

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 3 APRIL 2019, COMMENCING AT  
6.30 PM**

**PRESENT:** Councillor Dagg, Deputy Mayor, (in the Chair) and Councillors Olsen, Doherty, Dunn, Fagg, Stapleford, Suvaal, Fitzgibbon, Gray, Burke and Lyons.

**IN ATTENDANCE:** General Manager  
Director Planning and Environment  
Director Corporate and Community Services  
Acting Director Works and Infrastructure (Open Space and Community Facilities Manager)  
Human Resource Manager  
Development Services Manager  
Infrastructure Manager  
Internal Auditor  
Building Services Team Leader  
Media & Communication Officer  
Corporate Governance Officer

**APOLOGIES:**

**MOTION**

**Moved:** Councillor Burke

**Seconded:** Councillor Fitzgibbon

835

**RESOLVED** that the apologies tendered on behalf of Councillors Sander and Pynsent, for unavoidable absence, be accepted and leave of absence granted.

**FOR**

**AGAINST**

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

**Total (11)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**MINUTES:**

**MOTION**

**Moved:** Councillor Suvaal  
**Seconded:** Councillor Gray

836

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 20 March 2019, as circulated, be taken as read and confirmed as a correct record.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Lyons  
**Total (11)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## **DISCLOSURES OF INTEREST**

### **DISCLOSURES OF INTEREST NO. DI5/2019**

**SUBJECT: DISCLOSURES OF INTEREST**

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**That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.**

**PE36/2019 - Class 1 Appeal In The NSW Land and Environment Court Against Council's Refusal of Development Application No. 8/2018/261/1 proposing construction of a boarding house - 6 Bridge Street, Cessnock** – Councillor Suvaal declared a Non Pecuniary Interest – Significant Conflict for the reason that he owns a property near the proposed Development Site. Councillor Suvaal advised that he would leave the Chamber and take no part in discussion and voting.

**PE36/2019 - Class 1 Appeal In The NSW Land and Environment Court Against Council's Refusal of Development Application No. 8/2018/261/1 proposing construction of a boarding house - 6 Bridge Street, Cessnock** – Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that she has very close family friend that lives in close proximity to the Bridge Street development site. Councillor Fitzgibbon advised that she would leave the Chamber and take no part in discussion and voting.

**MM4/2019 - Minutes of the Organisational and General Managers Review Committee meeting held 29 March 2019** – The General Manager declared an Interest as the report is about himself and advised that he would leave the Chamber.

## ***PETITIONS***

NIL

## ***ADDRESS BY INVITED SPEAKERS***

NIL

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

**MOTION**            **Moved:**    Councillor Doherty            **Seconded:**    Councillor Suvaal  
837

**RESOLVED**

*that having read and considered the reports in the agenda related to items*

GMU7/2019	Minutes of the Audit and Risk Committee Meeting held 5 February 2019.....	135
‡ CC21/2019	2019 Local Government Professionals Australia National Congress – Nominations to Attend .....	267
WI17/2019	Request for Sponsorship for the 20th Biennial NSW Weeds Conference .....	277
WI19/2019	Cessnock City Council Cemeteries Masterplan.....	290
WI20/2019	Minutes of the Dollar for Dollar Grants Committee Meeting held 13 March 2019.....	295
‡ CO7/2019	Cessnock Correctional Centre Access Road.....	352

**Council adopt the recommendations as printed for those items.**

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

**CARRIED UNANIMOUSLY**

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

**NOTICE OF INTENTION NO. NI3/2019**

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

**PE40/2019 - REPORT FROM COMMISSIONER OF FIRE AND  
RESCUE NSW IN RELATION TO LOT 1 DP 270158 2 OAKEY CREEK  
ROAD, CESSNOCK**

**PE41/2019 - ACTION REGARDING PRIVATE CERTIFIED  
COMPLYING DEVELOPMENT CERTIFICATE ISSUED FOR DUAL  
OCCUPANCY AT LOT 422 DP 1242225 14 GULLANE CLOSE  
HEDDON GRETA**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Gray  
838

**RESOLVED**

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

Report No. PE40/2019 - Report from Commissioner of Fire and Rescue NSW in relation to Lot 1 DP 270158 2 Oakey Creek Road, Cessnock – as it deals with information that would, if disclosed, prejudice the maintenance of law.

Report No. PE41/2019 – Action regarding private certified Complying Development Certificate issued for Dual Occupancy at Lot 422 DP 1242225 14 Gullane Close, Heddon Greta – as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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.

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

**CARRIED UNANIMOUSLY**

6.35PM

**MOTION**

**Moved:** Councillor Suvaal

**Seconded:** Councillor Stapleford

839

**RESOLVED**

That Council move into confidential session of Council to consider:

**PE40/2019 - Report from Commissioner of Fire and Rescue NSW in relation to Lot 1 DP 270158 2 Oakey Creek Road, Cessnock**

**PE41/2019 - Action regarding private certified Complying Development Certificate issued for Dual Occupancy at Lot 422 DP 1242225 14 Gullane Close Heddon Greta**

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Lyons  
**Total (11)**

**Total (0)**

**CARRIED UNANIMOUSLY**

7.12 PM  
Open Session

The meeting moved back into open session and the General Manager reported on the outcomes.

**PLANNING AND ENVIRONMENT NO. PE40/2019**

**SUBJECT: REPORT FROM COMMISSIONER OF FIRE AND RESCUE NSW IN RELATION TO LOT 1 DP 270158 2 OAKY CREEK ROAD, CESSNOCK**

*This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.*

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**MOTION**      **Moved:** Councillor Fitzgibbon      **Seconded:** Councillor Suvaal  
840  
**RESOLVED**

1. That Council note the correspondence dated 11 February 2019 on behalf of the Commissioner of Fire and Rescue NSW.
2. That Council in accordance with Schedule 5, Part 8, Section 17 of the *Environmental Planning and Assessment Act 1979*,
  - A. Acknowledge receipt of a fire inspection report on behalf of the Commissioner of Fire and Rescue NSW in relation to Lot 1 DP 270158 2 Oaky Creek Road Cessnock, and;
  - B. Determine not to issue a fire safety order in the first instance but to allow Council staff to regulate the matter in accordance with Council's Compliance and Enforcement Policy.
  - C. Give notice of Council's determination to the Commissioner of Fire and Rescue NSW.

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

**CARRIED UNANIMOUSLY**



**PLANNING AND ENVIRONMENT NO. PE41/2019**

**SUBJECT: ACTION REGARDING PRIVATE CERTIFIED COMPLYING DEVELOPMENT CERTIFICATE ISSUED FOR DUAL OCCUPANCY AT LOT 422 DP 1242225 14 GULLANE CLOSE HEDDON GRETA**  
*This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

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**RECOMMENDATION**

1. That Council endorse the following actions taken, and to be taken, under delegation by Council staff in relation to an invalidly issued complying development certificate (CDC) at 14 Gullane Close, Heddon Greta:
  - a) The seeking of a written undertaking from the applicant or persons having benefit of the CDC to not act on the invalid CDC approval and instead to surrender the CDC approval; and
  - b) Where the applicant does not provide an undertaking not to act on the invalid CDC approval, the General Manager be delegated authority to commence Class 4 Proceedings in the NSW Land and Environment Court with a view to preventing the CDC being acted upon; and
  - c) Lodgement of a formal complaint to the NSW Building Professionals Board in relation to the unsatisfactory performance of the Private Certifier who issued an invalid CDC.
2. That that Council endorse the above actions to be taken in any other circumstance where a CDC is issued invalidly by any private certifier in the Cessnock 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 Dagg	
Councillor Burke	
Councillor Lyons	
<b>Total (11)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**MAYORAL MINUTES NO. MM4/2019**

**SUBJECT: MINUTES OF THE ORGANISATIONAL AND GENERAL MANAGERS REVIEW COMMITTEE MEETING HELD 29 MARCH 2019**

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**MOTION**      **Moved:**    Councillor Dagg

1. That the Minutes of the Organisational and General Managers Review Committee meeting of 29 March 2019 be adopted as a resolution of the Ordinary Council.
2. That Council determine the management consultants to be engaged to assist Council in the recruitment and appointment of a new General Manager following the expressions of interest process, in accordance with the recommendations from the Organisational and General Managers Review Committee.

**AMENDMENT**    **Moved:**    Councillor Burke      **Seconded:**    Councillor Fitzgibbon

1. That Council note the Minutes of the Organisational and General Managers Review Committee meeting of 29 March 2019.
2. That Council defer determination of the management consultants to be engaged to assist Council in the recruitment and appointment of a new General Manager, with the Organisational and General Managers Review Committee to meet on Monday 8 April 2019 at 3.30pm to finalise the recommendation to Council.
3. That an extraordinary meeting of Council be scheduled for 5.15pm on Wednesday 10 April 2019 to consider the recommendation from the Organisational and General Managers Review Committee regarding the appointment of management consultants.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
<b>Total (10)</b>	<b>Total (1)</b>

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

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

**MOTION**      **Moved:**    Councillor Burke      **Seconded:**    Councillor Fitzgibbon  
841

**RESOLVED**

1.      That Council note the Minutes of the Organisational and General Managers Review Committee meeting of 29 March 2019.
  
2.      That Council defer determination of the management consultants to be engaged to assist Council in the recruitment and appointment of a new General Manager, with the Organisational and General Managers Review Committee to meet on Monday 8 April 2019 at 3.30pm to finalise the recommendation to Council.
  
3.      That an extraordinary meeting of Council be scheduled for 5.15pm on Wednesday 10 April 2019 to consider the recommendation from the Organisational and General Managers Review Committee regarding the appointment of management consultants.

<b>FOR</b>	<b>AGAINST</b>
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
<b>Total (10)</b>	<b>Total (1)</b>

**CARRIED**

## **MOTIONS OF URGENCY**

### **MOTIONS OF URGENCY NO. MOU5/2019**

**SUBJECT: MOTIONS OF URGENCY**

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#### **RECOMMENDATION**

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

Councillor Olsen

Correctional Centre – Lindsay Street, Cessnock

That Council ask the State Government for a final commitment and design of the new road within eight weeks and if not Council close the entrance.

The Deputy Mayor ruled the Motion as urgent and put the Motion to the Vote.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	Councillor Doherty
Councillor Stapleford	Councillor Dunn
Councillor Fitzgibbon	Councillor Fagg
Councillor Dagg	Councillor Suvaal
	Councillor Gray
	Councillor Burke
	Councillor Lyons
<b>Total (4)</b>	<b>Total (7)</b>

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

## **GENERAL MANAGER'S UNIT**

### **GENERAL MANAGER'S UNIT NO. GMU5/2019**

**SUBJECT: MEDIA AND COMMUNICATION POLICIES**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Lyons  
842

**RESOLVED**

**That Council place the revised Media Policy, Social Media Policy and Logos and crest Policy on public exhibition for 28 days, and if no relevant submissions are received that the revised Media Policy, Social Media Policy and Logos and Crest Policy be adopted upon the finalisation of the public 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 Dagg	
Councillor Burke	
Councillor Lyons	
<b>Total (11)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU6/2019**

**SUBJECT: BENCHMARKING AND COMPARATIVE INFORMATION**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Fitzgibbon  
843

**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 Dagg	
Councillor Burke	
Councillor Lyons	
<b>Total (11)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU7/2019**

**SUBJECT: MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 5 FEBRUARY 2019**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
844  
**RESOLVED**

**That the Minutes of the Audit and Risk Committee Meeting held 5 February 2019 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 Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
<b>Total (11)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## PLANNING AND ENVIRONMENT

### PLANNING AND ENVIRONMENT NO. PE36/2019

**SUBJECT:** CLASS 1 APPEAL IN THE NSW LAND AND ENVIRONMENT COURT AGAINST COUNCIL'S REFUSAL OF DEVELOPMENT APPLICATION NO. 8/2018/261/1 PROPOSING CONSTRUCTION OF A BOARDING HOUSE

6 BRIDGE STREET, CESSNOCK

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Councillor Suvaal declared a Non Pecuniary Interest – Significant Conflict for the reason that he owns a property near the proposed Development Site. Councillor Suvaal left the Chamber and took no part in discussion and voting.

Councillor Fitzgibbon declared a Non Pecuniary Interest – Significant Conflict for the reason that she has very close family friend that lives in close proximity to the Bridge Street development site. Councillor Fitzgibbon left the Chamber and took no part in discussion and voting.

Councillors Fitzgibbon and Suvaal left the meeting, the time being 7.42pm

**MOTION**      **Moved:** Councillor Burke      **Seconded:** Councillor Lyons  
845

#### **RESOLVED**

1. That Council defend the appeal in relation to NSW Land and Environment Court Appeal No. 2019/48676; and
2. That, in the event Council resolves to actively defend the appeal, Council determine whether to retain independent consultants to represent Council during the proceedings.

<b>FOR</b>	<b>AGAINST</b>
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Gray	
Councillor Dagg	
Councillor Burke	
Councillor Lyons	
<b>Total (9)</b>	<b>Total (0)</b>

#### **CARRIED UNANIMOUSLY**

Councillors Fitzgibbon and Suvaal returned to the meeting, the time being 7.43pm



**PLANNING AND ENVIRONMENT NO. PE37/2019**

**SUBJECT: DEVELOPMENT APPLICATION 8/2018/859/1 PROPOSING SUBDIVISION OF THE SITE INTO 103 RESIDENTIAL LOTS AND 1 RESIDUE LOT; AND ASSOCIATED CLEARING OF VEGETATION, BULK EARTHWORKS AND ROAD CONSTRUCTION, TO OCCUR IN THREE (3) PHASES**

**RUBY STREET, BELLBIRD**

**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Lyons  
846

**RESOLVED**

1. That Development Application No. 8/2018/859/1 proposing subdivision of the site into 103 residential lots and 1 residue lot; and associated clearing of vegetation, bulk earthworks and road construction, to occur in three (3) phases, at Ruby Street Bellbird (Lot 1, DP 327785), be deferred.
2. That Council note the advice received in relation to prospects of success and costs associated with defending NSW Land and Environment Court Appeal No. 2019/26786.
3. That, in relation to NSW Land and Environment Court Appeal No. 2019/26786, Council authorise the General Manager to defend the appeal and negotiate with the developer, and if in the opinion of the General Manager it is appropriate, enter into a Section 34(3) Agreement.

**FOR**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Lyons  
**Total (11)**

**AGAINST**

**Total (0)**

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE38/2019**

**SUBJECT: DEVELOPMENT APPLICATION 8/2018/650/1 PROPOSING SUBDIVISION OF THE SITE INTO 154 RESIDENTIAL LOTS AND 1 RESIDUE LOT; AND ASSOCIATED CLEARING OF VEGETATION, BULK EARTHWORKS AND ROAD CONSTRUCTION, TO OCCUR IN FOUR (4) PHASES**

**RUBY STREET, BELLBIRD**

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**MOTION**      **Moved:** Councillor Suvaal      **Seconded:** Councillor Doherty  
847

**RESOLVED**

1. That Development Application No. 8/2018/650/1 proposing the subdivision of the site into 154 residential lots and 1 residue lot; and associated clearing of vegetation, bulk earthworks and road construction, to occur in four (4) phases, at Ruby Street Bellbird (Lot 1, DP 327785 and Lot 1, DP 597226), be deferred.
2. That Council note the advice received in relation to prospects of success and costs associated with defending NSW Land and Environment Court Appeal No. 2019/26877.
3. That, in relation to NSW Land and Environment Court Appeal No. 2019/26877, Council authorise the General Manager to defend the appeal and negotiate with the developer, and if in the opinion of the General Manager it is appropriate, enter into a Section 34(3) Agreement.

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

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE39/2019**

**SUBJECT: APPOINTMENT OF ALTERNATE MEMBERS TO THE HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL IN RESPECT OF DEVELOPMENT APPLICATION NO. 8/2018/539/1 AND FUTURE MATTERS**

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

848

**RESOLVED**

1. That the General Manager make arrangements for an Expressions of Interest process to occur calling for suitable external applicants to act as Council's alternate Hunter and Central Coast Regional Planning Panel representatives to participate in any briefings and meetings scheduled for the Regional Planning Panel in respect of any Development Application, S4.55 Application, and Planning Proposal where a member has declared a conflict of interest, for a period of three (3) years.
2. That a further report on the Expressions of Interest outcomes, including financial implications, be provided to Council for consideration and the endorsement of alternate representatives to the Hunter and Central Coast Regional Planning Panel.
3. That Council write to the Minister for Planning, Secretary of NSW Planning and Environment, the Director Regions – Hunter, NSW Planning and Environment and Local Government NSW, requesting a review of the current code of conduct for the Regional Planning Panels with a view to seeking:
  - (a) consistency with the revised model code of conduct for councils in NSW which already effectively manages conflict of interest provisions for elected councillors and staff in all their official capacities;
  - (b) Removing and/or amending provisions Section 3.19(b) which effectively prevent local councillor members of the Regional Planning Panel from voting on development applications on land in their local government areas if those Councillors also voted on the rezoning of the same land, amongst other matters.

**FOR**

**AGAINST**

Councillor Olsen  
Councillor Doherty  
Councillor Dunn  
Councillor Fagg  
Councillor Stapleford  
Councillor Suvaal  
Councillor Fitzgibbon  
Councillor Gray  
Councillor Dagg  
Councillor Burke  
Councillor Lyons  
**Total (11)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC21/2019**

**SUBJECT: 2019 LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA  
NATIONAL CONGRESS - NOMINATIONS TO ATTEND**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
849  
**RESOLVED**

1. That Council note the report on the 2019 Local Government Professionals Australia National Congress to be held in Darwin from 31 July to 2 August 2019.
2. That any Councillor seeking to attend the 2019 Local Government Professionals Australia National Congress submit a Request to Attend Conference application to the General Manager by 12 April 2019.

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

**CARRIED UNANIMOUSLY**

## **WORKS AND INFRASTRUCTURE**

### **WORKS AND INFRASTRUCTURE NO. WI17/2019**

**SUBJECT: REQUEST FOR SPONSORSHIP FOR THE 20TH BIENNIAL NSW WEEDS CONFERENCE**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
850  
**RESOLVED**

1. That Council provide sponsorship for the 20th Biennial NSW Weeds Conference, by way off a Field Trip sponsor valued at \$2,500, with funding to be sourced from existing Operational Budgets.
2. That Council accept the opportunity to display local promotional material at the 20th Biennial NSW Weeds Conference.

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

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI18/2019**

**SUBJECT: PROPOSED ROAD CLOSURE BETWEEN HALLS ROAD AND DE BEYERS ROAD POKOLBIN**

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**MOTION**      **Moved:** Councillor Lyons      **Seconded:** Councillor Gray  
851  
**RESOLVED**

That the report be **DEFERRED** for a Councillor Site Inspection.

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

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI19/2019**

**SUBJECT: CESSNOCK CITY COUNCIL CEMETERIES MASTERPLAN**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
852

**RESOLVED**

1. That Council adopt the Cessnock City Council Cemeteries Masterplan.
2. That Council notify persons who made a submission during the public exhibition period of Council's decision.
3. That Council makes provision for the implementation of the Cessnock City Council Cemeteries Masterplan in consideration of priority and available resources including grant funding and development contributions.

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

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI20/2019**

**SUBJECT: MINUTES OF THE DOLLAR FOR DOLLAR GRANTS COMMITTEE  
MEETING HELD 13 MARCH 2019**

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**MOTION**      **Moved:**    Councillor Doherty      **Seconded:**    Councillor Suvaal  
853  
**RESOLVED**

1.      That Council adopt the Minutes of the Dollar for Dollar Grants Committee held on 13 March 2019.
2.      That Council write to all applicants advising them of the outcome of their applications and thank them for their ongoing support and commitment to the enhancement of the local environment.
3.      That Council provides the following funding through the Tidy Towns Dollar for Dollar Grant program:
  - Branxton Tidy Town - \$1,045.50 (pending compliance with the draft Branxton Town Centre Public Domain Plan).
  - Weston Heritage and Tidy Town - \$948.18
4.      That the remaining budget of \$7,118.32 be rolled into the Tidy Towns Community Environmental Care Initiatives Grant program as per the Tidy Towns Policy.
5.      That Council allocates the following funding through the Tidy Towns Community Environmental Care Initiatives grant scheme:
  - North Rothbury Tidy Town - \$635.45
  - Weston Heritage and Tidy Town - \$3,830.69
6.      That the remaining funds of \$2,652.18 be held in reserve and used for the 2019 NSW Tidy Towns Awards event to be held in our LGA in November 2019.



7. That Council adopts as a trial the suggested changes listed in the Table below for the 2019-20 Tidy Towns grant program:

<b>Current Program</b>	<b>Proposed Change</b>
<b>Grant Fund name – Tidy Towns</b>	<b>Grant Fund name – Sustainable Communities-Tidy Towns</b>
<b>Grants are available for adopted Section 355 Committees of Council only.</b>	<b>Grants are available to not-for-profit community environmental groups (such as adopted Section 355 Committees of Council, Landcare, etc.) for projects that meet the objectives for the grant program.</b>
<b>Priorities for Funding: Nil</b>	<b>Priorities for Funding:</b> <ul style="list-style-type: none"> <li>• <b>Applications from adopted Section 355 Committees of Council will be assessed first.</b></li> <li>• <b>Applications from other not-for-profit community environmental groups will be assessed second.</b></li> </ul>

**FOR**

Councillor Olsen  
 Councillor Doherty  
 Councillor Dunn  
 Councillor Fagg  
 Councillor Stapleford  
 Councillor Suvaal  
 Councillor Fitzgibbon  
 Councillor Gray  
 Councillor Dagg  
 Councillor Burke  
 Councillor Lyons  
**Total (11)**

**AGAINST**

**Total (0)**

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI21/2019**

**SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE 18 MARCH 2019**

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**MOTION**            **Moved:**    Councillor Gray            **Seconded:**    Councillor Burke  
854

**RESOLVED**

That the Minutes of the Local Traffic Committee of 18 March 2019 be adopted as a resolution of the Ordinary Council being:

1.    **TC8/2019** - That Council authorise the temporary regulation of traffic for the Cessnock Stomp Festival in accordance with Cooper & Edward Streets Cessnock \_ Cessnock Stomp Festival TCPs.
2.    **TC9/2019** – That Council authorise the temporary regulation of traffic for the Lovedale Long Lunch in accordance with various Roads Lovedale \_ Lovedale Long Lunch TCP's.
3.    **TC10/2019** – That Council install regulatory parking signage on Wollombi Road and Paynes Crossing Road, Wollombi, in accordance with Wollombi Road & Paynes Crossing Road \_ Signage & Line Marking Diagram.
4.    **TC11/2019** – That Council remove redundant regulatory parking signage on Branxton Street, Greta, in accordance with the Branxton Street Greta \_ Signage Diagram.
5.    **TC12/2019** – That Line Marking be installed at the intersection of James and Margaret Streets, Cessnock in accordance with James & Margaret Street Cessnock \_ Line Marking Diagram.
6.    **TC13/2019** – That Council note removal/amendment of existing load limits applied to:
  1.    **Milsons Arm Road, Laguna, following bridge replacement.**
  2.    **Wilderness Road, Lovedale, following bridge repairs.**
7.    **TC14/2019** – That Council endorse updates to the Local Traffic Committee Terms of Reference in respect of voting procedures.

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

**CARRIED UNANIMOUSLY**

**ANSWERS TO QUESTIONS FOR NEXT MEETING**

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ28/2019**

**SUBJECT: OLD NEATH RAILWAY STATION**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ29/2019**

**SUBJECT: UNSEALED ROADS COMMITTEE - MILLVIEW ESTATE  
ROAD/BROWN STREET**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ30/2019**

**SUBJECT: WASTE COLLECTION - TRUCK REVERSING**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ31/2019**

**SUBJECT: ROUNDABOUT GINGERS LANE / HART ROAD**

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The answer was noted.

**ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ32/2019**

**SUBJECT: KURRI KURRI COMMUNITY CENTRE ROOF**

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The answer was noted.

## **QUESTIONS FOR NEXT MEETING**

*Councillor Di Fitzgibbon*

### **TRAFFIC MANAGEMENT – WINE COUNTRY DRIVE – ENTRANCE TO NEW SERVICE STATION**

Councillor Fitzgibbon asked if Council could contact the RMS regarding the traffic management on Wine Country Drive at the entrance to the new Service Station and ask if they can pause between the hours of 2pm – 3pm which is a peak time and is causing serious issues with people picking up school children from St Phillips.

*Councillor Di Fitzgibbon*

### **EXPECTED COMPLETION DATE – WINE COUNTRY DRIVE – ENTRANCE TO NEW SERVICE STATION**

Councillor Fitzgibbon asked what the completion date was for the roadworks at the entrance to the new Service Station on Wine Country Drive.

*Councillor Ian Olsen*

### **\$8M COMMITMENT FOR ROADWORKS**

Councillor Olsen asked if Council can contact the State Member and ask when he will be able to commit the \$8m he promised for roadworks.

*Councillor Ian Olsen*

### **CESSNOCK ROAD, WESTON – CRM25/2019**

Councillor Olsen asked how much was budgeted for that road and between Federal, RMS and Council how much each area paid for it and who will fund the \$60,000 to repair it and where will the money come from if it is Council.

*Councillor Mark Lyons*

### **ELECTRICAL CHARGE POINTS**

Councillor Lyons referred to a previous Motion regarding Electrical Charge Points and asked for an update.

*Councillor Darrin Gray*

**KURRI KURRI COMMUNITY CENTRE**

Councillor Gray asked when it is likely that the agreements are going to be signed and when will the works be commenced.

The Acting Director Works & Infrastructure advised that the contracts have been reviewed, signed and will be returned to the Loss Adjustors in the next couple of days. The Scope of Works will then be confirmed with them and then the Works Program will be known and an email will be sent to Councillors.

*Councillor Rod Doherty*

**TRAFFIC COUNT – LEGGETTS DRIVE**

Councillor Doherty asks for traffic count figures for Leggetts Drive for before and after the HEX.

*Councillor Melanie Dagg*

**RESOURCES FOR REGIONS FUNDING**

Councillor Dagg asked when the results of the latest Resources for Regions will be announced.

## **CORRESPONDENCE**

### **CORRESPONDENCE NO. CO7/2019**

**SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS ROAD**

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**MOTION**      **Moved:** Councillor Doherty      **Seconded:** Councillor Suvaal  
855

**RESOLVED**

**That the correspondence be noted.**

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

**CARRIED UNANIMOUSLY**

**COUNCILLORS REPORTS**

NIL

*The Meeting Was Declared Closed at 7.53pm*

**CONFIRMED AND SIGNED** at the meeting held on 17 April 2019

.....**CHAIRPERSON**

.....**GENERAL MANAGER**