

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBER ON WEDNESDAY, 1 AUGUST 2018, COMMENCING AT
6.30 PM**

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

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Development Services Manager
Principal Development Engineer
Economic Development Manager
Finance & Administration Services Manager
Senior Media & Communication Officer
Corporate Governance Officer

APOLOGY:

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

588

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

Councillor Sander's Leave of Absence from 5 July 2018 to 10 August 2018 is noted.

FOR

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

Total (11)

AGAINST

Total (0)

CARRIED UNANIMOUSLY

MINUTES:

MOTION

Moved: Councillor Burke

Seconded: Councillor Dagg

589

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 18 July 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 Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Lyons
Councillor Pynsent

Total (11)

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI13/2018

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.

PE42/2018 – DA 8/2017/160/1 proposing construction of a multi-dwelling development - 288 - 290 Maitland Road, Cessnock – Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that the developer is a family friend therefore it could not reasonably be regarded her decision was not influenced by this. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

PETITIONS

Nil

ADDRESS BY INVITED SPEAKERS

The following people addressed the meeting of Council:

Speakers	For / Against	Report	Page No.	Duration
Mr Grant Gibson	For Recommendation	RM2/2018 - WI55/2018 - Status of Dalwood Street, Greta	38	3 mins

RESCISSION MOTIONS

RESCISSION MOTIONS NO. RM2/2018

SUBJECT: *WI55/2018 - STATUS OF DALWOOD STREET, GRETA*

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Olsen

That the recommendation to Report No. WI55/2018 – Status of Dalwood Street, Greta:-

1. That Council note the outcome of investigations and advice regarding the private ownership of Dalwood Street, Greta;
2. That Council not pursue dedication of the land as public road;
3. That Council notify those property owners on Dalwood Street, Greta who enquired of the outcome of the investigations and advice.

be rescinded

FOR

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg

Total (4)

AGAINST

Councillor Stapleford
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Lyons
Councillor Pynsent

Total (7)

The Rescission Motion was ***PUT*** and ***LOST***

Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that the developer is a family friend therefore it could not reasonably be regarded her decision was not influenced by this. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.

Councillor Fitzgibbon left the meeting, the time being 7.02pm

Heath Wilkinson	For Recommendation	PE42/2018 - DA 8/2017/160/1 proposing construction of a multi-dwelling development 288 - 290 Maitland Road, Cessnock	70	3 mins
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Mr Graeme Holmes (Forum Engineering) representing the applicants	Against Recommendation	PE42/2018 - DA 8/2017/160/1 proposing construction of a multi-dwelling development 288 - 290 Maitland Road, Cessnock	70	3 mins
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PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE42/2018

SUBJECT: DA 8/2017/160/1 PROPOSING CONSTRUCTION OF A MULTI-DWELLING DEVELOPMENT

288 - 290 MAITLAND ROAD, CESSNOCK

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Gray
590

RESOLVED

That the report be deferred to the first meeting in September to allow the proponent's Engineer and Council staff to negotiate further.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

Councillor Fitzgibbon returned to the meeting, the time being 7.13pm

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

NIL

MAYORAL MINUTES

MAYORAL MINUTES NO. MM7/2018

SUBJECT: PUBLIC LIBRARY FUNDING

MOTION **Moved:** Councillor Pynsent

591

RESOLVED

1. That Council endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
2. That Council make representation to the Member for Cessnock, Clayton Barr MP, in relation to the need for additional funding from the NSW State Government for the provision of public library services.
3. That Council write to the Hon. Don Harwin, MLC, Minister for the Arts and the Hon. Walt Secord, MLC, Shadow Minister for the Arts, calling for bi-partisan support for the provision of a significant increase in state funding for NSW public libraries, supported by a sustainable future funding model.
4. That Council take a leading role in activating the *Renew Our Libraries* campaign locally.
5. That Council endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
6. That Council formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.
7. That Council request the Hunter Joint Organisation to advocate in support of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries* campaign, on a regional basis.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

MAYORAL MINUTES NO. MM8/2018

SUBJECT: ANGLICAN DIOCESE OF NEWCASTLE - PROPERTY RATIONALISATION

MOTION **Moved:** Councillor Pynsent

592

RESOLVED

1. That Council writes to The Right Reverend Dr Peter Stuart, Bishop of Newcastle, outlining the concern that the rationalisation of churches in the Cessnock Local Government Area may have in regards to the provision of vital community services, the potential loss of accessibility to historic cemeteries and buildings and the loss of key community hubs that the church provides.

2. That the Mayor and General Manager meet with Bishop Peter to discuss the ramifications to the Local Government Area of the Anglican Church rationalisation.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU13/2018

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU16/2018

SUBJECT: DRAFT SUBMISSION TO THE FEDERAL GOVERNMENT INQUIRY INTO HOW THE MINING SECTOR CAN SUPPORT BUSINESSES IN REGIONAL ECONOMIES

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Burke
593
RESOLVED

That Council endorse the draft submission to the Federal Government Inquiry into How the Mining Sector Can Support Businesses in Regional Economies, with additional wording to strengthen the section relating to Discrepancy between the contribution of Mining in the Hunter Region & NSW to Resources for Regions Funding Levels.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC53/2018

SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2018

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Gray
594

RESOLVED

1. That Council determines attendees to the Local Government NSW Annual Conference 2018 as Councillors Pynsent, Dunn, Lyons, Suvaal, Dagg and Gray.
2. That Council determines voting delegates to the Local Government NSW Annual Conference 2018 as Councillors Pynsent, Suvaal, Dagg and Gray.
3. That the motion adopted by Council on 21 February 2018 regarding Mobility Parking being "*There be greater cooperation between Local Government, State Government and Federal Government to occur for the provision of mobility parking*" be submitted to Local Government NSW Board for consideration of inclusion as an agenda item for the 2018 Annual Conference.
4. That the motion adopted by Council on 18 July 2018 regarding Recycling and Waste Levy Implications be submitted to Local Government NSW Board for consideration of inclusion as an agenda item for the 2018 Annual Conference.

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

CARRIED

CORPORATE AND COMMUNITY NO. CC54/2018

SUBJECT: ADDITION TO 2018-19 LOAN BORROWING PROGRAM

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Dagg
595

RESOLVED

1. That Council endorse the amendment of the 2017-2020 Delivery Program and 2018-19 Operational Plan to include the additional grant funding (\$3,500,000), proposed loan borrowing (\$1,765,000) and associated increase in expenditure for RNSW1506 Cessnock CBD Revitalisation and RNSW1508 Cessnock CBD Regional Recreation Precinct Upgrade.
2. That Council endorse the inclusion of an additional loan facility in the maximum amount of \$1,765,000 for a maximum period of ten (10) years with a fixed interest rate for the period of the loan as part of Council's Loan Borrowing Program, repayable by instalments of principal and interest.
3. That Council authorise the General Manager to determine the timing and negotiate with various financial institutions to obtain the best available loan facilities in accordance with Policy F12.2 Loan Borrowing and to execute the documents relating to the Loan Agreement.

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

CARRIED

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI58/2018

SUBJECT: NEW FEES AND CHARGES FOR OUTDOOR AQUATIC FACILITIES

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Fitzgibbon
596

RESOLVED

That Council place the draft Learn to Swim and Aqua Fitness fees and charges on public exhibition for 28 days and if no significant submissions are received, Council adopt the fees and charges and incorporate them into the 2018/19 Fees and Charges.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI59/2018

SUBJECT: GARBAGE BINS AT SLACKS PARK, WOLLOMBI

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Stapleford
597

RESOLVED

That Council install two bin cabinets at the front of Slacks Park, Wollombi.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI60/2018

SUBJECT: BMX & SKATE FACILITIES WITHIN THE CESSNOCK LOCAL GOVERNMENT AREA

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Lyons
598
RESOLVED

1. That Council note the progress of the implementation of the Cessnock Skate and BMX Facilities Needs Assessment 2020.
2. That Council complete a detailed review of the Cessnock Skate and BMX Facilities Needs Assessment 2020.
3. That following the review, a further report be prepared for Council's consideration outlining key findings and recommendations.
4. That following the completion of the Skate and BMX Facilities Needs Assessment, a review is undertaken of the Carmichael Park Masterplan, incorporating findings from the revised assessment as well as Council's adopted Recreation and Open Space Strategic Plan and other relevant documents and reported to Council.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI61/2018

SUBJECT: INSTALLATION OF RACQUETBALL COURT

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Lyons
599

RESOLVED

That Council note the information contained within the report.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI62/2018

SUBJECT: AIRVENTURE AUSTRALIA - FINANCIAL PLAN

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Dagg
600

RESOLVED

That Council note AirVenture Australia's financial plan for the AirVenture airshow to be held at Cessnock Airport in September 2018.

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

CARRIED

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN23/2018

SUBJECT: WASTE VOUCHERS

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

That Council allow residents to use the 4 Waste Vouchers distributed for 2018/19 without proof of address but proof of being a Cessnock Local Government Area resident.

FOR

Councillor Olsen
Councillor Dunn

Total (2)

AGAINST

Councillor Doherty
Councillor Fagg
Councillor Stapleford
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Burke
Councillor Lyons
Councillor Pynsent

Total (9)

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

BUSINESS WITH NOTICE NO. BN24/2018

SUBJECT: GOVERNMENT AID FUNDING

MOTION **Moved:** Councillor Olsen

That Council write to the Australian Government regarding the amount of funding that is sent overseas, over \$4.2 Billion, and ask them to consider reducing this funding as they continue to reduce funding to all areas of Australia.

The letter should be sent to the following:-

The Hon Malcolm Turnbull MP, Prime Minister of Australia
The Hon Michael McCormack MP, Deputy Prime Minister of Australia
The Hon Scott Morrison MP, Treasurer
The Hon Bill Shorten MP, Leader of the Opposition
The Hon Tanya Plibersek MP, Deputy Leader of the Opposition,
The Hon Chris Bowen MP, Labor Shadow Treasurer
The Hon Joel Fitzgibbon MP, Member for Hunter
Ms Meryl Swanson MP, Member for Paterson

The letter should state we believe in a better share of funding for Australians before we start funding overseas aid.

It should also ask for the current stand on funding by the opposition with a view to the next election.

The Motion lapsed for want of a Secunder.

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ68/2018

SUBJECT: KURRI KURRI COMMUNITY CENTRE AND AMBULANCE HALL

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ69/2018

SUBJECT: NEW LGA SIGNAGE

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ70/2018

SUBJECT: CAMP ROAD AND LOVEDALE ROAD

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ71/2018

SUBJECT: JRPP MEETING - GOLDEN BEAR

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ72/2018

SUBJECT: WESTON DAY SURGERY

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ73/2018

SUBJECT: DCP AND OTHER PLANNING DOCUMENTS

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Ian Olsen

WOOLWORTHS CARPARK – COPY OF APPROVED PLANS

Councillor Olsen referred to emails that had been sent and received in regard to the works being carried out at Woolworths and asked when he will be getting a copy of the plan for the carpark.

Councillor Ian Olsen

KERLEW STREET ACCESS TO JAIL

Councillor Olsen advised that the Jail has announced that they will not be going down Kerlew Street and asked when the funding will be put back into Mount View Road.

Councillor Di Fitzgibbon

LIST AND LOCATION OF SUBURB SIGNS

Councillor Fitzgibbon asked for an updated list of the location and suburb signs in the Cessnock Signage Strategy.

Councillor Anthony Burke

WASTE VOUCHERS

Councillor Burke asked if Council budgets on the four waste vouchers being used in each financial year.

The Director Corporate and Community Services advised that yes, it is based on the quantity of vouchers used and tonnage over a long period of time, with the estimated cost spread over all Domestic Waste Management Charges.

COUNCILLORS REPORTS

Councillor Dagg

Mine Subsidence Board

Councillor Dagg reported on her attendance at the Mine Subsidence Board and advised that the Cessnock claim for mine subsidence at South Cessnock will be dealt with at the meeting to be held in September. Also SANSW has met with mining industry for feedback on the administration of the legislative changes which has all come back positive. The declaration of the Branxton Mine Subsidence District is not yet finalised.

Mayor

2017 Senior's Week Activities

The Mayor advised that the 2017 Senior's Week Activities has been nominated and are a finalist at the RH Doherty Awards by Local Government NSW to be held 2 August 2018.

The Meeting Was Declared Closed at 8.05pm

CONFIRMED AND SIGNED at the meeting held on 15 August 2018

.....**CHAIRPERSON**

.....**GENERAL MANAGER**