

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 6 SEPTEMBER 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, Fitzgibbon, Gray, Burke, Sander and Lyons.

**IN ATTENDANCE:** General Manager  
Director Planning and Environment  
Director Corporate and Community Services  
Director Works and Infrastructure  
Strategic Land Use Planning Manager  
Management Accountant  
Media & Communication Officer  
Corporate Governance Officer  
Administration Support Officer – Corporate & Community Services

**APOLOGY:**

**MOTION** **Moved:** Councillor Dunn  
**Seconded:** Councillor Fitzgibbon  
221  
**RESOLVED** that the apology tendered on behalf of Councillor Dagg, 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 Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**MINUTES:**

**MOTION**      **Moved:** Councillor Lyons  
**Seconded:** Councillor Sander

222

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 16 August 2017, 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. DI15/2017**

**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.**

**CC58/2017 – Tender for Provision of Tree Maintenance (T291718HUN)** – Councillor Fitzgibbon declared a Non Pecuniary Significant Conflict for the reason that the one of the successful tenderers is a family friend. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

**PE47/2017 - Cessnock Commercial Precinct Project - Post Exhibition of Draft Development Control Plan, Public Domain Plan and Implementation Plan** - Councillor Fitzgibbon declared a Pecuniary Interest as she is a shop and property owner in Vincent Street, Cessnock. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

**PE47/2017 - Cessnock Commercial Precinct Project - Post Exhibition of Draft Development Control Plan, Public Domain Plan and Implementation Plan** - Councillor Burke declared a Non Pecuniary Significant Conflict for the reason that he has an association with the Cessnock Chamber of Commerce who made a submission. Councillor Burke advised that he would leave the Chamber and take no part in discussion and voting.

**WI61/2017 - Glass Recycling** – The General Manager declared a Non Pecuniary Less than Significant Conflict for the reason that he is a Director of Hunter Resource Recovery. The General Manager advised that he would remain in the Chamber.

**WI61/2017 - Glass Recycling** – The Mayor declared a Non Pecuniary Less than Significant Conflict for the reason that he is a Director of Hunter Resource Recovery. The Mayor advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because this does not affect his decision making ability.

**PE47/2017 - Cessnock Commercial Precinct Project - Post Exhibition of Draft Development Control Plan, Public Domain Plan and Implementation Plan** – The Mayor declared a Non Pecuniary Interest – Significant Conflict for the reason that he is a Director of Cessnock Leagues Club who are involved in a carpark proposal. The Mayor advised that he would leave the chamber and take no part in discussion and voting.

**PETITIONS**

**Nil**

***ADDRESS BY INVITED SPEAKERS***

**Nil**

# MAYORAL MINUTES

## MAYORAL MINUTES NO. MM13/2017

**SUBJECT: POTENTIAL RELOCATION OF HARNESS RACING TO CESSNOCK CITY LOCAL GOVERNMENT AREA**

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**MOTION**            *Moved:*    Councillor Pynsent

223

**RESOLVED**

1.     That Council write to Newcastle Harness Racing Club, Harness Racing NSW, Venues NSW and the NSW Department of Premier and Cabinet to thank them for meeting with Council and their positive views regarding the potential relocation of the Newcastle Harness Racing Club into the Cessnock City Local Government Area.
2.     That Council continue to strongly advocate and lobby for the relocation of the Newcastle Harness Racing Club to the Cessnock City Local Government Area.
3.     That the General Manager continue to progress Council's position and work together with all relevant agencies to help facilitate the potential relocation of the Newcastle Harness Racing Club into the Cessnock City Local Government Area.
4.     That the General Manager prepare a submission for Council's consideration in response to the current exhibition documents "*A Vision for the Hunter Sports and Entertainment Precinct*" with a view to supporting the relocation of harness racing into the Cessnock City Local Government Area.

<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**

**MOTIONS OF URGENCY**

**MOTIONS OF URGENCY NO. MOU15/2017**

**SUBJECT: MOTIONS OF URGENCY**

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**Nil**

**GENERAL MANAGER'S UNIT**

**GENERAL MANAGER'S UNIT NO. GMU12/2017**

**SUBJECT: MINUTES OF THE AUDIT COMMITTEE MEETING HELD 8 AUGUST 2017**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Burke  
224  
**RESOLVED**

1. That the Minutes of the Audit Committee Meeting of 8 August 2017 be adopted as a resolution of the Ordinary Council.
2. The Council extends the term of Audit Committee members Dr Felicity Barr by one year and Neal O'Callaghan by six months.
3. That the Audit Committee Charter is amended to reflect the staggering of Audit Committee Independent members' terms.

<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**

**GENERAL MANAGER'S UNIT NO. GMU13/2017**

**SUBJECT: CESSNOCK CITY COUNCIL PICNIC DAY**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Sander  
225

**RESOLVED**

**That the report be received and noted.**

<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**



**GENERAL MANAGER'S UNIT NO. GMU14/2017**

**SUBJECT: PROPOSAL TO CLOSE COUNCIL OFFICES BETWEEN CHRISTMAS AND NEW YEAR**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Sander  
226  
**RESOLVED**

1. That Council close its offices, including Libraries, from 12 noon Friday, 22 December 2017 and reopen on Tuesday, 2 January 2018.
2. That Council close the Cessnock Performing Arts Centre from 2.00 pm Thursday, 21 December 2017 and re-open on Monday, 8 January 2018.

<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**

### **PLANNING AND ENVIRONMENT NO. PE47/2017**

**SUBJECT: CESSNOCK COMMERCIAL PRECINCT PROJECT - POST EXHIBITION OF DRAFT DEVELOPMENT CONTROL PLAN, PUBLIC DOMAIN PLAN AND IMPLEMENTATION PLAN**

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*Councillor Fitzgibbon declared a Pecuniary Interest she is a shop and property owner in Vincent Street, Cessnock. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.*

*Councillor Burke declared a Non Pecuniary Significant Conflict for the reason that he has an association with the Cessnock Chamber of Commerce who made a submission. Councillor Burke left the Chamber and took no part in discussion and voting.*

*The Mayor declared a Non Pecuniary Interest – Significant Conflict for the reason that he is a Director of Cessnock Leagues Club who are involved in a carpark proposal. The Mayor left the Chamber and took no part in discussion and voting.*

*Councillors Burke and Fitzgibbon left the meeting, the time being 6.52pm.*

*Mayor Pynsent vacated the chair and left the meeting, the time being 6.52pm.*

*Councillor Stapleford (Deputy Mayor) assumed the chair, the time being 6.52pm.*

**MOTION**            **Moved:** Councillor Dunn            **Seconded:** Councillor Lyons  
227

#### **RESOLVED**

- 1. That Council defer the adoption of the Cessnock Commercial Precinct chapter of the Cessnock Development Control Plan 2010 and the Cessnock Commercial Precinct Draft Public Domain Plan and Implementation Plan.**
- 2. That the General Manager invites all parties who made a submission, to brief Councillors on their thoughts on transitioning Cessnock into the future from a planning point of view.**
- 3. That Council be provided with a briefing on all major factors raised by external submissions that have not been adopted.**

**FOR****AGAINST**

Councillor Olsen  
 Councillor Doherty  
 Councillor Dunn  
 Councillor Fagg  
 Councillor Stapleford  
 Councillor Suvaal  
 Councillor Gray  
 Councillor Sander  
 Councillor Lyons  
**Total (9)**

**Total (0)**

**CARRIED UNANIMOUSLY**

*Councillors Fitzgibbon and Burke returned to the meeting, the time being 6.58pm.*

*Councillor Stapleford vacated the chair, the time being 6.58pm.*

*Mayor Pynsent returned to the meeting and assumed the chair, the time being 6.58pm.*

**PLANNING AND ENVIRONMENT NO. PE48/2017**

**SUBJECT: REGULATION OF THE NUMBER OF DOGS AND CATS ON RESIDENTIAL PROPERTIES**

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**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Lyons  
228  
**RESOLVED**

**That Council receive the report and note the information.**

<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. CC56/2017

**SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD ON FRIDAY 11 AUGUST 2017**

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**MOTION**            **Moved:** Councillor Lyons            **Seconded:** Councillor Doherty  
229  
**RESOLVED**

1. That the minutes of the meeting of the Aboriginal and Torres Strait Islander Committee held on 11 August 2017 be adopted as a resolution of the Ordinary Council.
2. That Council revise its Acknowledgement of Country, with the inclusion of the wording 'and future' and it be:-  
  
*"That Council acknowledges the Wonnarua people as the traditional custodians of this land we are meeting on today, the Elders past and present and future.*  
  
*We also acknowledge the Awabakal people to the east and the Darkinjung people to the south, and other Aboriginal peoples who now live within the Cessnock Local Government Area".*
3. That Council display an Acknowledgement of Country as a banner on its website and the Committee be further consulted on the wording.
4. That Council display an Acknowledgement of Country in the foyer of its Administration Building and the Committee be further consulted on the banner and wording.

<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. CC57/2017**

**SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Suvaal  
230

**RESOLVED**

1. That Councillors wishing to attend the Local Government NSW Annual Conference make application to the General Manager by 13 September 2017 so that Council can determine attendees at the meeting of 20 September 2017.
2. That Councillors consider motions for the conference and that they be provided to the General Manager by 13 September 2017 for consideration/endorsement by Council at the meeting of 20 September 2017.

<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. CC58/2017**

**SUBJECT: TENDER FOR PROVISION OF TREE MAINTENANCE (T291718HUN)**

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Councillor Fitzgibbon declared a Non Pecuniary Significant Conflict for the reason that the one of the successful tenderers is a family friend. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.

Councillor Fitzgibbon left the meeting, the time being 7.02pm.

**MOTION**            **Moved:** Councillor Lyons            **Seconded:** Councillor Burke  
231

**RESOLVED**

1. That Council accepts the Regional Procurement Tender for the Provision of Tree Maintenance (T291718HUN) for the period 1 October 2017 to 30 September 2019.
2. That Active Tree Services Pty Ltd, Asplundh Tree Expert (Australia) Pty Ltd and JK Cooper Tree Services Pty Ltd be accepted to a standing offer contract panel under the Regional Procurement Tender for the Provision of Tree Maintenance (T291718HUN) for the period 1 October 2017 to 30 September 2019.

<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 7.02pm.

**CORPORATE AND COMMUNITY NO. CC59/2017**

**SUBJECT: FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017 - REFER FOR AUDIT AND COUNCIL CERTIFICATION**

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**MOTION**            **Moved:**    Councillor Lyons            **Seconded:**    Councillor Stapleford  
232  
**RESOLVED**

1.     That the financial statements are formally referred for external audit.
2.     That in accordance with Section 413(2)(c) of the Local Government Act, 1993 the General Purpose Financial Report has been prepared in accordance with:
  - The Local Government Act 1993 and the Regulations made thereunder.
  - The Australian Accounting Standards and professional pronouncements.
  - The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these reports:

- Present fairly the Council’s operating result and financial position for the year, and
- Accord with Council’s accounting and other records.

We are not aware of any matter that would render the reports false or misleading in any way.

3.     That in accordance with the Local Government Code of Accounting Practice and Financial Reporting the Special Purpose Financial Reports have been prepared in accordance with:
  - The Local Government Code of Accounting Practice and Financial Reporting.
  - NSW Government Policy Statement “Application of National Competition Policy to Local Government”.
  - Department of Local Government Guidelines “Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality”.

To the best of our knowledge and belief, these reports:

- Present fairly the operating result and financial position for each of Council’s declared Business Activities for the year, and
- Accord with Council’s accounting and other records.

We are not aware of any matter that would render the reports false or misleading in any way.

4.     That Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statements by Council on its Opinion of the 2016-17 Financial Statements.



**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***

**CORPORATE AND COMMUNITY NO. CC60/2017**

**SUBJECT: JUNE 2017 QUARTER REVIEW OF 2013-17 DELIVERY PROGRAM AND FIT FOR THE FUTURE IMPROVEMENT PROPOSAL**

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**MOTION**            **Moved:** Councillor Lyons            **Seconded:** Councillor Stapleford  
233  
**RESOLVED**

1. That Council note the progress in implementing the 2013-17 Delivery Program as at 30 June 2017.
2. That Council note the inclusion of individual projects in the Local Road Renewal Program
3. That Council continue to monitor the incomplete deliverables in future Delivery Program reviews.
4. That Council note the progress in the implementation of Council's Improvement Proposal and the updated forecasts against the Fit for the Future 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**

# WORKS AND INFRASTRUCTURE

## WORKS AND INFRASTRUCTURE NO. WI59/2017

**SUBJECT: COUNCIL FACILITIES ENERGY EFFICIENCY PROJECT**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Burke  
234

**RESOLVED**

1. That Council utilises \$200,000 from the Revolving Energy Fund to undertake the lighting efficiency projects listed in Table 1 of the report and these works be undertaken in the 2017/18 Financial Year;
2. That Council calls an Expression of Interest (EOI) for suitably qualified Energy Performance Contractors to provide proposals for the undertaking of the larger, more complex projects that are listed in Enclosure 1.
3. That a further report be brought back to Council following the EOI process.

<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. WI60/2017**

**SUBJECT: ADOPTION OF ASSET MANAGEMENT PLANS**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Gray  
235

**RESOLVED**

That Council adopt the following five exhibited Asset Management Plans, with minor changes as outlined in this report:

- **Road and Road Infrastructure Network Asset Management Plan,**
- **Bridge and Major Culverts Asset Management Plan,**
- **Stormwater Network Asset Management Plan,**
- **Buildings Asset Management Plan, and**
- **Open Space and Other Structures Asset Management Plan.**

<b>FOR</b>	<b>AGAINST</b>
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**

**WORKS AND INFRASTRUCTURE NO. WI61/2017**

**SUBJECT: GLASS RECYCLING**

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*The General Manager declared a Non Pecuniary Less than Significant Conflict for the reason that he is a Director of Hunter Resource Recovery. The General Manager remained in the Chamber.*

*The Mayor declared a Non Pecuniary Less than Significant Conflict for the reason that he is a Director of Hunter Resource Recovery. The Mayor remained in the Chamber and participated in discussion and voting.*

**MOTION**            **Moved:** Councillor Lyons            **Seconded:** Councillor Burke  
236

**RESOLVED**

1. That Council call on the NSW Government to address the current failures in the recycled products market, including support for the development of markets for recycled glass;
2. That Council call on the Federal Government to consider the implications for sustainable waste management of permitting import of cheap glass containers and glass products;
3. That Council advocate to peak industry bodies for the development of standards for use of recycled products in the construction industry.
4. That Council submits notices of motion to the NSW Local Government Conference and the National General Assembly of Local Governments for consideration by members;
5. That Council support action taken by the Waste Industry to stabilise recycling and its markets.

<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. WI62/2017**

**SUBJECT: PROPOSED ROAD CLOSURE  
OFF DEASYS ROAD, POKOLBIN**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Gray  
237  
**RESOLVED**

1. That Council consent to the closure of two sections of unconstructed public road off Deasys Road, Pokolbin, as indicated on the Property Location Plan.
2. That Council notify the applicant to make application to the NSW Department of Industry – Lands to close the public road in accordance with the provisions of the *Roads 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**

**WORKS AND INFRASTRUCTURE NO. WI63/2017**

**SUBJECT: BRIDGES HILL PARK PLAYGROUND CONCEPT DESIGN**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Burke  
238

**RESOLVED**

1. That Council place the draft Bridges Hill Park playground concept design on public exhibition for a minimum period of twenty eight (28) days and invite public submissions.
2. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final playground concept design.
3. That Council receive a briefing session at the conclusion of the exhibition period.

<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. WI64/2017**

**SUBJECT: MILLER PARK, MOUNT VIEW PARK AND TURNER PARK  
MASTERPLANS**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Fitzgibbon  
239  
**RESOLVED**

1. That Council place the draft Miller Park, Mount View Park and Turner Park Masterplans on public exhibition for a minimum period of twenty eight days and invite public submissions.
2. That a Briefing Session be scheduled for Councillors at the conclusion of the exhibition period.
3. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Masterplans.

<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. WI65/2017**

**SUBJECT: RE-ESTABLISHMENT OF EXPIRED ALCOHOL FREE ZONES IN THE CESSNOCK, KURRI KURRI AND WESTON CENTRAL BUSINESS DISTRICTS**

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**MOTION**            **Moved:** Councillor Lyons            **Seconded:** Councillor Gray  
240  
**RESOLVED**

**That Council prepares a proposal for the re-establishment of Alcohol Free Zones in the Cessnock, Kurri Kurri and Weston Central Business Districts and undertakes the necessary advertising and consultation.**

<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. BN42/2017**

**SUBJECT: LOVEDALE ROAD AND WILDERNESS ROAD LOVEDALE - TRAFFIC ACCIDENTS REPORTS AND STATISTICS**

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**MOTION**            **Moved:** Councillor Fagg            **Seconded:** Councillor Stapleford  
241  
**RESOLVED**

1. That the General Manager urgently bring back a comprehensive report to Council relating to official Crash Data for the current 5 year reporting period for the junction of Lovedale Road and Wilderness Road, Lovedale;
2. That the report include any previous recommendations either from Council or the NSW State Government for revised traffic management at the above site;
3. That the report also provide recommendations, both temporary and permanent, for resolving this locus's traffic safety risk along with identifying any planned Delivery Program road or signage works.

<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. BN43/2017**

**SUBJECT: SPONSORSHIP AND SUBSIDIES REVIEW**

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**MOTION**            **Moved:** Councillor Fagg            **Seconded:** Councillor Dunn  
242

**RESOLVED**

1. That the General Manager provide a briefing to Council relating to sponsorship and subsidies, which identifies in-kind and monetary donations/sponsorships and other instances where market rates are not being charged.
2. The report should specifically detail the fees and charges applied by Council to all participants (individual or group) for each individual activities and by location;
3. The report should also include a basic one line annual finance income and expenditure statement for each location, including any known recurrent maintenance and capital costs, along with any recommendations for future charging.
4. The report to be presented to Council within six (6) months to allow any new or modified fees and charges to be incorporated into the draft 2018/19 Operational Plan.

<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. BN44/2017**

**SUBJECT: PLANNING AGREEMENT - ROSEHILL ESTATE, MILLFIELD**

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**MOTION**            **Moved:** Councillor Doherty            **Seconded:** Councillor Dunn  
243

**RESOLVED**

That the General Manager provide a report on the background of the Planning Agreement (PA) for the Rosehill development at Millfield and when approved Millfield community works associated for this PA intend to start.

<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. BN45/2017**

**SUBJECT: STRATEGIC EMERGENCY SERVICES PRECINCT**

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

1. That Council support and lobby for the establishment of an Emergency Services precinct adjacent to the Hunter Expressway.
2. That Council writes to the NSW Premier The Hon Gladys Berejiklian MP seeking the establishment of a working party between the Council, Emergency Services, NSW Police, Highway Patrol, NSW Ambulance and NSW Fire and Emergency Services and the community, to further the idea of having a combined Emergency Services Precinct located in the Central Hunter adjacent to the Hunter Expressway.

**AMENDMENT**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Lyons

1. That Council support and lobby for the establishment of an Emergency Services precinct adjacent to the Hunter Expressway.
2. That Council writes to the NSW Premier The Hon Gladys Berejiklian MP seeking the establishment of a working party between the Council, Emergency Services, NSW Police, Highway Patrol, NSW Ambulance and NSW Fire and Emergency Services and the community, to further the idea of having a combined Emergency Services Precinct located in the Central Hunter adjacent to the Hunter Expressway.
3. That this should be in addition to Councils requests for the upgrade of the Cessnock Police Station.

<b>FOR</b>	<b>AGAINST</b>
Councillor Stapleford	Councillor Olsen
Councillor Suvaal	Councillor Doherty
Councillor Burke	Councillor Dunn
Councillor Lyons	Councillor Fagg
Councillor Pynsent	Councillor Fitzgibbon
	Councillor Gray
	Councillor Sander
<b>Total (5)</b>	<b>Total (7)</b>

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

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

**MOTION**            **Moved:**    Councillor Doherty            **Seconded:**    Councillor Dunn  
244

**RESOLVED**

1.    That Council support and lobby for the establishment of an Emergency Services precinct adjacent to the Hunter Expressway.
  
2.    That Council writes to the NSW Premier The Hon Gladys Berejiklian MP seeking the establishment of a working party between the Council, Emergency Services, NSW Police, Highway Patrol, NSW Ambulance and NSW Fire and Emergency Services and the community, to further the idea of having a combined Emergency Services Precinct located in the Central Hunter adjacent to the Hunter Expressway.
  
3.    That Council note that Council does not wish to decrease emergency services in the Cessnock City Precinct.

<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. BN46/2017**

**SUBJECT: CESSNOCK AND BRANXTON POOL FAMILY FUN DAYS - TRIAL**

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**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Sander  
245

**RESOLVED**

1. That Council trial the offer of free entry to families at Cessnock and Branxton pools every Sunday from 10.00am until Close, starting from the first Sunday in the Christmas School Holidays ending on the last Sunday of February, where the pools are not already booked.
2. That a report come back to Council at the end of the current pool season 2017/2018 with the approximate gate numbers and income from last pool season 2016/2017, to compare, with the numbers for this pool season 2017/2018, to assist with the budget preparation for 2018/2019.

<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**

**ANSWERS TO QUESTIONS FOR NEXT MEETING**

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ98/2017**

**SUBJECT: WOODBURY QUARRY COMMUNITY REFERENCE GROUP MEETING**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ99/2017**

**SUBJECT: AIR BNB IN CESSNOCK LGA**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ100/2017**

**SUBJECT: CENSURE MOTION**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ101/2017**

**SUBJECT: HANDBALL COURTS**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ102/2017**

**SUBJECT: STREET TREE STRATEGY OR POLICY**

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The answer was noted.



**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ103/2017**

**SUBJECT: NULKABA SECTION 94 CONTRIBUTIONS PLAN 2014**

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The answer was noted.

## **QUESTIONS FOR NEXT MEETING**

*Councillor Jay Suvaal*

### **FINANCIAL SUSTAINABILITY**

Councillor Suvaal asked where is Council up to in finding alternate means for achieving financial sustainability to allow Council to fix their roads.

*Councillor Rod Doherty*

### **UNEMPLOYMENT IN CESSNOCK LGA**

Councillor Doherty referred to an article in the Advance Cessnock electronic newsletter – 50% drop in unemployment in the last quarter in the Cessnock Local Government Area and asked where the 50% of unemployed will get a job in the Cessnock LGA.

*Councillor Mark Lyons*

### **HANDBALL COURTS**

Councillor Lyons asked for a cost estimate for the multi purpose courts that were referred to in the answer AQ101/2017.

*Councillor Mark Lyons*

### **CESSNOCK SHOP LOCALLY GIFT CARD**

Councillor Lyons asked if there has there been any investigations into the feasibility of a Cessnock Shop Locally Gift Card.

*Councillor Ian Olsen*

### **COUNCILLOR CORRESPONDENCE**

Councillor Olsen asked if it was possible that his Councillor mail is not opened.

*Councillor Darrin Gray*

### **1 DAY FREE ENTRY TO KURRI POOL**

Councillor Gray asked for the costing to Council for one (1) day free entry into Kurri Kurri pool?

**CORRESPONDENCE**

**CORRESPONDENCE NO. CO23/2017**

**SUBJECT: 40KM/H SCHOOL ZONE - ST PHILLIPS CHRISTIAN COLLEGE - WINE COUNTRY DRIVE**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Sander  
246  
**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 Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

# COUNCILLORS REPORTS

Councillor Gray

## **Bushfire Management Committee Meeting**

Councillor Gray advised of his attendance at the Bushfire Management Committee meeting at East Maitland where concern was voiced regarding the current weather conditions, lack of rain on the ground, everything being exceptionally dry and they are also expecting a long fire season. Works permits will come into force from 1 October 2017 but may be cancelled before they start.

## **Blackhill Quarry Community Liaison Group Meeting**

Councillor Gray advised of his attendance at the Blackhill Quarry Community Liaison Group Meeting and was informed that a Section 96 modification to their operations, that coal extraction is now being planned for the site due to the safety of the workings, the workings on the floor of the quarry very close to the surface and are now posing an Occupational Health and Safety Risk to staff and they talking about taking out the coal beds down to the Waratah Sandstone layer. Ongoing noise is also being monitored and the truck workshop on the site is operating within agreed guidelines. Councillor Gray advised that it was a very productive meeting.

Councillor Lyons

## **Austar Consultative Committee Meeting**

Councillor Lyons advised of his attendance at the Austar Consultative Committee Meeting where there was a lot of discussion regarding the progress of the future development of the coal mine as one of the largest employers of people in the Local Government Area and is very good to see that it has a 30 year future ahead. Councillor Lyons quizzed the representatives at the meeting regarding flooding issues both localised and in regard to Bellbird Creek and he was advised that they have done lots of modelling and continue to do more on the impacts of future development of that area on flooding.

Councillor Lyons also advised that on 1 June there was an incident at the Mine and their Contamination Management Systems worked extremely well .

*The Meeting Was Declared Closed at 7.55pm*

**CONFIRMED AND SIGNED** at the meeting held on 20 September 2017

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

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This is page 36 of the Minutes of the Ordinary Council Meeting held on 6 September 2017 confirmed on 20 September 2017

.....General Manager .....Chairperson