

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 3 OCTOBER 2018, COMMENCING
AT 6.30 PM**

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

IN ATTENDANCE: General Manager
Acting Director Planning and Environment (Strategic Planning Manager)
Director Corporate and Community Services
Acting Director Works and Infrastructure (Open Space and Community Facilities Manager)
Development Services Manager
Infrastructure Manager
Human Resource Manager
Strategic Recreation & Community Facilities Planner
Media & Communication Officer
Corporate Governance Officer

MINUTES:

MOTION **Moved:** Councillor Gray
Seconded: Councillor Sander

672

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 19 September 2018, as circulated, be taken as read and confirmed as a correct record.

| FOR | AGAINST |
|-----------------------|-----------------------|
| Councillor Olsen | Councillor Dunn |
| Councillor Doherty | Councillor Stapleford |
| Councillor Fagg | |
| Councillor Suvaal | |
| Councillor Fitzgibbon | |
| Councillor Gray | |
| Councillor Dagg | |
| Councillor Burke | |
| Councillor Sander | |
| Councillor Lyons | |
| Councillor Pynsent | |
| Total (11) | Total (2) |

CARRIED

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI17/2018

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.

GMU21/2018 - Minutes of the Town Coordinators Review Committee Meeting held on 12 September 2018 - Councillor Burke declared a Pecuniary Interest for the reason that a business that he owns is contracted by the Cessnock Chamber of Commerce. Councillor Burke advised that he would leave the Chamber and take no part in discussion and voting.

CC71/2018 - Tender T1819-04 for Electrical Services and Maintenance - Councillor Suvaal declared a Non Pecuniary Interest Less Than Significant Conflict for the reason that his uncle was a former owner and Director of Hartcher Hall Pty Ltd. Councillor Suvaal advised that he will remain in the Chamber and participate in voting and discussion as the conflict has not influenced him in carrying out his public duty because his uncle is no longer involved with the Company.

WI80/2018 - Re-establishment of Special Event Alcohol Free Zone for the Australian Postie Bike Grand Prix – Councillor Lyons declared a Non Pecuniary Interest Less than Significant Conflict for the reason that he used to be the independent chair of the Australian Postie Bike Grand Prix and has not been on the Committee since he has been a Councillor. Councillor Lyons advised that he will remain in the chamber and participate in voting and discussion as the conflict has not influenced him in carrying out his public duty.

MM10/2018 - Mayoral Minute - Performance Review of the General Manager 2017/2018 – the General Manager declared a Pecuniary Interest and advised that he would leave the Chamber.

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

The following person has been invited to address the meeting of Council:

| Speakers | Company | For / Against | Report | Page No. | Duration |
|-----------------|----------------|--------------------------|--|---------------------|-----------------|
| Mr G Gibson | | For | BN29/2018 - Cessnock City Council - Existing Unsealed Council Roads Policy Review and Strategic Roll-Back | 126 | 3 mins |

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN29/2018

SUBJECT: CESSNOCK CITY COUNCIL - EXISTING UNSEALED COUNCIL ROADS POLICY REVIEW AND STRATEGIC ROLL-BACK

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Suvaal
673

RESOLVED

1. That Council, in principle, support the rationale behind the current unsealed roads policy and its intent.
2. That Council recognise that in order for the current unsealed roads policy to be wound back, a medium to long term strategy needs to be adopted in order to design a funding model that can deliver the sealing of roads that is financially sustainable.
3. That a committee of Council be formed to oversee a long-term transition away from the current unsealed roads policy due for review in February 2019.
4. That the Committee consist of:-

The Mayor and Councillors Stapleford, Dunn, Lyons, Sanders and Councillor Suvaal (as the alternate delegate).

| 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

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

NIL

**NOTICE OF INTENTION TO DEAL WITH MATTERS IN
CONFIDENTIAL SESSION**

NOTICE OF INTENTION NO. NI5/2018

**SUBJECT: NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL
SESSION**

**MM10/2018 MAYORAL MINUTE - PERFORMANCE REVIEW OF THE
GENERAL MANAGER 2017/2018**

**CC73/2018 - PROPOSED COMPULSORY ACQUISITION OF CROWN
LAND FOR THE PURPOSE OF PUBLIC ROAD - LOT 1 DP 1097175,
LOT 30 DP 1097180 AND LOT 5 DP 1097184 - HEZ**

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Dagg
674
RESOLVED

1. That Council consider in Confidential Session the following matters in accordance with Section 10A(2)(a) of the Local Government Act 1993:

Report No. MM10/2018 – Performance Review of the General Manager 2017/2018 as it deals with personal matters concerning particular individuals.

Report No. CC73/2018 - Proposed Compulsory Acquisition of Crown Land For The Purpose of Public Road – Lot 1 DP 1097175, Lot 30 DP 1097180 and Lot 5 DP 1097184 - HEZ as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

2. That Council request the Mayor in accordance with Section 253 of Local Government (General) Regulation 2005 to report on these matters to the meeting in Open Session following completion of the Confidential Session.

| 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

MAYORAL MINUTES

MAYORAL MINUTES NO. MM9/2018

**SUBJECT: MINUTES OF THE ORGANISATIONAL AND GENERAL MANAGERS
REVIEW COMMITTEE MEETING OF 29 AUGUST 2018**

MOTION **Moved:** Councillor Pynsent
675
RESOLVED

That the Minutes of the Organisational and General Manager's Review Committee of 29 August 2018 be adopted as a resolution of the Ordinary Council.

| 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. MOU17/2018

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU21/2018

**SUBJECT: MINUTES OF THE TOWN COORDINATORS REVIEW COMMITTEE
MEETING HELD ON 12 SEPTEMBER 2018**

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

Councillor Burke left the meeting, the time being 6.44pm

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Sander
676

RESOLVED

- 1. That the Minutes of the Town Coordinators Review Committee held on 12 September 2018 be adopted other than Part 2.**
- 2. That the committee recommend to Council that future funding be allocated as recommended by the Committee.**

| FOR | AGAINST |
|-----------------------|------------------|
| Councillor Olsen | |
| Councillor Doherty | |
| Councillor Dunn | |
| Councillor Fagg | |
| Councillor Stapleford | |
| Councillor Suvaal | |
| Councillor Fitzgibbon | |
| Councillor Gray | |
| Councillor Dagg | |
| Councillor Sander | |
| Councillor Lyons | |
| Councillor Pynsent | |
| Total (12) | Total (0) |

CARRIED UNANIMOUSLY

Councillor Burke returned to the meeting, the time being 6.47pm

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE57/2018

SUBJECT: DEVELOPMENT APPLICATIONS PROPOSING 24 HOUR TRADING

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Suvaal
677

RESOLVED

1. That Council receives and notes this report.
2. That Council review all delegations associated with the determination of development applications and S4.55 applications, during the next scheduled delegations review which will occur within 12 months following the next election in accordance with S380 of the *Local Government Act 1993*.
3. That all Councillors are notified via memo of all Development Applications requiring 24hr trading, with 24hr trading flagged in the subject line of that email as soon as the application is received.

FOR

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 (12)

AGAINST

Councillor Olsen

Total (1)

CARRIED

PLANNING AND ENVIRONMENT NO. PE58/2018

SUBJECT: MINUTES OF THE EXTRAORDINARY STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE MEETING HELD ON 19 SEPTEMBER 2018

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Burke
678
RESOLVED

That the Minutes of the extraordinary Strategic Property & Community Facilities Committee meeting held on 19 September 2018 be adopted as a resolution of the Ordinary Council.

| 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. CC68/2018

SUBJECT: FINANCIAL ASSISTANCE GRANT 2017-18 - CONSIDERATION OF RESERVE ALLOCATION

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Suvaal
679
RESOLVED

That the reserved funds of \$795,450 be retained and used as a leverage for matching funds for future grant funding opportunities, noting the existing provisional allocation of \$376,100 for Council contribution under the Regional Sports Infrastructure Fund 2018 grant funding application.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC69/2018

SUBJECT: AMENDMENT OF COUNCIL RESOLUTION AND MINUTES

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Dagg
680

RESOLVED

1. That Council alter resolution 403 for report BN54/2018 - Re-Instate Mount View Road adopted on 7 February 2018 by amending the report reference number to BN54/2017 - Re-Instate Mount View Road, and
2. That Council alter resolution 651 for report BN27/2018 - Cessnock Correction Centre Access Road adopted on 19 September 2018 by amending the references of BN54/2018 - Re-Instate Mount View Road within the resolution to BN54/2017 - Re-Instate Mount View Road.

| 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. CC70/2018

**SUBJECT: LOCAL GOVERNMENT NSW - REQUEST FOR FINANCIAL ASSISTANCE FOR LEGAL COSTS
CITY OF SYDNEY, NORTH SYDNEY COUNCIL AND BAYSIDE CITY COUNCIL**

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

That Council does not make a voluntary contribution of \$3,396.67 (as requested by Local Government NSW) for legal assistance for City of Sydney Council, Bayside City Council and North Sydney Council.

AMENDMENT **Moved:** Councillor Stapleford **Seconded:** Councillor Dunn

That Council make a voluntary contribution of \$2,500.00 for legal assistance for City of Sydney Council, Bayside City Council and North Sydney Council.

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

The Amendment as **PUT** and **LOST**.

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

MOTION

681

Moved: Councillor Gray

Seconded: Councillor Dagg

RESOLVED

That Council does not make a voluntary contribution of \$3,396.67 (as requested by Local Government NSW) for legal assistance for City of Sydney Council, Bayside City Council and North Sydney Council.

| FOR | AGAINST |
|-----------------------|-----------------------|
| Councillor Dunn | Councillor Olsen |
| Councillor Fagg | Councillor Doherty |
| Councillor Suvaal | Councillor Stapleford |
| Councillor Fitzgibbon | |
| Councillor Gray | |
| Councillor Dagg | |
| Councillor Burke | |
| Councillor Sander | |
| Councillor Lyons | |
| Councillor Pynsent | |
| Total (10) | Total (3) |

CARRIED

CORPORATE AND COMMUNITY NO. CC71/2018

SUBJECT: TENDER T1819-04 FOR ELECTRICAL SERVICES AND MAINTENANCE

Councillor Suvaal declared a Non Pecuniary Interest Less Than Significant Conflict for the reason that his uncle was a former owner and Director of Hartcher Hall Pty Ltd. Councillor Suvaal remained in the Chamber and participated in voting and discussion.

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Stapleford
682

RESOLVED

That Council accept the Tender from Hartcher Hall Pty Ltd for a schedule of rates for services under T1819-04 - Electrical Services and Maintenance with the contract term from 1 October 2018 to 30 June 2020 with an option for 3 x 12 month contract extensions 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. CC72/2018

SUBJECT: TENDER T1718-16 FOR DETAILED DESIGNS AND CONSTRUCTION DRAWINGS FOR BRIDGES HILL PLAYGROUND AND ACCESS IMPROVEMENTS

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Stapleford
683
RESOLVED

That Council accept the tender (T1718-16) from Moir Landscape Architecture Pty Ltd in the lump sum of \$186,450 (including GST) for the detailed designs and construction drawings for Bridges Hill Playground and Access Improvements.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI77/2018

**SUBJECT: TENDER EVALUATION REPORT T1819-02
WHITINGS BRIDGE REPLACEMENT**

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Suvaal
684
RESOLVED

That Council accept the tender from Kenpass Pty Limited in the lump sum amount of \$841,830 (including GST) for Whitings Bridge Replacement.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI78/2018

**SUBJECT: TENDER EVALUATION REPORT
T1718-07 GATEWAY ENTRY SIGNS AND INFORMATION BAYS**

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Lyons
685
RESOLVED

That Council accept the tender from Days Building Construction Pty Ltd in the lump sum amount of \$493,302.00 (including GST) for the construction of Gateway Entry Signs and Information Bays.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI79/2018

SUBJECT: THE PRECINCT MOUNTAIN BIKE PARK PROJECT

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Dagg
686

RESOLVED

1. That Council supports “The Precinct”- Mountain Bike Park project and endorses the lodgment of an application under the NSW Government’s Regional Communities Development Fund;
2. That Council immediately promotes the benefits of the proposed project through various media platforms to increase community awareness and support for the project;
3. That if the funding application is successful a further report come back to Council detailing the final scope of development and preferred delivery and on-going management model for the project prior to the signing of any Funding Agreement.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI80/2018

SUBJECT: RE-ESTABLISHMENT OF SPECIAL EVENT ALCOHOL FREE ZONE FOR THE AUSTRALIAN POSTIE BIKE GRAND PRIX

Councillor Lyons declared a Non Pecuniary Interest Less than Significant Conflict for the reason that he used to be the independent chair of the Australian Postie Bike Grand Prix and has not been on the Committee since he has been a Councillor. Councillor Lyons remained in the chamber and participated in voting and discussion.

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Dagg
687

RESOLVED

That Council establish a Special Event Alcohol Free Zone, for the Australian Postie Bike Grand Prix, under the provisions of the *Local Government Act 1993*, applying on the day of the annual event only; being effective on 18 November 2018 and on the Sunday of the race in October or November in each of the three ensuing years, and applying to the following Cessnock streets:

- **Hall Street, from Charlton Street to Darwin Street;**
- **South Avenue, from North Avenue to Snape Street;**
- **Darwin Street from South Avenue to North Avenue;**
- **North Avenue from South Avenue to Keene Street.**

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI81/2018

SUBJECT: MINUTES OF LOCAL TRAFFIC COMMITTEE HELD ON 17 SEPTEMBER 2018

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Suvaal
688
RESOLVED

That the Minutes of the Local Traffic Committee held on 17 September 2018 be adopted as a resolution of the Ordinary Council being:

1. **TC40/2018 – That parking restrictions and line marking be installed on Queen Street and Bowen Street, Branxton in accordance with the Queen Street Branxton - Signage & Line Marking Diagram;**
2. **TC41/2018 – That No Stopping restrictions be installed on Cumberland Street, Cessnock in accordance with the Cumberland Street Cessnock - Signage Diagram;**
3. **TC42/2018 – That Council authorise the temporary regulation of traffic on Great North Road, Murrays Run Road and Watagan Creek Road Laguna for the proposed Gravel Grit Laguna from 8.30am to 4.30pm, Saturday 27th October 2018 with the following conditions:**
 - **Front and rear escort vehicles displaying event warning signage and flashing amber lights when travelling on public roads;**
 - **A NSW Police escort vehicle at the rear of the ride for the Great North Road section of the event route;**
 - **Event warning signage posted along the route as per the relevant TCP;**
 - **A 60km/h temporary speed limit and Stop/Slow controls on Great North Road, Laguna;**
 - **A 40km/h temporary speed limit on Great North Road, at Watagan Creek Road, Laguna;**
 - **Additional event warning signage, on Murrays Run Road, Laguna;**
 - **Additional event warning signage on Watagan Creek Road, Laguna; and**
 - **Advanced Warning Variable Message Signs at Wollombi and Bucketty, advising non-event motorists of the occurrence of the event and to ‘expect delays’.**
4. **TC43/2018 – That Council authorise installation of back-to-back channelised right turn, short {CHR(S)} and auxiliary left turn, short {AUL(S)} intersection line marking at the entrance to 2342 Broke Road, Pokolbin, in accordance with the Broke Road Pokolbin - Peterson House Intersection - Line Marking Diagram.**

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. AQ97/2018

SUBJECT: NEW POLICE STATION

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ98/2018

SUBJECT: BRIDGES HILL PARK

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ100/2018

SUBJECT: HOWE PARK ABERMAIN

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ101/2018

SUBJECT: SAFETY PEDESTRIAN REFUGE - ALDI AND JACARANDA GROVE

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Ian Olsen

FRAME DRIVE/GINGERS LANE INTERSECTION

Councillor Olsen asked when the sign at the intersection of Frame Drive and Gingers Lane would be erected directing traffic to the Freeway.

Councillor Ian Olsen

ILLEGAL CARPARKING – CAR YARDS

Councillor Olsen asked why a car yard is allowed to park illegally and not get fined?

Councillor Mark Lyons

REMOVAL OF DEAD ANIMALS

Councillor Lyons asked who was responsible for picking up dead animals, particularly native animals, on the side of our roads?

Councillor Mark Lyons

CONCRETE BLOCKS – SANDY CREEK ROAD/HAMILTON ROAD

Councillor Lyons advised that during construction work on the bridge on Sandy Creek Road some concrete blocks were put on the corner of Sandy Creek Road and Hamilton Road which have been removed and asked whether they could be returned to stop illegal dumping in that area.

Councillor Anne Sander

SEALING OF GOVERNMENT ROAD TO MITCHELL AVENUE, WESTON

Councillor Sander asked when the sealing of the section of road from Government Road to Mitchell Avenue, Weston would be taking place.

Councillor Rod Doherty

EMERGENCY LIGHTING AND ELECTRONIC SIGNAGE COSTS

Councillor Doherty asked how much does it cost for the emergency lighting and electronic signage on Hart Road and who is paying for it?

Councillor Darrin Gray

TEMPORARY ROUND-A-BOUT – HART ROAD

Councillor Gray asked when the temporary round-a-bout on Hart Road will be started/completed.

Councillor Paul Dunn

ABBOTSFORD STREET, BRIDGE

Councillor Dunn asked if Council can leverage S94 funds from current Development Applications in the new development to replace the bridge before the development is put through Council.

CORRESPONDENCE

CORRESPONDENCE NO. CO36/2018

SUBJECT: 2018 ALGA NATIONAL GENERAL ASSEMBLY MOTION

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Suvaal
689

RESOLVED

That the correspondence be noted.

| 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. CO37/2018

SUBJECT: PUBLIC LIBRARY FUNDING

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Dagg
690

RESOLVED

That the correspondence be noted.

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

CARRIED UNANIMOUSLY

COUNCILLORS REPORTS

NIL

7.05PM

Confidential reports (closed session)

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Sander
691

RESOLVED

That the meeting move into closed session in order to consider confidential items.

| 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

7.27PM

Open Session

The meeting moved back into Open Session and the General Manager reported on the outcomes of the Closed Session.

CORPORATE AND COMMUNITY NO. CC73/2018

SUBJECT: PROPOSED COMPULSORY ACQUISITION OF CROWN LAND FOR THE PURPOSE OF PUBLIC ROAD - LOT 1 DP 1097175, LOT 30 DP 1097180 AND LOT 5 DP 1097184 - HEZ

This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Suvaal
692

RESOLVED

1. That Council note the actions taken to date in regards to the gazettal for the compulsory acquisition of crown land being Lot 1 DP 1097175, Lot 30 DP 1097180 and Lot 5 DP 1097184, Pelaw Main.
2. That Council authorise the General Manager to complete the Deed of Agreement for the estimated potential acquisition costs for acquisition of crown land being Lot 1 DP 1097175, Lot 30 DP 1097180 and Lot 5 DP 1097184, Pelaw Main, subject to the owner agreeing to the Deed.
3. That Council authorise the Common Seal of Cessnock City Council to be affixed to the Deed of Agreement between Cessnock City Council and Hunter Investment Corporation in relation to the compulsory acquisition of land being Lot 1 DP 1097175, Lot 30 DP 1097180 and Lot 5 DP 1097184, Pelaw Main
4. That Council authorise the Mayor and the General Manager to execute the Deed of Agreement between Cessnock City Council and Hunter Investment Corporation in relation to the compulsory acquisition of land being Lot 1 DP 1097175, Lot 30 DP 1097180 and Lot 5 DP 1097184, Pelaw Main;
5. That Council endorse the position of withdrawing from the compulsory acquisition process for acquisition of crown land being Lot 1 DP 1097175, Lot 30 DP 1097180 and Lot 5 DP 1097184, Pelaw Main, if the current developer of the land does not execute the Deed of Agreement and provide security to cover the estimated potential acquisition costs by no later than 5 October 2018 to enable the Notice of Compulsory acquisition to be published in the NSW Gazette.

| 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

MAYORAL MINUTES NO. MM10/2018

SUBJECT: PERFORMANCE REVIEW OF THE GENERAL MANAGER 2017/2018

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

MOTION **Moved:** Councillor Pynsent
693

RESOLVED

1. That the Performance Review of the General Manager for the period of July 2017 to June 2018 contained in the Confidential Attachment be received and noted.

2. That the Organisational and General Manager's Review Committee reconvene on 10 October 2018 to work with the Facilitator and the General Manager to develop the Performance Agreement for 2018/2019 for presentation to Council in October 2018.

3. That during the meeting on 10 October 2018, the Committee give consideration to whether a discretionary increase in the General Manager's total remuneration be awarded, as provided for by clause 8.3 of the Standard Contract of Employment.

| 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

The Meeting Was Declared Closed at 7.29pm

CONFIRMED AND SIGNED at the meeting held on 17 October 2018

.....**CHAIRPERSON**

.....**GENERAL MANAGER**