

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 17 FEBRUARY 2021, COMMENCING
AT 6.30PM**

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

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Development Services Manager
Community and Cultural Engagement Manager
Infrastructure Manager
Open Space and Community Facilities Manager
Operations Accountant
Governance Coordinator
Senior Media & Communication Officer
Corporate Governance Officer
Council Services Administration Officer

APOLOGY:

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

1543

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

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

CARRIED UNANIMOUSLY

MINUTES:

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

1544

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 9 December 2020, 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 Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI1/2021

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.

PE1/2021 Adoption of Pledges for the Cities Power Partnership – Councillor Gray declared a Non Pecuniary Less Than Significant Conflict for the reason that he is a donor to the Climate Council at times. Councillor Gray advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him carrying out his public duty because it will not affect his decision making.

CC4/2021 – Acquire Drainage Easement 3A Thomas Street, North Rothbury – Councillor Stapleford declared a Non Pecuniary Significant Conflict for the reason that the persons named in the report are close relatives. Councillor Stapleford advised that he would leave the Chamber and take no part in discussion or voting.

PETITIONS

Nil

ADDRESS BY INVITED SPEAKERS

Nil

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

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1545

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

GMU1/2021	Minutes of the Committee to Consider Council Initiated Awards Meeting of Cessnock City Council held on 18 December 2020.....	47
CC2/2021	December 2020 Review of the 2017-21 Delivery Program	98
CC5/2021	Dedication of Public Road - Hunter Economic Zone, Pelaw Main...	156
CC6/2021	Branxton Preschool Inc- Licence Agreement.....	161
‡ CC7/2021	Investment Report - December 2020.....	165
‡ CC9/2021	Resolutions Tracking Report	181
WI1/2021	Request for Sponsorship - Kearsley Community Dawn Service Committee Inc.	214
WI6/2021	Minutes of the Cessnock Local Traffic Committee Meeting held 18 January 2021.....	244
WI7/2021	Minutes of the Floodplain Management Committee Meeting held 2 December 2020.....	285
‡ QWNG1/2021	Questions of Which Written Notice Has Been Given	296
‡ CO2/2021	Closure of Laneway - Report WI79/2020.....	300
‡ CO3/2021	Road Reclassification - Report WI72/2020	302
‡ CO4/2021	Gas Fired Power Station - Report BN31/2020	304
‡ CO5/2021	Unregistered Motorcycles on Local Roads - NOM BN32/2020	307

Council adopt the recommendations as printed for those items.

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

CARRIED UNANIMOUSLY

NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

NOTICE OF INTENTION NO. NI1/2021

**SUBJECT: NOTICE OF INTENTION TO DEAL WITH MATTERS IN
CONFIDENTIAL SESSION AND PROCEDURAL MOTION TO MOVE
INTO CONFIDENTIAL SESSION.**

**REPORT NO. PE5/2021 – CLASS 1 APPEAL (2020/332596) IN THE
NSW LAND AND ENVIRONMENT COURT AGAINST THE REFUSAL
OF DEVELOPMENT APPLICATION NO. 8/2018/539/1 – PROPOSING
A SUBDIVISION TO CREATE 39 INDUSTRIAL LOTS AND 1
ENVIRONMENTAL CONSERVATION LOT, INCLUDING
REMEDICATION OF THE SITE, SUBDIVISION WORKS AND OTHER
WORKS – 1134 AND 0 JOHN RENSHAW DRIVE, BLACK HILL (LOT
1 DP1260203 AND LOT 119 DP1154904).**

**REPORT NO. PE6/2021 - CLASS 1 APPEAL (2020/331104) IN THE
NSW LAND AND ENVIRONMENT COURT AGAINST THE DEEMED
REFUSAL OF DEVELOPMENT APPLICATION NO. 8/2020/123/1 -
PROPOSING A TWO LOT TORRENS TITLE SUBDIVISION – 1134
JOHN RENSHAW DRIVE, BLACK HILL (LOT 1 DP1260203)**

**REPORT NO. PE7/2021 – CLASS 4 APPEAL (2020/2833859) IN THE
NSW LAND AND ENVIRONMENT COURT AGAINST THE VALIDITY
OF COUNCIL'S CITY WIDE INFRASTRUCTURE CONTRIBUTIONS
PLAN 2020**

**REPORT NO. CC11/2021 – CESSNOCK AIRPORT – HANGAR
DISPUTE**

**REPORT NO. CC12/2021 – RICHMOND MAIN COLLIERY –
REMEDIAL ACTION PLAN**

**REPORT NO. WI8/2021 – MINUTES OF THE CONFIDENTIAL
FLOODPLAIN MANAGEMENT COMMITTEE MEETING HELD ON 2
DECEMBER 2021**

**REPORT NO WI9/2021 – SANDY CREEK ROAD, MOUNT VINCENT –
EVALUATION OF TENDER NO. 1002535941 SANDY CREEK ROAD,
SAFETY IMPROVEMENTS.**

MOTION 1546 RESOLVED	Moved: Councillor Suvaal	Seconded: Councillor Dunn
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1. That Council considers in Confidential Session the following matters in accordance with Sections 10A (2) (a), (c) and (g) of the *Local Government Act 1993*:

- a) **Report No. PE5/2021 – Class 1 Appeal (2020/332596) in the NSW Land and Environment Court against the refusal of Development Application No. 8/2018/539/1 – proposing a subdivision to create 39 Industrial Lots and 1 Environmental Conservation lot, including remediation of the site, subdivision works and other works – 1134 and 0 John Renshaw Drive, Black Hill (Lot 1 DP1260203 and Lot 119 DP1154904) 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.**
 - b) **Report No. PE6/2021 - Class 1 Appeal (2020/331104) in the NSW Land and Environment Court against the deemed refusal of Development Application No. 8/2020/123/1 - proposing a two lot torrens title subdivision – 1134 John Renshaw Drive, Black Hill (Lot 1 DP1260203) 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.**
 - c) **Report No. PE7/2021 – Class 4 Appeal (2020/2833859) in the NSW Land and Environment Court against the validity of Council’s City Wide Infrastructure Contributions Plan 2020 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.**
 - d) **Report No. CC11/2021 – Cessnock Airport – Hangar Dispute 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.**
 - e) **Report No. CC12/2021 – Richmond Main Colliery – Remedial Action Plan 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.**
 - f) **Report No. WI8/2021 – Minutes of the Confidential Floodplain Management Committee Meeting held on 2 December 2020 as it deals with information that would, if disclosed, prejudice the maintenance of law.**
 - g) **Report No. WI9/2021 – Sandy Creek Road, Mount Vincent – Evaluation of Tender No. 100235941 Sandy Creek Road Safety Improvements 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.**
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.**
 3. **That Council move into Confidential Session to allow for presentations relating to the confidential items and consideration of the reports by Council**

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	

	Total (0)
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CARRIED UNANIMOUSLY

6.38PM

Confidential reports (closed session)

The meeting moved into closed session in order to consider confidential items.

7.42 PM

Open Session

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

PLANNING AND ENVIRONMENT NO. PE5/2021

SUBJECT: CLASS 1 APPEAL (2020/332596) IN THE NSW LAND AND ENVIRONMENT COURT AGAINST THE REFUSAL OF DEVELOPMENT APPLICATION NO. 8/2018/539/1 PROPOSING A SUBDIVISION TO CREATE 39 INDUSTRIAL LOTS AND 1 ENVIRONMENTAL CONSERVATION LOT, INCLUDING REMEDIATION OF THE SITE, SUBDIVISION WORKS AND OTHER WORKS

1134 AND 0 JOHN RENSHAW DRIVE, BLACK HILL (LOT 1 DP 1260203 AND LOT 119 DP 1154904)

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

1547

Moved: Councillor Suvaal

Seconded: Councillor Gray

RESOLVED

1. That Council notes receipt of an appeal (Reference No. 2020/332596), in the NSW Land and Environment Court against the refusal of Development Application No. 8/2018/539/1 by the Hunter and Central Coast Regional Planning Panel.
2. That Council notes the attached estimate of costs prepared by Council's solicitors in respect of the appeal (Reference No. 2020/332596), relating to Development Application No. 8/2018/539/1.
3. That Council delegate the management of the appeal (Reference No. 2020/332596), relating to Development Application No. 8/2018/539/1, to the General Manager, including the ability to enter into a Section 34 agreement, subject to the direction and control of the Hunter and Central Coast Regional Planning Panel.
4. That the General Manager writes to the Planning Panel Secretariat seeking a contribution towards the legal costs.

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE6/2021

SUBJECT: CLASS 1 APPEAL (2020/331104) IN THE NSW LAND AND ENVIRONMENT COURT AGAINST THE DEEMED REFUSAL OF DEVELOPMENT APPLICATION NO. 8/2020/123/1 PROPOSING A TWO LOT TORRENS TITLE SUBDIVISION

1134 JOHN RENSHAW DRIVE, BLACK HILL (LOT 1 DP 1260203)

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 Dunn **Seconded:** Councillor Suvaal
1548
RESOLVED

1. That Council notes receipt of an appeal (Reference No. 2020/331104), in the NSW Land and Environment Court against the deemed refusal of Development Application No. 8/2020/123/1.
2. That Council notes the attached estimate of costs prepared by Council's solicitors in respect of the appeal (Reference No. 2020/331104), relating to Development Application No. 8/2020/123/1.
3. That Council delegates the management of the appeal (Reference No. 2020/331104), relating to Development Application No. 8/2020/123/1, to the General Manager, including the ability to enter into a Section 34 agreement if appropriate.

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE7/2021

SUBJECT: **CLASS 4 APPEAL (2020/2833859) IN THE NSW LAND AND ENVIRONMENT COURT AGAINST THE VALIDITY OF COUNCIL'S CITY WIDE INFRASTRUCTURE CONTRIBUTIONS PLAN 2020**
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
1549

RESOLVED

1. That Council notes receipt of an appeal (Reference No. 2020/283389) in the NSW Land and Environment Court challenging the validity of Council's City Wide Infrastructure Contributions Plan 2020.
2. That Council notes the attached estimate of costings prepared by Council's Solicitors in respect of the Land and Environment proceedings (Application No. 2020/283389).
3. That Council delegates the management of the appeal (Reference No. 2020/283389) relating to the validity of Council's City Wide Infrastructure Contributions Plan 2020, to the General Manager, including the ability to enter into a Section 34 agreement, if appropriate.

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC11/2021

SUBJECT: CESSNOCK AIRPORT - HANGAR DISPUTE

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

1550

Moved: Councillor Suvaal

Seconded: Councillor Gray

RESOLVED

1. That Council receives and notes the legal privilege update from Council's legal representative.
2. That a further report be provided to Council after the hearing around surety.

FOR

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

AGAINST

Councillor Olsen

Total (1)

CARRIED

CORPORATE AND COMMUNITY NO. CC12/2021

SUBJECT: RICHMOND MAIN COLLIERY REMEDIAL ACTION PLAN

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 Gray **Seconded:** Councillor Suvaal
1551

RESOLVED

1. That Council notes the Site Audit Report Richmond Main Colliery, Remedial Action Plan Stage 1 Area.
2. That Council notes the indicative implementation cost of the Richmond Main Colliery, Remedial Action Plan Stage 1 Area is \$1.27 million and includes \$150,000 interim works.
3. That in the preparation of the 2021-22 Operational Plan an allocation be considered for the Richmond Main Colliery, Remedial Action Plan Stage 1 Area interim works.
4. That opportunities including grant funding be continually investigated to fund and complete the Richmond Main Colliery, Remedial Action Plan Stage 1 Area works.

FOR

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

AGAINST

Councillor Olsen

Total (1)

CARRIED

WORKS AND INFRASTRUCTURE NO. WI8/2021

SUBJECT: MINUTES OF THE CONFIDENTIAL FLOODPLAIN MANAGEMENT COMMITTEE MEETING HELD 2 DECEMBER 2020

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.

MOTION

1552

Moved: Councillor Lyons

Seconded: Councillor Gray

RESOLVED

1. That the Minutes of the Confidential Floodplain Management Committee of 2 December 2020 be adopted as a resolution of the Ordinary Council.

1) FLOCLM7/2020

2. That Council adopts the Heddon Greta Minor Flood Study and Concept Design 2020.

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent

Total (12)

Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI9/2021

**SUBJECT: SANDY CREEK ROAD MOUNT VINCENT - EVALUATION OF
TENDER NO: 100235941 SANDY CREEK ROAD SAFETY
IMPROVEMENTS**

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 Dunn **Seconded:** Councillor Suvaal
1553

RESOLVED

1. That Council declines to accept any tenders received for Tender No. 10035941 – Sandy Creek Road Safety Improvements.
2. That Council declines to invite fresh tenders due to the program constraints of the grant funding.
3. That the General Manager enters into negotiations with a suitable road construction contractor with a view to entering into a contract within the project budget for a reduced scope of roadworks on Sandy Creek Road.

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

CARRIED UNANIMOUSLY

MAYORAL MINUTES

MAYORAL MINUTES NO. MM2/2021

**SUBJECT: MINUTES OF THE ORGANISATION AND GENERAL MANAGERS
REVIEW COMMITTEE MEETING HELD ON 3 DECEMBER 2020**

General Manager left the meeting, the time being 7.50 pm

MOTION **Moved:** Councillor Pynsent
1554

RESOLVED

1. That the Minutes of the Organisational and General Managers Review Committee of 3 December 2020 be adopted as a resolution of the Ordinary Council.
2. That the Performance Review of the General Manager for the period of November 2019 to November 2020 contained in the Confidential Attachment be received and noted.
3. That the General Manager be awarded a discretionary increase of 1.5% in the total remuneration package due to better than satisfactory performance in the November 2019 – November 2020 review period in accordance with Clause 8.3 of the Standard Contract of Employment, effective from the first full pay period on or after 1 December 2020.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (1)

CARRIED

General Manager returned to the meeting, the time being 7.58 pm

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU1/2021

SUBJECT: MOTIONS OF URGENCY

Councillor Suvaal

That the General Manager urgently implement or update a policy around the use of waste vouchers by contractors to ensure vulnerable people in our community, like the elderly and people with a disability, are not disadvantaged.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	

Total (12)

Total (0)

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

CARRIED UNANIMOUSLY

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU1/2021

SUBJECT: MINUTES OF THE COMMITTEE TO CONSIDER COUNCIL INITIATED AWARDS MEETING OF CESSNOCK CITY COUNCIL HELD ON 18 DECEMBER 2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1555
RESOLVED

That the minutes of the meeting of the Council Initiated Awards Committee held on 18 December 2020 be received and noted.

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

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE1/2021

SUBJECT: ADOPTION OF PLEDGES FOR THE CITIES POWER PARTNERSHIP

Councillor Gray declared a Non Pecuniary Less Than Significant Conflict for the reason that he is a donor to the Climate Council at times. Councillor Gray remained in the Chamber and participated in discussion and voting.

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Fitzgibbon
1556

RESOLVED that the report be deferred.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (1)

CARRIED

PLANNING AND ENVIRONMENT NO. PE2/2021

SUBJECT: LOCAL ENVIRONMENTAL PLAN NATURAL DISASTERS CLAUSE

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Suvaal
1557
RESOLVED

That Council advise the Department of Planning, Industry and Environment that it agrees to the inclusion of the Natural Disasters Clause in the *Cessnock Local Environmental Plan 2011* and that the clause should apply to the following zones:

- E2 Environmental Conservation Zone;
- E3 Environmental Management Zone;
- E4 Environmental Living Zone
- RU2 Rural Landscape Zone; and
- RU4 Primary Production Small Lots Zone.

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

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE3/2021

SUBJECT: GUIDELINES FOR PLANNING PROPOSALS REQUESTING A DWELLING ENTITLEMENT

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Fitzgibbon
1558

RESOLVED

That Council endorses the Guidelines for planning proposals requesting a dwelling entitlement.

FOR

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent

Total (11)

AGAINST

Councillor Stapleford

Total (1)

CARRIED

PLANNING AND ENVIRONMENT NO. PE4/2021

SUBJECT: REVIEW OF COUNCILS PARKING ENFORCEMENT POLICY

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Burke
1559
RESOLVED

1. **That Council adopts the revised Parking Enforcement Policy.**
2. **That the six month grace period for the three metre rule commences on 18 February 2021 and concludes on 18 August 2021.**
3. **That Council investigate the option of warning motorists in the sixth month grace period if found to be parking illegally in relation to the three metre rule.**

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC1/2021

SUBJECT: QUARTERLY BUDGET REVIEW STATEMENTS - DECEMBER 2020

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Sander
1560
RESOLVED

1. That Council notes that the December 2020 Quarterly Budget Review Statements were endorsed for presentation to Council by the Audit and Risk Committee on 9 February 2021.
2. That Council notes that the Quarterly Budget Review Statements reflects a cash surplus of \$57,381 and that the Budget Operating Position will be revised to reflect a forecast operating deficit for the year of \$1,044,895 primarily due to increase in depreciation costs and legal costs associated with planning appeals.
3. That Council's Quarterly Budget Review Statements forecasts all six key performance indicators (including the key financial sustainability ratios of Operating Performance and Own Source Operating Revenue) will exceed Office of Local Government benchmarks.
4. That Council approves the variations to the income, expenditure and capital budgets as detailed in the December 2020 Quarterly Budget Review Statements.

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

CARRIED UNANIMOUSLY

Mayor Pynsent acknowledged the Finance and Administration Manager and Management Accountant for their contribution and time at Council following their imminent retirements.

CORPORATE AND COMMUNITY NO. CC2/2021

SUBJECT: DECEMBER 2020 REVIEW OF THE 2017-21 DELIVERY PROGRAM

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1561
RESOLVED

1. That Council notes the progress in implementing the 2017-21 Delivery Program as at 31 December 2020.
2. That Council endorses the following changes to the Capital Works Program:
 - a) Recreation Buildings Construction Program:
Add:
Project ID – CBR-2021-013 Miller Park – third wicket
Project ID – CBR-2021-001 Miller Park – amenities building
 - b) Bridge Construction Program:
Add:
Project ID – CBS-2021-002 Abbotsford Street, Bellbird – construct pedestrian bridge
 - c) Drainage Construction Program:
Add:
Project ID – CDR-2018-003 Margaret Street & James Street, Cessnock
Remove:
Project ID – CDR-2021-009 Cooper Street, Heddon Greta – Form drainage channel Stage 2 Phase 1 Investigation & design
 - d) Recreation Facilities Construction Program:
Remove:
Project ID – CFR-2019-006 Crawfordville Park, Millfield (same project as CFR-2021-009)
Add:
Project ID – CFR-2021-011 Miller Park – Community hub
 - e) Traffic Facilities Program:
Add:
Project ID – CFT-2018-005 Sixth Street, Weston
Project ID – CFT-2019-005 Fourth Street, Weston
 - f) Waste Facilities Construction Program:
Add:
Project ID – CFW-2021-006a Cessnock Waste Management Centre – Remediation Stage 1 Capping design
 - g) Pathway Construction Program:
Add:
Project ID – CPW-2018-005 Branxton to Greta Cycleway – Phase 2 Detail design
Remove:

Project ID – CPW-2021-003 Cumberland Street, Cessnock – Upgrade pathway from Cooper to Hall Phase 1 (same project as CPW-2020-001)

h) Local Road Construction Program:

Remove:

Project ID – CRL-2021-002 Various – Stabilise slopes

i) Branxton Town Centre Program:

Add:

Project ID – CTB-2021-001 Branxton Town Centre – Stage 2

j) Airport Construction Program:

Add:

Project ID – PCA-2019-003 Cessnock Airport – Sewer and water connection

Project ID – PCA-2020-000 Cessnock Airport – Project Management

Project ID – PCA-2020-007 Cessnock Airport – Install non precision GPS

Project ID – PCA-2020-009a Cessnock Airport – Eastern terminal upgrade design

Project ID – PCA-2020-010 Cessnock Airport – Runway lighting

Project ID – PCA-2020-005 Cessnock Airport – Stage 2 Extend de Havilland Drive

k) Safer Roads Program:

Add:

Project ID – CRR-2020-004 Sandy Creek Road, Mount View

l) Floodplain Management Program:

Add:

Project ID – PMF-2021-003 Mount View Detention Basin - Improvements

m) Cultural & Community Buildings Renewal Program:

Add:

Project ID – RBC-2022-005 CPAC Refurbishment

Project ID – RBC-2021-013 VIC Improvements

Project ID – RBC-2021-014 North Cessnock Community Hall – External Painting

n) Cessnock Civic Precinct Revitalisation Program:

Add:

Project ID – RCC-2021-001 East End Oval

Project ID – RCC-2021-002 Victoria Street, Cessnock – Pedestrian Refuge

o) Local Road Renewal Program:

Defer:

Project ID – RRL-2020-011 Quorrobolong Road, Kitchener

Add:

Project ID – RRL-2021-xxx Bridge Street, Branxton – Asphalt resurface

Project ID – RRL-2021-012 Old Maitland Road, Sawyers Gully – Sealing unsealed section

FOR**AGAINST**

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC3/2021

SUBJECT: DRAFT COUNCILLORS EXPENSES AND FACILITIES POLICY

MOTION **Moved:** Councillor Burke **Seconded:** Councillor Gray
1562
RESOLVED

1. That Council place the draft Councillor Expenses and Facilities Policy on public exhibition for a period of 28 days.
2. That a further report to be presented to Council following the public exhibition period for consideration of any significant submissions received.
3. That if there are no submissions or changes to the draft Councillor Expenses and Facilities Policy following the exhibition period the policy automatically be adopted and the previous version of the Councillor Expenses and Facilities Policy be revoked.
4. That prior to the 28 day exhibition period that the following be adjusted within the policy that Clause 3.2.5 be reduced to \$5,000.

FOR

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

AGAINST

Councillor Olsen

Total (1)

CARRIED

CORPORATE AND COMMUNITY NO. CC4/2021

SUBJECT: ACQUIRE DRAINAGE EASEMENT 3A THOMAS STREET, NORTH ROTHBURY.

Councillor Stapleford declared a Non Pecuniary Significant Conflict for the reason that the persons named in the report are close relatives. Councillor Stapleford left the Chamber and took no part in discussion or voting.

Councillor Stapleford left the meeting, the time being 8.17 pm

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1563
RESOLVED

1. **That Council acquires, by agreement with the landowner in accordance with the Deed of Agreement and independent valuation, an easement for the purpose of storm water drainage comprising 151.14 m² burdening Lot 32 DP 829386 at 3A Thomas Street, North Rothbury.**
2. **That Council authorises the General Manager to execute the documents relating to the acquisition of the drainage easement over Lot 32 DP 829386 at 3A Thomas Street, North Rothbury.**

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 Stapleford returned to the meeting, the time being 8.18 pm

CORPORATE AND COMMUNITY NO. CC5/2021

**SUBJECT: DEDICATION OF PUBLIC ROAD - HUNTER ECONOMIC ZONE,
PELAW MAIN**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1564
RESOLVED

That Council resolves to dedicate Lot 30 DP 1097180, Lot 503 DP 1200716 and Lot 504 DP 1200716 as public road.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC6/2021

SUBJECT: BRANXTON PRESCHOOL INC- LICENCE AREEMENT

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1565
RESOLVED

1. That Council enters into a 12-year licence agreement with the Branxton Preschool Inc on the premise known as 13 John Street, Branxton for using the site as a preschool.
2. That Council authorises the General Manager to sign the licence agreement and any associated documentation as required.

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC7/2021

SUBJECT: INVESTMENT REPORT - DECEMBER 2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1566
RESOLVED

That Council receives the Investment Report for December 2020 and notes:

- **Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order.**
- **Council's month end balance was \$48,442,937, year to date interest earned to 31 December was \$221,200 and the interest earned for December 2020 was \$31,511.**

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC8/2021

SUBJECT: INVESTMENT REPORT - JANUARY 2021

MOTION **Moved:** Councillor Lyons **Seconded:** Councillor Suvaal
1567
RESOLVED

That Council receives the Investment Report for January 2021 and notes:

- **Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order.**
- **Council's month end balance was \$47,510,285, year to date interest earned to 31 January was \$249,165 and the interest earned for January 2021 was \$27,965.**

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

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC9/2021

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1568
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 Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (12)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC10/2021

**SUBJECT: MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY
FACILITIES COMMITTEE MEETING HELD 3 FEBRUARY 2021**

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Suvaal
1569
RESOLVED

1. That the Minutes of the Strategic Property and Community Facilities Committee of 3 February 2021 be adopted as a resolution of the Ordinary Council.
2. SPOR1/2021 - Authorisation For Sale Of Land: 62 - 76 Cessnock St, Aberdare (8 Lots) And Outcome Of Consideration Of Suitability For Social Housing
 - i. That Council notes that the parcels of land are not considered suitable for the provision of social housing.
 - ii. That Council sell:
 - 62 Cessnock Street, Aberdare
 - 64 Cessnock Street, Aberdare
 - 66 Cessnock Street, Aberdare
 - 68 Cessnock Street, Aberdare
 - 70 Cessnock Street, Aberdare
 - 72 Cessnock Street, Aberdare
 - 74 Cessnock Street, Aberdare
 - 76 Cessnock Street, Aberdare
 - iii. That Council authorises the General Manager to execute the Transfer documentation on each sale between Cessnock City Council and the purchasers of each lot.
 - iv. That the proceeds of sale be allocated in accordance with the adopted Property Investment Fund Policy.
3. That prior to the blocks being listed for sale, Council receive a report from the General Manager on the cost of property improvements to the 8 listed blocks including drainage, suitable kerb and guttering and appropriate clearing.
4. The report includes the separate cost to Council associated with extending the kerb and guttering to the Caledonian Street intersection and along the front of the adjoining houses facing Colliery Street Aberdare.

FOR

Councillor Doherty
Councillor Dunn
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent

Total (9)**AGAINST**

Councillor Olsen
Councillor Fagg
Councillor Stapleford

Total (3)***CARRIED***

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI1/2021

SUBJECT: REQUEST FOR SPONSORSHIP - KEARSLEY COMMUNITY DAWN SERVICE COMMITTEE INC.

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1570
RESOLVED

1. That Council provides sponsorship to the Kearsley Community Dawn Service Committee Inc. for a community morning tea to be attended by Her Excellency the Honourable Margaret Beazley AC DSC, Governor of New South Wales and her Husband, Mr Dennis Wilson to the value of \$600.
2. That the Kearsley Community Dawn Service Committee Inc. provide an acquittal of the sponsorship within 60 days of the event.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI2/2021

SUBJECT: SALE OF LAND TO BELLBIRD BOWLING CLUB

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Fitzgibbon
1571

RESOLVED

1. That Council authorises the General Manager to undertake the process to reclassify the seven metre strip of land along the southern boundary of the Bellbird Park Bowling Club from Community to Operational.
2. That Council agrees to sell the subject parcel of land once reclassified to Bellbird Park Bowling Club at the nominal cost of one dollar (\$1.00) provided the Bellbird Park Bowling Club fund associated costs for the land transfer.
3. That Council authorises the General Manager to execute documents related to the reclassification and transfer of land between Cessnock City Council and the Bellbird Park Bowling Club.

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI3/2021

SUBJECT: TENDER NO. T1920-10 - CONSTRUCTION OF CESSNOCK SWIMMING POOL SPLASH PAD

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Sander
1572

RESOLVED

That Council accepts the tender from P.D.A. Custom Constructions Pty Ltd in the lump sum amount of \$1,229,795 (including GST) for Tender No. T1920-10 – Construction of Cessnock Swimming Pool Splash Pad.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI4/2021

SUBJECT: BRIDGE CONSTRUCTION PROGRAM - STATUS

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1573
RESOLVED

1. That Council notes the status of the current Bridge Construction Program as at the end of Quarter 2, including completion of Fosters Bridge, Mount Vincent and the anticipated completion of Paynes Crossing Bridge, Paynes Crossing.
2. That Council notes the progress of construction, road closure and detour of traffic during replacement of Anvil Creek Bridge, Greta.
3. That Council notes the progress of tendering, and proposed bypass for vehicles during the proposed replacement of Yango Creek Road Bridge, Wollombi.

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (12)

Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI5/2021

SUBJECT: LOCAL ROADS & COMMUNITY INFRASTRUCTURE EXTENSION PROGRAM

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Burke
1574
RESOLVED

1. That Council endorses the following projects previously adopted by Council for submission under the Australian Government Local Roads and Community Infrastructure Program Extension:
 - a) Cessnock CDB Civic Precinct Upgrade Stage 2 Library Shared Zone,
 - b) City Wide Bus Stop Connection Pathways.
2. That Council notes that the following projects have been included in the Local Roads and Community Infrastructure Program Extension:
 - a) Millfield - Rose Hill Estate to Wollombi Road via Crawfordville Park,
 - b) Greta - Railway Station to High Street via Nelson Street,
 - c) Pelaw Main – Log of Knowledge Park to Neath Street.

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI6/2021

**SUBJECT: MINUTES OF THE CESSNOCK LOCAL TRAFFIC COMMITTEE
MEETING HELD 18 JANUARY 2021**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1575
RESOLVED

That the Minutes of the Cessnock Local Traffic Committee Meeting of 18 January 2021 be adopted as a resolution of the Ordinary Council.

1. **TC1/2021 - That Council authorises the temporary regulation of traffic on Broke Road, Lovedale Road, De Beyers Road and Grady Road, Pokolbin for the Hunter Valley Airshow from 7am to 7pm, Saturday 13 March 2021 & Sunday 14 March 2021 in accordance with the Various Roads Pokolbin _ Traffic Control Plan.**
2. **TC2/2021 - That Council authorises the installation of line marking on Maitland Street, East Branxton in accordance with the Maitland Street East Branxton _ Line Marking Diagram.**
3. **TC3/2021 - That Council authorises the installation of pedestrian signage at Elizabeth Street, Abermain in accordance with the Elizabeth Street Abermain _ Signage Diagram.**
4. **TC4/2021 - That Council authorises the installation of regulatory signage and line marking on Madeline and Broome Streets, Heddon Greta, in accordance with the Madeline Street Heddon Greta_ Signage & Line Marking Diagram.**
5. **TC5/2021 - That Council authorises the installation of regulatory parking signage and line marking on Lang Street, Kurri Kurri in accordance with the Lang Street Kurri Kurri _ Signage & Line Marking Diagram.**
6. **TC6/2021 - That Council authorises the installation of timed bus zone and regulatory parking signage on Wollombi Road, Cessnock in accordance with the Wollombi Road, Cessnock _ Signage Diagram.**
7. **TC7/2021 - That Council authorises the installation of regulatory parking signage on Abermain Street, Pelaw Main in accordance with the Abermain Street Pelaw Main _ Signage Diagram.**
8. **TC8/2021 - That Council authorises the installation of speed humps on Kline Street, Weston in accordance with the Kline Street Weston _ Signage Diagram.**
9. **TC9/2021 - That Council authorises the installation of a pedestrian refuge and associated signage and line marking on Bridge Street, Cessnock in accordance with the Bridge Street Cessnock _ Signage & Line Marking Diagram.**
10. **TC10/2021 - That Council authorises the installation of a pedestrian refuge and associated signage and line marking on Quarrybylong Street, Aberdare in**

accordance with the Quarrybylong Street Aberdare _ Signage & Line Marking Diagram.

11. TC11/2021 - That Council authorises the installation of a pedestrian refuge and associated signage and line marking on Hall Street, Cessnock in accordance with the Hall Street Cessnock _ Signage & Line Marking Diagram.
12. TC12/2021 - That Council authorises the installation of a pedestrian refuge and associated signage and line marking on Cooper Street, Cessnock in accordance with the Cooper Street Cessnock _ Signage & Line Marking Diagrams.
13. TC13/2021 - That Council authorises the installation of a pedestrian refuge and associated signage and line marking on Fourth Street, Weston in accordance with the Fourth Street Weston _ Signage & Line Marking Diagram.
14. TC14/2021 - That Council authorises the installation of signage and barriers on the laneway between Kenny Street and Doyle Street, Cessnock in accordance with Kenny Street Cessnock _ Signage Diagram
15. TC15/2021 - That Council resolves that, in accordance with the Cessnock Local Traffic Committee Terms of Reference, the 2021 meeting dates for the Cessnock Local Traffic Committee are:
 - 18 January 2021
 - 15 February 2021
 - 15 March 2021
 - 19 April 2021
 - 17 May 2021
 - 21 June 2021
 - 19 July 2021
 - 16 August 2021
 - 20 September 2021
 - 18 October 2021
 - 15 November 2021
 - 20 December 2021

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

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI7/2021

**SUBJECT: MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE
MEETING HELD 2 DECEMBER 2020**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1576
RESOLVED

1. That the Minutes of the Floodplain Management Committee Meeting of 2 December 2020 be adopted as a resolution of the Ordinary Council.
2. **FLOCLM20/2020**
 - 4) That Council reapply for a NSW Floodplain Management Program grant in 2021 for South Cessnock Flood Mitigation Scheme Construction.
 - 5) That Council proceed with Heddon Greta Flood Mitigation Design in 2021 subject to available budget.
3. **FLOCLM17/2020**

That meetings be scheduled for dates in 2021 as follows:

 - 3 March 2021,
 - 2 June 2021,
 - 1 September 2021, and
 - 1 December 2021.
4. **FLOCLM18/2020**
 - 4) That the Floodplain Management Committee receives a future report on outcomes of the compliance audit of the Mount View Detention Basin.

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

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN1/2021

SUBJECT: HEDDON GRETA SUBURB ENTRY SIGNS

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Burke
1577
RESOLVED

1. **That the General Manager investigates options available to prioritise Suburb Entry Signs for Heddon Greta and Cliftleigh, with a report coming back to the March Council Meeting, including where the signs are needed and how much they will cost.**

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

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN2/2021

SUBJECT: CREEK CROSSINGS IN THE LGA

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Gray
1578
RESOLVED

That the General Manager investigates the creek crossings in the Cessnock LGA as an action in the Operational Plan 2021/22. The action to include:

- Identification of the number and location of crossings
- Do they have depth markers that are able to be clearly read
- Do they have warning signs
- A report be presented to Council once the action is complete

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

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN3/2021

SUBJECT: CESSNOCK REGIONAL SKATEPARK CARMICHAEL PARK BMX FACILITY

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Burke
1579

RESOLVED

1. That the General Manager prepare a report for Council outlining the benefits (including grant opportunities) and costs (including staff resources) of expediting the Detailed Design and Construction Drawings relating to the Cessnock Regional Skate park and the Carmichael Park BMX Facility.
2. That possible funding sources be identified.

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

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN4/2021

SUBJECT: BENEFITS OF EXTERNAL MEMBERSHIPS

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1580
RESOLVED

That the General Manager prepare a report to Council outlining the organisations to which the Council has membership. The report is to outline the benefits and financial commitment of that membership.

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

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN5/2021

SUBJECT: COMMUNITY ENGAGEMENT

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Sander
1581

RESOLVED

That the General Manager report back to Council on the benefits of sharing the “fun facts” and “Cessnock under construction” information distributed to Councillors in the Councillors Weekly Circular on all Council community engagement platforms.

FOR

Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Suvaal
Councillor Fitzgibbon
Councillor Gray
Councillor Burke
Councillor Sander
Councillor Lyons
Councillor Pynsent

Total (11)

AGAINST

Councillor Olsen

Total (1)

CARRIED

QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

**QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN NO.
QWNG1/2021**

SUBJECT: QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

FOR COUNCIL'S INFORMATION

CORRESPONDENCE

CORRESPONDENCE NO. CO1/2021

SUBJECT: CLEARING OF WATERWAYS - NOTICE OF MOTION BN23/2020

MOTION **Moved:** Councillor Olsen **Seconded:** Councillor Suvaal
1582
RESOLVED

That Council notes the correspondence from the Acting Chief Investment Officer of Hunter Water, in relation to Council's concern for the clearing of our waterways to help with the flow of water and to minimise flooding in high risk areas.

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

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO2/2021

SUBJECT: CLOSURE OF LANEWAY - REPORT W179/2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1583

RESOLVED

That Council notes the correspondence from the Member for Cessnock Clayton Barr MP, in relation to representation made to The Hon Melinda Pavey MP seeking consideration of Councils' position relating to the pedestrian pathway between Duguid Close and Casson Avenue, Cessnock which is the property of Housing NSW, and the anti-social behaviour occurring at the site.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	

Total (12)

Total (0)

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO3/2021

SUBJECT: ROAD RECLASSIFICATION - REPORT WI72/2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1584
RESOLVED

That Council notes the correspondence from the Member for Cessnock Clayton Barr MP, in relation to Council's request for support seeking for MR181 – from the Central Coast Council boundary to Wollombi then via Millfield and Bellbird to Allandale Road at Cessnock 52.4km – to be transferred to State from regional road status.

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

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO4/2021

SUBJECT: GAS FIRED POWER STATION - REPORT BN31/2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1585

RESOLVED

That Council notes the correspondence from the Member for Cessnock Clayton Barr MP advising of representation made to the NSW Minister for Energy and Environment, the Hon Matt Kean, MP and correspondence from David Blowers, Acting General Manager, Electricity Markets Branch regarding the gas-fired power station project near Kurri Kurri.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	

Total (12)

Total (0)

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO5/2021

**SUBJECT: UNREGISTERED MOTORCYLCES ON LOCAL ROADS - NOM
BN32/2020**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
1586
RESOLVED

That Council notes the correspondence from the Member for Cessnock Clayton Barr MP advising of representation made to the NSW Police Force, Acting Superintendent Tracy Chapman, APM, Commander of Hunter Valley Police District, seeking consideration of the issues regarding unregistered motorcycle activity.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	

Total (12)

Total (0)

CARRIED UNANIMOUSLY

COUNCILLORS REPORTS

NIL

Seconded:

Councillor Suvaal

Councillor Burke

1587

RESOLVED

That the General Manager urgently implement or update a policy around the use of waste vouchers by contractors to ensure vulnerable people in our community, like the elderly and people with a disability, are not disadvantaged.

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

CARRIED UNANIMOUSLY

The Meeting Was Declared Closed at 9.16pm

CONFIRMED AND SIGNED at the meeting held on 17 March 2021

.....CHAIRPERSON

.....GENERAL MANAGER