

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 21 APRIL 2021, COMMENCING AT
6.30PM**

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

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Development Services Manager
Economic Development & Tourism Manager
Acting Finance & Administration Manager (Operations Accountant)
Management Accountant
Senior Media & Communication Officer
Corporate Governance Officer
General Manager EA

**APOLOGY & LEAVE
OF ABSENCE:**

MOTION

Moved: Councillor Dunn
Seconded: Councillor Suvaal

1630

RESOLVED that the apology tendered on behalf of Councillor Stapleford, for unavoidable absence, be accepted.

That Council approve leave of absence for Councillor Sander for the May 2021 Council Meeting.

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (11)

Total (0)

CARRIED UNANIMOUSLY

MINUTES:

MOTION

Moved: Councillor Burke
Seconded: Councillor Lyons

1631

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 17 March 2021, as circulated, be taken as read and confirmed as a correct record.

FOR

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (10)

AGAINST

Councillor Fagg

Total (1)

CARRIED

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI3/2021

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.

PE20/2021 Development Application No. 8/2020/20441/1 proposing alterations and additions to the 'Australia Hotel' comprising internal changes to the kitchen and dining areas, along with the addition of a beer garden and associated fencing - 136 Wollombi Road, Cessnock – Councillor Dunn declared a Pecuniary Interest for the reason that the proponent is directly related to a business customer of his. Councillor Dunn advised that he would leave the Chamber and take no part in discussion and voting.

GMU5/2021 - Greater Cessnock Jobs Strategy 2036 – Councillor Burke declared a Non Pecuniary Interest Less Than Significant Conflict for the reason that he is contracted by the Cessnock chamber of Commerce and the president was part of the consultation. Councillor Burke 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 it will not influence his way of voting.

CC28/2021 - Donations under Section 356 - Rates Subsidy Policy - Councillor Suvaal declared a Non Pecuniary Interest Less than Significant Conflict for the reason that he is a member of the Hunter District Hunting Club that uses the facilities at Cessnock Rifle Range, Cessnock Clay Target Club and Cessnock Pistol Club. Councillor Suvaal 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 he is just an ordinary member not a committee member and it has no impact on his membership.

PE20/2021 Development Application No. 8/2020/20441/1 proposing alterations and additions to the 'Australia Hotel' comprising internal changes to the kitchen and dining areas, along with the addition of a beer garden and associated fencing - 136 Wollombi Road, Cessnock – Councillor Lyons declared a Non Pecuniary Interest Less than Significant Conflict for the reason that the applicant is friends with the best person at his wedding. Councillor Lyons 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 their friendship does not influence his decision making.

PETITIONS

NIL

Councillor Lyons declared a Non Pecuniary Interest Less than Significant Conflict for the reason that the applicant is friends with the best person at his wedding. Councillor Lyons remained in the Chamber and participated in discussion and voting.

Councillor Dunn declared a Pecuniary Interest for the reason that the proponent is directly related to a business customer of his. Councillor Dunn left the Chamber and took no part in discussion and voting.

Councillor Dunn left the meeting, the time being 6.34pm

ADDRESS BY INVITED SPEAKERS

The following people addressed the meeting of Council:

Speakers	For / Against	Report	Page No.	Duration
Mr Michael Sutherland – Australia Hotel	Against Recommendation	PE20/2021 - Development Application No. 8/2020/20441/1 proposing alterations and additions to the 'Australia Hotel' comprising internal changes to the kitchen and dining areas, along with the addition of a beer garden and associated fencing 136 Wollombi Road, Cessnock	117	3 mins

PLANNING AND ENVIRONMENT NO. PE20/2021

SUBJECT: DEVELOPMENT APPLICATION NO. 8/2020/20441/1 PROPOSING ALTERATIONS AND ADDITIONS TO THE 'AUSTRALIA HOTEL' COMPRISING INTERNAL CHANGES TO THE KITCHEN AND DINING AREAS, ALONG WITH THE ADDITION OF A BEER GARDEN AND ASSOCIATED FENCING

136 WOLLOMBI ROAD, CESSNOCK

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Fitzgibbon
1632

RESOLVED

That the report be deferred for the preparation of conditions of consent, and that the matter be re-referred to Council meeting of 19 May for further consideration.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Fagg	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

Councillor Dunn returned to the meeting, the time being 6.37pm

Jessica Caldwell on behalf of Heddon Greta Residents	Against Recommendation	W116/2021 - Road Safety On Main Road in Heddon Greta	324	3 mins
--	------------------------	--	-----	--------

WORKS AND INFRASTRUCTURE NO. W116/2021

SUBJECT: ROAD SAFETY ON MAIN ROAD IN HEDDON GRETA

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Suvaal
1633

RESOLVED

1. That Council notes the petition lodged by residents and road users demanding safer roads and infrastructure, and seeking to hold Council and Transport for NSW accountable for enforcing DA stipulations that developers try to ignore and eliminate.
2. That the General Manager writes to the Secretary of Transport for NSW to provide a copy of the petition and request representatives of Transport for NSW to a meet with the petition organizer.
3. That the General Manager arrange a meeting with the petition organiser to discuss the concerns raised within the petition.

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

CARRIED UNANIMOUSLY

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

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1634

RESOLVED

That having read and considered the reports in the agenda related to items

NI3/2021	Notice of Intention to Deal with matters in Confidential Session.	
	Report No. PE23/2021 – Class 1 Appeal (2021/32316) in the NSW Land and Environment Court against the deemed refusal of Development Application No. 8/2020/20870 proposing the extension of trading hours of an existing Service Station and Food and Drink premises to 24 hours, 7 days per week.	
	247 Wine Country Drive (Lot 1 DP531161), Nulkaba.....	86
GMU4/2021	Community Engagement and Councillor Circular Content	88
GMU5/2021	Greater Cessnock Jobs Strategy 2036	95
GMU6/2021	Minutes of the Audit and Risk Committee meeting held 9 February 2021	102
CC26/2021	Draft Disability Inclusion Action Plan 2021-2025	251
CC27/2021	Minutes of the Aboriginal and Torres Strait Islander Committee meeting held on Friday 19 March 2021	256
CC28/2021	Donations under Section 356 - Rates Subsidy Policy	260
‡ CC29/2021	Submission regarding IPART's Review of the rate peg to include population growth	265
‡ CC31/2021	Investment Report - March 2021	276
‡ CC32/2021	Resolutions Tracking Report	284
WI18/2021	AFC U17 Women's Championship 2022 Qualifiers Funding Requirements	335
WI19/2021	Draft Masterplan for Maybury Peace Park/Chinaman's Hollow	339
WI21/2021	Minutes of the Dollar for Dollar Grants Committee Meeting held on 24 March 2021	348
WI22/2021	Greta Transfer Station	353
WI24/2021	Electricity Supply Contracts	373
‡ CO8/2021	MM7/2020 - Wollombi Coalmining Proposal	383
‡ CO9/2021	WI72/2020 - Road Reclassification	386

Council adopt the recommendations as printed for those items.

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

CARRIED UNANIMOUSLY

NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

NOTICE OF INTENTION NO. NI3/2021

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

**REPORT NO. PE23/2021 – CLASS 1 APPEAL (2021/32316) IN THE
NSW LAND AND ENVIRONMENT COURT AGAINST THE DEEMED
REFUSAL OF DEVELOPMENT APPLICATION NO. 8/2020/20870
PROPOSING THE EXTENSION OF TRADING HOURS OF AN
EXISTING SERVICE STATION AND FOOD AND DRINK PREMISES
TO 24 HOURS, 7 DAYS PER WEEK.**

247 WINE COUNTRY DRIVE (LOT 1 DP531161), NULKABA

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1635
RESOLVED

1. That Council considers in Confidential Session the following matters in accordance with Sections 10A (2) (g) of the *Local Government Act 1993*:

Report No. PE23/2021 – Class 1 Appeal (2021/32316) in the NSW Land and Environment Court against the deemed refusal of Development Application No. 8/2020/20870 proposing the extension of trading hours of an existing Service Station and Food and Drink premises to 24 hours, 7 days per week - 247 Wine Country Drive (Lot 1 DP531161), Nulkaba 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 requests the Mayor in accordance with Clause 14.21 of Councils Code of Meeting Practice to report on these matters to the meeting in Open Session following completion of the Confidential Session.

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

CARRIED UNANIMOUSLY

MAYORAL MINUTES

MAYORAL MINUTES NO. MM5/2021

SUBJECT: IMPLEMENTATION OF THE PARKING ENFORCEMENT POLICY

MOTION **Moved:** Councillor Pynsent

1636

RESOLVED

That the General Manager facilitates a Councillor Workshop to discuss the implementation of the updated Parking Enforcement Policy. Community feedback during the trial period should be an essential part of the discussion.

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

CARRIED

MAYORAL MINUTES NO. MM6/2021

SUBJECT: ELLALONG LAGOON

MOTION **Moved:** Councillor Pynsent
1637

RESOLVED

That the General Manager writes to NSW National Parks & Wildlife Services and the Bio Diversity Conservation Trust supporting the current use of the Ellalong Lagoon remaining in its natural state.

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

CARRIED UNANIMOUSLY

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU3/2021

SUBJECT: MOTIONS OF URGENCY

RECOMMENDATION

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

Councillor Dunn

That the General Manager make contact with the Cessnock Tidy Towns Committee with regard to assisting with grant funding availability for the painting of the Poppet Head Park Structure, in particular the 2021 Building Community Partnerships grant, closing at 5pm on 14th May 2021.

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

CARRIED UNANIMOUSLY

The Urgency Motion was **PUT** and **CARRIED** and will be dealt with at the conclusion of the listed matters on the Business Paper.

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU4/2021

**SUBJECT: COMMUNITY ENGAGEMENT AND COUNCILLOR CIRCULAR
CONTENT**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1638
RESOLVED

- 1. The General Manager continues to promote “Cessnock Under Construction” information on all suitable community engagement platforms.**
- 2. That the General Manager promotes the “Fun Facts” in the Mayoral Column subject to Mayoral approval and on other community engagement platforms when suitable.**

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

CARRIED UNANIMOUSLY

GENERAL MANAGER'S UNIT NO. GMU5/2021

SUBJECT: GREATER CESSNOCK JOBS STRATEGY 2036

Councillor Burke declared a Non Pecuniary Interest Less Than Significant Conflict for the reason that he is contracted by the Cessnock chamber of Commerce and the president was part of the consultation. Councillor Burke remained in the Chamber and participated in discussion and voting.

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray

1639

RESOLVED

1. That Council places draft Greater Cessnock Jobs Strategy 2036 on public exhibition for a period of 28 days.
2. That Council places draft Economic Growth Agenda on public exhibition for a period of 28 days.
3. That a further report outlining any public submissions received be prepared for Council's consideration following the exhibition.
4. That Council notes the new Greater Cessnock Investment Prospectus.

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

CARRIED UNANIMOUSLY

GENERAL MANAGER'S UNIT NO. GMU6/2021

SUBJECT: MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 9 FEBRUARY 2021

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1640
RESOLVED

That the Minutes of the Audit and Risk Committee Meeting held 9 February 2021 be adopted as a resolution of the Ordinary Council.

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

CARRIED UNANIMOUSLY

GENERAL MANAGER'S UNIT NO. GMU7/2021

SUBJECT: DRAFT COUNCILLOR ALCOHOL AND OTHER DRUGS POLICY

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Dunn
1641
RESOLVED

That Council adopts the *Councillor Alcohol and Other Drugs Policy*.

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

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE21/2021

SUBJECT: DEVELOPMENT APPLICATION NO. 8/2020/20870/1 PROPOSING EXTENSION OF TRADING HOURS AT AN EXISTING SERVICE STATION AND FOOD AND DRINK PREMISES TO 24 HOURS, 7 DAYS PER WEEK

247 WINE COUNTRY DRIVE, NULKABA

MOTION
1642
RESOLVED

Moved: Councillor Suvaal **Seconded:** Councillor Fitzgibbon

1. That:

- (i) Development Application No. 8/2020/20870/1 proposing extension of trading hours at an existing service station and food and drink premises to 24 hours, 7 days a week, at 247 Wine Country Drive Nulkaba, be refused pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, subject to the reasons contained in this report.
- (ii) The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:
 - The development is likely to have an adverse impact on the amenity of the surrounding residential neighbourhood with regards to noise and no noise mitigation measures have been proposed. Specific concerns relate to noise generated from trucks, engine braking, reverse alarms, and anti-social behaviour.
 - The noise assessment report submitted in support of the proposed development does not accurately identify all relevant receptors including the impact on the residential properties still under construction and proposed to be built and was not undertaken in real time considering various nights or weather conditions nor did it include noise from reversing alarms, truck parking or anti-social behaviour including car stereos, and therefore, cannot appropriately make recommendations to mitigate any identified noise impacts.
 - The development is likely to have an adverse impact on the amenity of the surrounding residential neighbourhood with regards to light spill and no light spill mitigation measures have been proposed.
 - The proposed development is not consistent with the aims and objectives of the Cessnock Development Control Plan 2010 Chapter C.4 – Land Use Conflict and Buffer Zones, in that the development is likely to be in conflict with the use of both adjoining residential and rural land. Primarily in relation to the significantly progressed 81 lot residential sub-division and the RU4 vineyard tourism zone and the impact extended trading hours may have to the local amenity.
 - The proposed development is inconsistent with the advice on social impacts, crime and anti-social behaviour from NSW Police who have recommended a pay window be installed. It is not considered reasonable

a full service station and food and beverage premises would operate from a single pay window that the applicant has installed and is therefore more likely the applicant would open the premises contrary to NSW Police advice.

- The development is likely to have an adverse impact on the amenity of the broader Nulkaba and Lovedale communities with regards to traffic and noise generation by attracting trucks to the area and surrounding road network.
- The determination of DA 8/2015/545/1 which authorised the construction and use of the service station and food and drink premises prohibits trading between 11pm and 5am. There has been no change in circumstances justifying the extension of the operating hours.
- The proposal is not considered to be in the wider public interest.

(iii) In considering the community views, the following is relevant:

- The issues and concerns raised by the community in relation to traffic, noise, light spill, anti-social behaviour, impact on residential housing and the impact on the rural amenity have been taken into consideration in the assessment of the application, and the community's concerns are reflected in the recommendation to refuse to issue consent to the proposed development.

(iv) The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the *Environmental Planning and Assessment Act 1979*.

2. That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.
3. That the General Manager review the non-compliance with conditions of consent relating to DA 8/2015/545/1 and if non-compliance is determined a complaint be lodged with the private certifier and Fair Trading NSW.
4. That following the actions being completed in point 3, a report be presented to Council outlining the current compliance situation and the options available to Council to pursue compliance.

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

CARRIED UNANIMOUSLY

7.08 PM

Confidential reports (closed session)

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

1643

RESOLVED

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

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

CARRIED UNANIMOUSLY

7.19 PM

Open Session

That the meeting moved back into open session and the General Manager reported on the outcome.

PLANNING AND ENVIRONMENT NO. PE23/2021

SUBJECT: CLASS 1 APPEAL (2021/32316) IN THE NSW LAND AND ENVIRONMENT COURT AGAINST THE DEEMED REFUSAL OF DEVELOPMENT APPLICATION NO. 8/2020/20870 PROPOSING THE EXTENSION OF TRADING HOURS OF AN EXISTING SERVICE STATION AND FOOD AND DRINK PREMISES TO 24 HOURS, 7 DAYS PER WEEK.

247 WINE COUNTRY DRIVE (LOT 1 DP531161), NULKABA

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.

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Lyons
1644
RESOLVED

1. That Council notes receipt of an appeal (Reference No. 2021/32316), in the NSW Land and Environment Court against the deemed refusal of Development Application No. 8/2020/20870/1.
2. That Council notes the attached estimate of costs and prospects of success prepared by Council's solicitors in respect of the appeal (Reference No. 2021/32316), relating to Development Application No. 8/2020/20870/1.
3. That Council notes the options identified in the report in respect of the appeal (Reference No. 2021/32316), relating to Development Application No. 8/2020/20870/1.
4. That Council delegates the management of the appeal (Reference No. 2021/32316), relating to Development Application No. 8/2020/20870/1, to the General Manager, including the ability to enter into Consent Orders or a Section 34 agreement if appropriate, subject to the draft conditions of consent coming to Council for approval on 19 May 2021.

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

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE22/2021

SUBJECT: EXHIBITION OF DRAFT PLANNING AGREEMENT POLICY

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Gray
1645

RESOLVED

1. That Council places the draft Planning Agreement Policy on public exhibition for a period of 28 days.
2. That following public exhibition, the draft Planning Agreement comes back to Council for adoption.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC23/2021

SUBJECT: ADOPTION OF DRAFT 2021-22 OPERATIONAL PLAN FOR PUBLIC EXHIBITION

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Burke
1646
RESOLVED

1. That Council places the Draft 2021-22 Operational Plan on public exhibition for 28 days in accordance with Section 405 of the *Local Government Act 1993*.
2. That the General Manager schedule a briefing on the progress of the LEP and DCP and include an update on the vineyards district local character statement.

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

CARRIED

CORPORATE AND COMMUNITY NO. CC24/2021

SUBJECT: AUTHORISATION FOR SALE OF LAND; 62 -76 CESSNOCK STREET, ABERDARE (8 LOTS) - DETAILS OF IMPLICATIONS OF PROPOSED CAPITAL WORKS

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Dunn
1647
RESOLVED

1. That Council undertake the works on Cessnock Street, Caledonian Street and Colliery Street, Aberdare as outlined in the report.
2. That funding for the work be taken from the Strategic Property Reserve.
3. That Council endorse the listing and sale of the lots after the completion of the works.
4. The additional costs of the works be distributed among the 8 lots and be added to the market valuation that Council currently has.
5. That the General Manager has delegation to accept not less than 95% of the sale price.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC25/2021

SUBJECT: DISCUSSION PAPER ON CODE OF MEETING PRACTICE AND PROPOSED AMENDMENTS FOR REMOTE ATTENDANCE AND AUDIO VISUAL UPGRADE FOR THE COUNCIL CHAMBERS

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Sander
1648
RESOLVED

1. That Council endorses a submission on the discussion paper supporting the concept of “Remote Attendance by Councillors at Council Meetings”.
2. That Council includes the allocation of \$140,000 in the 2021-22 Operational Plan to enable the installation of permanent audio visual and upgrade of recording equipment to facilitate remote attendance and the webcasting of meetings, with funding to be from Restricted Assets (miscellaneous and property reserve).

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

CARRIED

CORPORATE AND COMMUNITY NO. CC26/2021

SUBJECT: DRAFT DISABILITY INCLUSION ACTION PLAN 2021-2025

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1649

RESOLVED

1. That Council places the draft Cessnock City Council Disability Inclusion Action Plan 2021-2025 on public exhibition for a period of 28 days.
2. That if public submissions are received and as a result significant changes to the Disability Inclusion Action Plan 2021-2025 are required, a further report will be provided to Council.
3. That if no public submissions are received during the public exhibition process that require significant changes to be made to the Disability Inclusion Action Plan 2021-2025, the Plan will automatically be adopted and a copy will be provided to the Disability Council NSW.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC27/2021

SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE MEETING HELD ON FRIDAY 19 MARCH 2021

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1650
RESOLVED

1. That the Minutes of the Aboriginal and Torres Strait Islander Committee meeting held on 19 March 2021 be adopted as a resolution of Ordinary Council.
2. That Council notes that the Aboriginal and Torres Strait Islander Committee supports the development of a community plan supported by further community engagement.
3. That Council investigates the screening of High Country during Reconciliation Week and/or NAIDOC Week.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC28/2021

SUBJECT: DONATIONS UNDER SECTION 356 - RATES SUBSIDY POLICY

Councillor Suvaal declared a Non Pecuniary Interest Less than Significant Conflict for the reason that he is a member of the Hunter District Hunting Club that uses the facilities at Cessnock Rifle Range, Cessnock Clay Target Club and Cessnock Pistol Club. Councillor Suvaal remained in the Chamber and participated in discussion and voting.

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray

1651

RESOLVED

1. **That Council applies a 50% Rates Subsidy for the following Assessments in accordance with the Rates Subsidy Policy effective for the 2021-22 rating year.**

Assessment	Organisation	Location
5173	Cessnock Masonic Hall	Cessnock
17178	Country Womens Association	Cessnock
40386	RSL Hall	Branxton
59204	Cessnock Homing Pigeon Club	Cessnock
123596	Trustees Masonic Hall	Paxton
139378	Weston Pre-School	Weston
158337	Cessnock Clay Target Gun Club	Cessnock
176263	Greta Pre-School Kindergarten	Greta
197467	Cessnock Rifle Club Inc	Cessnock
198655	Aberdare Pre-School	Aberdare
252916	Richmond Vale Preservation Co-op Society	Kurri Kurri
275529	Cessnock Pistol Club	Cessnock
286674	Branxton Preschool	Branxton
291963	Kurri Kurri Early Childhood Centre	Kurri Kurri

2. **That Council does not apply a rates subsidy for the 2021-22 rating year for the following assessments as the organisations did not return the required documentation to allow for assessment as per the Rates Subsidy Policy.**

Organisation	Location	Comments
Weston Masonic Village	Weston	Documentation not returned
Cessnock Mini Bike Club	Cessnock	Documentation not returned
Bellbird Pre-School	Bellbird	Documentation not returned

3. **That the General Manager write to each applicant advising of Council's decision according to the Rates Subsidy Policy.**

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC29/2021

SUBJECT: SUBMISSION REGARDING IPART'S REVIEW OF THE RATE PEG TO INCLUDE POPULATION GROWTH

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1652
RESOLVED

That Council endorses the submission in relation to “Review of the rate peg to include population growth”.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC30/2021

SUBJECT: INVESTMENT POLICY - DIVESTMENT OPPORTUNITIES

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Suvaal
1653
RESOLVED

1. That Council does not make any changes to the current Investment Policy.
2. That the General Manager write to ANZ letting them know that while we have decided not to change our investment strategy to divest from ANZ at this stage, Council will monitor the situation and if ANZ continue to not support industries important to our local economy we may choose to divest from them in the future.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC31/2021

SUBJECT: INVESTMENT REPORT - MARCH 2021

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1654

RESOLVED

That Council receives the Investment Report for March 2021 and notes that:

- Investments are held in accordance with Council's Investment Policy, which accords with the Ministerial Investment Order.
- Council's month end balance was \$49,841,282, year to date interest earned to 31 March was \$296,946 and interest earned for March 2021 was \$24,503.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC32/2021

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1655
RESOLVED

That Council receives the report and notes the information in the Resolutions Tracking Report.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI17/2021

SUBJECT: CESSNOCK REGIONAL SKATE PARK AND CARMICHAEL PARK
BMX FACILITY

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Dunn
1656
RESOLVED

1. That Council notes the information contained within the report in regard to expediting the detailed design and construction drawings relating to the Cessnock Regional Skate park and the Carmichael Park BMX Facility.
2. That the costs for the detailed design and construction drawings for Cessnock Regional Skate Park be added to the 2021/22 Operational Plan with funds from the section 7:11 Citywide Local Infrastructure Plan as it is listed in the schedule of works.
3. That the costs for the detailed design and construction drawings of Carmichael Park BMX track be added to the 2021/22 Operational Plan with funds from the Civil Works reserve.
4. That costs for the project management of both designs be funded from the Civil Works reserve.

Councillor Doherty left the meeting, the time being 7.57pm

FOR	AGAINST
Councillor Olsen	
Councillor Dunn	
Councillor Fagg	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI18/2021

SUBJECT: AFC U17 WOMEN'S CHAMPIONSHIP 2022 QUALIFIERS FUNDING REQUIREMENTS

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1657
RESOLVED

1. That Council notes the estimated economic benefit to the area as a result of hosting the event.
2. That Council notes the value of the in-kind contributions is \$27,000.
3. That Council allocates \$40,000 for ground preparation costs for the (AFC) U17 Women's Asian Cup Round 1 qualifiers with funding sourced from Tourism Matching Funds budget within the Miscellaneous & Property Reserve.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI19/2021

SUBJECT: DRAFT MASTERPLAN FOR MAYBURY PEACE PARK/CHINAMAN'S HOLLOW

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1658

RESOLVED

1. That Council places the draft Masterplan for Maybury Peace Park/Chinaman's Hollow on public exhibition for a minimum period of 28 days and invite public submissions.
2. That should no significant public submissions be received, Council adopts the Maybury Peace Park/Chinaman's Hollow Masterplan.
3. That the General Manager notifies key stakeholders of Council's decision.
4. That Council makes provisions for implementation of the Maybury Peace Park/Chinaman's Hollow Masterplan in consideration of available resources including grant funding and development contributions.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI20/2021

SUBJECT: MINUTES OF ROADS REVIEW COMMITTEE OF 11 DECEMBER 2020

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Suvaal
1659
RESOLVED

1. That the Minutes of the Roads Review Committee Meeting of 11 December 2020 be adopted as a resolution of the Ordinary Council.
2. That the General Manager report back to the Road Review Committee within 4 months, a proposal to create a comprehensive Register of public roads.

Councillor Doherty returned to the meeting, the time being 7.59pm

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI21/2021

**SUBJECT: MINUTES OF THE DOLLAR FOR DOLLAR GRANTS COMMITTEE
MEETING HELD ON 24 MARCH 2021**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1660
RESOLVED

1. That the Minutes of the Dollar for Dollar Grants Committee of 24 March 2021 be adopted as a resolution of the Ordinary Council.
2. **DOLCLM1/2021**
2020-21 Schools Environment Grants Round 2
 - 2.1 That Council provides funds through the Schools Environment Dollar for Dollar Grants Program to:
 - Aberdare Preschool in the amount of \$200.00,
 - Kearsley Public School in the amount of \$500.00,
 - Weston Public School in the amount of \$500.00,
 - Weston Preschool in the amount of \$200.00
 - St Patrick's Primary School in the amount of \$500.00,
 - Kurri Kurri Public School in the amount of \$500.00,
 - Nulkaba Public School in the amount of \$500.00, and
 - Ngarralingayil Barker, Wollombi in the amount of \$500.00.
 - 2.2 That Council transfers \$279.59 from the 2020-21 Community and Cultural Development Dollar for Dollar Grant Scheme to the 2020-21 Schools Environment Grant Round 2 to offset the additional funding requests.
 - 2.3 That the General Manager writes to all applicants advising the outcome of their application and thanking them for their contribution towards the enhancement of the local environment.
3. **DOLCLM3/2021**
2020-21 Sustainable Communities - Tidy Towns Dollar for Dollar Grants
 - 3.1 That Council provides funds through the Sustainable Communities - Tidy Towns Dollar for Dollar Program to:
 - Greta Tidy Towns in the amount of \$4,092.00.
 - 3.2 That the General Manager writes to all applicants advising them of the outcome of the grant program and thanking them for their contribution towards the enhancement of the local environment.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI22/2021

SUBJECT: GRETA TRANSFER STATION

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1661
RESOLVED

That Council permanently cease operations at Greta Transfer Station.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI23/2021

SUBJECT: DRAFT WASTE MANAGEMENT POLICY

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Dunn
1662
RESOLVED

1. **Replace current clause 4.4.7 vii with the amended clause below:**

4.4.7 vii Waste materials must not be transported by a commercial enterprise, including businesses appointed by real estate agents or landlords, except in accordance with clause 4.4.7 viii.
2. **That guidelines be developed for the application process to become an eligible business, and for the application process for residents to use this service outlined in clause 4.4.7 viii.**
3. **Replace current clause 4.4.7 xiv with the amended clause below:**

4.4.7 xiv Council will take into consideration the impact of any interruption to operation and/or services beyond Council control such as pandemic, state or federal legislation, natural disaster or the like, in determining claims lodged pursuant to Clause 4.4.7 xiii.
4. **That Council places the amended draft Waste Management Policy on public exhibition for a period of 28 days.**
5. **That following public submission, a report be returned to Council for adoption outlining any submissions received on the draft Waste Management Policy.**
6. **That 6 months after adoption of the policy a further report comes back to Council in relation to Clause 4.4.7 viii with an update on how the policy change has been received in the community, any issues that may have arisen from the change, and outlining the implications of widening the clause to include more residents.**
7. **That the General Manager ensures a robust and comprehensive community engagement campaign is run by Council during the public exhibition period to maximise public engagement and encourage their feedback.**

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI24/2021

SUBJECT: ELECTRICITY SUPPLY CONTRACTS

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1663
RESOLVED

1. That Council joins the Lake Macquarie group process to secure new electricity supply contracts for street lighting and contestable sites from 1 January 2022.
2. That Council delegates authority to the General Manager to accept the preferred tenderer due to the limited timeframe of pricing offers by retail electricity suppliers.
3. That the General Manager presents a report to Council on the outcome of the tender process with details of pricing achieved.

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

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN7/2021

SUBJECT: MAIN ROAD 195 HEDDON GRETA - TRAFFIC ISSUES

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1664

RESOLVED

1. That the General Manager write to Transport for NSW Hunter Manager to express Councils urgent concerns regarding Main Road, Heddon Greta and the imperative to complete the traffic Corridor Study in a timely manner.
2. That the General Manager write to the developer responsible for the installation of the traffic signals at the intersection of Heddon Street and Main Road 195 requesting a current completion date.

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

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN8/2021

SUBJECT: WESTON BEARS PARK

MOTION **Moved:** Councillor Sander **Seconded:** Councillor Fitzgibbon
1665

RESOLVED

1. That the General Manager prepare a report for Council outlining the benefits (including any grant opportunities) and costs which would include staff resources of expediting the detailed design and construction drawings relating to the upgrade of Weston Bears Park.
2. That possible funding sources be identified.

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

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN9/2021

SUBJECT: CESSNOCK CBD BY-PASSES

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Dunn
1666
RESOLVED

That the General Manager bring back a report to the next Ordinary Meeting of Council on the cost of preparing a concept plan, identifying any funding opportunity costs within the FY22 draft Operational Plan which would flow from funding the concept plan and the next steps to progress the Cessnock CBD by-passes as identified in the Traffic Transport Strategy.

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

CARRIED UNANIMOUSLY

CORRESPONDENCE

CORRESPONDENCE NO. CO8/2021

SUBJECT: MM7/2020 - WOLLOMBI COALMINING PROPOSAL

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1667

RESOLVED

That Council notes the correspondence received from Clayton Barr MP, Member for Cessnock who forwarded a response from the Hon John Barilaro MP, Deputy Premier, Minister for Regional New South Wales, Minister for Industry and Trade, in relation to the Wollombi Coalmining Proposal.

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

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO9/2021

SUBJECT: W172/2020 - ROAD RECLASSIFICATION

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1668
RESOLVED

That Council notes the correspondence received from The Hon Taylor Martin MLC, Parliamentary Secretary for the Hunter on behalf of The Hon Paul Toole MP, Minister for Regional Transport and Roads, in relation to Council's request seeking support for MR181 to be transferred to the State from regional road status.

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

CARRIED UNANIMOUSLY

COUNCILLOR'S REPORTS

Councillor Lyons

Austar Consultative Committee Meeting

On 24 March Councillor Lyons attended the Austar Community consultative meeting, due to the transition of the mine from operational to care and maintenance the committee is meeting 6 monthly. Since our last meeting it was with great personal sadness that we learned that Yancoal announced the closure of the mine ending over 100 years operation in the city.

In spite of the closure the committee will continue to meet to oversee the rehabilitation of the land and the preservation of heritage structures and environment on the site. Ongoing water quality, sound and subsidence monitoring will continue into the future.

Representatives of Austar will be meeting with council to discuss the future of the site, at the meeting there was expressed a desire to continue job generating activity on the site but it is too early to say exactly what that will be. The future of the now unused railway will also be discussed with council.

MOTION OF URGENCY

MATTER OF URGENCY Moved:

Councillor Dunn

Seconded:

Councillor Burke

1669

RESOLVED

That the General Manager make contact with the Cessnock Tidy Towns Committee with regard to assisting with grant funding availability for the painting of the Poppet Head Park Structure, in particular the 2021 Building Community Partnerships grant, closing at 5pm on 14th May 2021.

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

CARRIED UNANIMOUSLY

The Meeting Was Declared Closed at 8.24pm

CONFIRMED AND SIGNED at the meeting held on 19 May 2021

.....**CHAIRPERSON**

.....**GENERAL MANAGER**