANSWERS TO QUESTIONS FOR NEXT MEETING**

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ79/2017**

**SUBJECT: MOUNT VIEW ROAD - ROAD WORKS**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ80/2017**

**SUBJECT: RESTRUCTURE**

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The answer was noted.

## **QUESTIONS FOR NEXT MEETING**

*Councillor Jay Suvaal*

### **UPDATE ON V8 SUPERCARS**

Councillor Suvaal asked for an update on the V8 supercars and what is happening following the previous motion.

*Councillor Jay Suvaal*

### **UPDATE ON PROSPECTUS**

Councillor Suvaal asked for an update on when the Investment Prospectus for the City will be available for businesses that would like to invest in the area.

*Councillor Anthony Burke*

### **RECREATION PARK - HEDDON GRETA/CLIFBLEIGH**

Councillor Burke asked whether there are recreation parks earmarked or planned for the new developments in Heddon Greta and Clifbleigh, where they are located and when are they likely to be built.

*Councillor Paul Dunn*

### **BANNERS - VINCENT STREET**

Councillor Dunn referred to a previous motion in regard to banners for Anzac Day and Christmas and asked for an update.

**CORRESPONDENCE**

**CORRESPONDENCE NO. CO17/2017**

**SUBJECT: NEW LOWER HUNTER HOSPITAL -  
CORRESPONDENCE FROM THE HON BRAD HAZZARD MP**

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**MOTION**            **Moved:** Councillor Dagg            **Seconded:** Councillor Sander  
302  
**RESOLVED:**

**That Council note the correspondence received.**

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

**CARRIED UNANIMOUSLY**

# COUNCILLORS REPORTS

Councillor Pynsent

## Visit from NSW Governor and Vice Regal Reception

The Mayor advised of a visit from the NSW Governor to Cessnock's Local Government Area last Friday and Saturday which was very successful. The Governor was very engaged with Cessnock's community from the students of Mount View High to the many men involved in the Cessnock Men's Shed. The Vice Regal reception with the NSW Governor was a great experience for all attending both from Cessnock and Maitland Local Government Areas.

## Naidoc Week

The Mayor noted the acknowledgement to country today has special significance today during Naidoc Week. The celebrations commenced Kurri Kurri on Tuesday and on Saturday there is the fun day in TAFE park and a march in Vincent Street.

*The Meeting Was Declared Closed at 7.18.pm*

**CONFIRMED AND SIGNED** at the meeting held on 19 July 2017

.....**CHAIRPERSON**

.....**GENERAL MANAGER**