

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 15 JUNE 2022, COMMENCING AT  
6.30PM**

**PRESENT:** His Worship the Mayor, Councillor J Suvaal (in the Chair) and Councillors Dunn, Jurd, Hawkins, Olsen, Jackson, Watton, Sander, Grine, Hill.

**IN ATTENDANCE:** Acting General Manager (Director Corporate and Community Services)  
Director Planning and Environment  
Acting Director Corporate and Community Services (Human Resources Manager)  
Director Works and Infrastructure  
Development Services Manager  
Strategic Planning Manager  
Chief Finance Officer  
Help Desk Support Officer x 2  
Media & Communications Coordinator  
Corporate Governance Officer

**APOLOGY & LEAVE  
OF ABSENCE:**

**MOTION**

**Moved:** Councillor Hawkins  
Councillor Sander

**Seconded:**

142

**RESOLVED** that the Leave of Absence previously submitted by Councillors Burke and Moores be noted.

That the apology tendered on behalf of Councillor Paynter be accepted.

**FOR**

**AGAINST**

Councillor Jackson  
Councillor Dunn  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Watton  
Councillor Olsen  
Councillor Jurd  
Councillor Suvaal  
**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**MINUTES:**

**MOTION**

**Moved:** Councillor Hill  
**Seconded:** Councillor Sander

143

**RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 18 May 2022 and Extraordinary Meeting of Council held on 4 May 2022, as circulated, be taken as read and confirmed as a correct record.

**FOR**

**AGAINST**

Councillor Jackson  
Councillor Dunn  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Watton  
Councillor Olsen  
Councillor Jurd  
Councillor Suvaal

**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## ***DISCLOSURES OF INTEREST***

### ***DISCLOSURES OF INTEREST NO. DI5/2022***

***SUBJECT: DISCLOSURES OF INTEREST***

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#### ***RECOMMENDATION***

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

**PE30/2022 – Section 4.55(1A) Application Proposing to Modify Development Consent No. 8/2020/20576/1 by amending condition No. 28 relating to roadworks –** Councillor Dunn declared a Non Pecuniary Significant Conflict for the reason that he has an historic conflict. Councillor Dunn advised that he would leave the Chamber and take no part in discussion and voting.

## PETITIONS

NIL

### ADDRESS BY INVITED SPEAKERS

Councillor Dunn declared a Non Pecuniary Significant Conflict for the reason that he has an historic conflict. Councillor Dunn left the Chamber and took no part in discussion and voting.

*Councillor Dunn left the meeting, the time being 6.35pm*

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

Speakers	For / Against	Report	Page No.	Duration
David Pavey on behalf of owner	Against Recommendation	PE30/2022 - Section 4.55(1A) Application Proposing to modify Development Consent No. 8/2020/20576/1 by amending condition no. 28 relating to roadworks	64	3 mins

#### EXTENSION OF TIME

**Moved:**

Councillor Hawkins

**Seconded:**

Councillor Sander

144

#### RESOLVED

That an extension of 1 minute be granted to enable Mr Pavey to finalise his presentation.

#### FOR

Councillor Jackson  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Watton  
Councillor Jurd  
Councillor Suvaal

**Total (8)**

#### AGAINST

Councillor Olsen

**Total (1)**

#### CARRIED

**PLANNING AND ENVIRONMENT NO. PE30/2022**

**SUBJECT: SECTION 4.55(1A) APPLICATION PROPOSING TO MODIFY DEVELOPMENT CONSENT NO. 8/2020/20576/1 BY AMENDING CONDITION NO. 28 RELATING TO ROADWORKS**

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**MOTION**

145

**RESOLVED**

**Moved:** Councillor Olsen

**Seconded:** Councillor Jurd

1. That Council approve the Section 4.55(1A) Application No. 8/2020/20576/2 to amend Condition 28 relating to roadworks to the following:

Condition 28 of Development Consent 8/2020/20576/1 be amended to:

*The registered proprietors of the land shall construct the following within the unnamed lane prior to the issue of an OC.*

*Construct a road formation to include:*

- a) *A 4-metre wide with 2 coat sealed pavement formation and with 2 by 1 m gravel shoulders, pipe drainage as required and associated grass swales from Mount View Road for approx. 65 metres,*
- b) *Road formation to be a minimum thickness of 150mm utilising approved DGB20 gravel.*
- c) *A 4 metre wide oneway crossfall, with 2 coat sealed pavement formation only for approximately 165 metres from the sealed extent a) above to the subject lot access crossover (ie no shoulder or grass swale)*

2. That Council remove the requirement for the BAR/BAL intersection works.

**FOR**

Councillor Jackson  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Watton  
Councillor Olsen  
Councillor Jurd

**Total (8)**

**AGAINST**

Councillor Suvaal

**Total (1)**

**CARRIED**

*Councillor Dunn returned to the meeting, the time being 7.03pm*

*The speaker withdrew his request.*

Speakers	For/Against Recommendation	Report	Page No.	Duration
Mr Shane Boslem	For	PE31/2022 – Hydro Kurri Kurri Planning Proposal	100	3 mins

**PLANNING AND ENVIRONMENT NO. PE31/2022**

**SUBJECT: 18/2015/2/1 HYDRO KURRI KURRI PLANNING PROPOSAL**

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**MOTION**      **Moved:** Councillor Hill      **Seconded:** Councillor Sander  
146

**RESOLVED**

1. That Council notes the outcome of consultation with public agencies and the community in relation to the Hydro Kurri Kurri Planning Proposal.
2. That Council endorses the Planning Proposal as an amendment to the Cessnock Local Environmental Plan 2011.
3. That the General Manager notify those persons who made submissions of Council's decision.

**FOR**

Councillor Jackson  
Councillor Dunn  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Watton  
Councillor Suvaal

**Total (8)**

**AGAINST**

Councillor Olsen  
Councillor Jurd

**Total (2)**

**CARRIED**

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

**MOTION**                      **Moved:**     Councillor Dunn                      **Seconded:**     Councillor Sander  
147

**RESOLVED** that having read and considered the report in the agenda related to items:

GMU14/2022	Work Health and Safety Policy Statement - Review .....	55
GMU15/2022	Risk Management Policy Statement - Review .....	59
CC45/2022	Tender T112223HUN Road Safety Barrier Systems .....	189
CC46/2022	Draft Code of Meeting Practice 2022.....	197
CC48/2022	Controlled Document Review 2022 - Revocation of Policies.....	204
CC49/2022	Minutes of the Strategic Property & Community Facilities Committee meeting held 1 June 2022 .....	207
CC51/2022	Investment Policy.....	217
CC53/2022	Notice of Intention to Deal with Matters in Confidential Session ... Supp Agenda	
WI37/2022	Tender 10048971 (Public Works) Kurri Kurri CBD Section 1.3 Construction.....	280
WI38/2022	Tender T2022 - 09 Kline Street Weston Bridge Project.....	289
WI40/2022	Financial Assistance for the Disposal of Waste (charitable and not for profit organisations) Policy .....	311
WI43/2022	Minutes of the Cessnock Local Traffic Committee Meeting held 16 May 2022 .....	333
‡ CO8/2022	PE16/2022 - Cessnock City Council Companion Animal Management Plan 2022 - 2026 .....	350

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

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

## **NOTICE OF INTENTION NO. NI3/2022**

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

**REPORT CC53/2022 - LARGE SITE ELECTRICITY CONTRACT  
STATUS**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
148  
**RESOLVED**

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

Report CC53/2022 – Large Sites Electricity Contract Status as the report deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

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.

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



## **MAYORAL MINUTES**

### **MAYORAL MINUTES NO. MM10/2022**

**SUBJECT:      PARKING ADVOCACY - AMENDMENT TO RULE 197 OF THE ROAD RULES 2014**

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**MOTION**            **Moved:**      Councillor Suvaal  
149

**RESOLVED**

That Council write to the Hon David Elliott MP, Minister of Transport, and Clayton Barr MP, Member for Cessnock, requesting an addition of an “exemption” to Rule 197 of the NSW Road Rules 2014 allowing participating Councils to provide for parking on nature strips.

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## ***MOTIONS OF URGENCY***

### ***MOTIONS OF URGENCY NO. MOU5/2022***

***SUBJECT: MOTIONS OF URGENCY***

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NIL

## **GENERAL MANAGER'S UNIT**

### **GENERAL MANAGER'S UNIT NO. GMU13/2022**

**SUBJECT: MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 10 MAY 2022**

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**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Hill  
150  
**RESOLVED**

**That the Minutes of the Audit and Risk Committee Meeting held 10 May 2022 be adopted as a resolution of the Ordinary Council.**

<b>FOR</b>	<b>AGAINST</b>
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Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	

**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU14/2022**

**SUBJECT: WORK HEALTH AND SAFETY POLICY STATEMENT - REVIEW**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
151

**RESOLVED**

**That Council adopts the Work Health and Safety Policy Statement.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**GENERAL MANAGER'S UNIT NO. GMU15/2022**

**SUBJECT: RISK MANAGEMENT POLICY STATEMENT - REVIEW**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
152

**RESOLVED**

**That Council adopts the Risk Management Policy Statement.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **PLANNING AND ENVIRONMENT**

### **PLANNING AND ENVIRONMENT NO. PE32/2022**

**SUBJECT:** 18/2021/4 MOLLY WORTHINGTON NETBALL COURTS PLANNING PROPOSAL

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**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Grine  
153  
**RESOLVED**

1. That Council endorses the responses to the additional information sought by the Department of Planning and Environment outlined within the report.
2. That Council forwards an amended planning proposal to the Department of Planning and Environment and request a Gateway determination for the Planning Proposal pursuant to the *Environmental Planning and Assessment Act 1979*.

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE33/2022**

**SUBJECT: 18/2021/7 PLANNING PROPOSAL FOR THE CESSNOCK  
COMMERCIAL PRECINCT**

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**MOTION**      **Moved:** Councillor Sander      **Seconded:** Councillor Hill  
154

**RESOLVED**

1. That Council endorses the Planning Proposal as an amendment to the Cessnock Local Environmental Plan 2011.
2. That the General Manager notify submission makers of Council's decision.

**FOR**

Councillor Jackson  
Councillor Dunn  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Suvaal  
**Total (7)**

**AGAINST**

Councillor Watton  
Councillor Olsen  
Councillor Jurd  
  
  
**Total (3)**

**CARRIED**

**PLANNING AND ENVIRONMENT NO. PE34/2022**

**SUBJECT: DRAFT AMENDMENT TO CESSNOCK CITY WIDE  
INFRASTRUCTURE CONTRIBUTIONS PLAN - REPORT ON  
EXHIBITION**

**MOTION**            **Moved:** Councillor Hill            **Seconded:** Councillor Dunn

1. **The Council adopt the Cessnock City Wide Infrastructure Contributions Plan 2020.**
2. **That the General Manager notifies those persons who made submissions of Council's decision.**

**PROCEDURAL MOTION**   **Moved:** Councillor Olsen  
                              **Seconded:** Councillor Jurd

***RESOLVED***

**That the report be deferred to the next Ordinary Council meeting.**

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

***CARRIED UNANIMOUSLY***



**PLANNING AND ENVIRONMENT NO. PE35/2022**

**SUBJECT: REVIEW OF SITE INSPECTION PROTOCOL**

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**MOTION**      **Moved:** Councillor Hawkins      **Seconded:** Councillor Watton  
155

**RESOLVED**

That the General Manager continue discussions with Councillors about the most appropriate time to hold site inspections and reducing the number of Councillors required to accept to three.

**FOR**

**AGAINST**

Councillor Jackson  
Councillor Dunn  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Watton  
Councillor Olsen  
Councillor Jurd  
Councillor Suvaal

**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**PLANNING AND ENVIRONMENT NO. PE36/2022**

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING  
REPORT - MARCH 2022**

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**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Hill  
156  
**RESOLVED**

**That Council receives and notes the Development Performance Monitoring Report for the March quarter 2021/22.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **CORPORATE AND COMMUNITY**

### **CORPORATE AND COMMUNITY NO. CC45/2022**

**SUBJECT: TENDER T112223HUN ROAD SAFETY BARRIER SYSTEMS**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
157  
**RESOLVED**

1. That Council accepts the Regional Procurement panel tender Road Safety Barriers (T112223HUN) for the period from 1 July 2022 to 31 March 2023, in no order of preference from the following suppliers;
  - A1 Highways Pty Ltd
  - Destraz Pty Ltd t/a D&P Fencing Contractors
  - Guardrail Infrastructure Pty Ltd t/a Guardrail Installations Australia
  - Western Safety Barriers t/a Western Safety Barriers Group Pty Ltd
2. That the General Manager be delegated authority to extend by 12 months based on satisfactory supplier performance.

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC46/2022**

**SUBJECT: DRAFT CODE OF MEETING PRACTICE 2022**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
158  
**RESOLVED**

1. That Council adopts the Code of Meeting Practice following the conclusion of the Public Exhibition period.
2. That the General Manager progress the implementation of a rotating roster system which provides religious organisations in the Local Government Area an opportunity to conduct the prayer at the commencement of Ordinary meetings of Council.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC47/2022**

**SUBJECT: DONATIONS UNDER SECTION 356 - RATES RELIEF**

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**MOTION**      **Moved:** Councillor Hill      **Seconded:** Councillor Sander  
159  
**RESOLVED**

1. That Council accept the application from Weston Masonic Centre and grant a Rates Subsidy for the 2022-23 rating year.
2. That the General Manager writes to the applicant advising of Council's decision according to the Rates Subsidy Policy.

FOR	AGAINST
Councillor Jackson	Councillor Olsen
Councillor Dunn	Councillor Jurd
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Suvaal	
<b>Total (8)</b>	<b>Total (2)</b>

**CARRIED**

**CORPORATE AND COMMUNITY NO. CC48/2022**

**SUBJECT: CONTROLLED DOCUMENT REVIEW 2022 - REVOCATION OF POLICIES**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
160  
**RESOLVED**

**That Council revokes the following Controlled Documents.**

- **Alcohol and Other Drugs Operational Policy (2017)**
- **Smoke Free Workplace Policy (2014)**
- **Abandoned or Unattended Shopping Trolley Policy (2020)**
- **Cessnock LGA Tidy Town Program Policy (2013)**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC49/2022**

**SUBJECT: MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY  
FACILITIES COMMITTEE MEETING HELD 1 JUNE 2022**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
161  
**RESOLVED**

**That the Minutes of the Strategic Property and Community Facilities Committee of 1 June 2022 be adopted as a resolution of the Ordinary Council.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC50/2022**

**SUBJECT: INVESTMENT REPORT - MAY 2022**

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*Councillor Jackson left the meeting, the time being 7.42pm*

**MOTION**      **Moved:** Councillor Hill      **Seconded:** Councillor Dunn  
162  
**RESOLVED**

**That Council receives the Investment Report for May 2022 and notes that:**

- **Investments are held in accordance with Council's Investment Policy, which is in accordance with the Ministerial Investment Order.**
- **Council's month end cash and investments balance was \$81,697,154.**

*Councillor Jackson returned to the meeting, the time being 7.46pm*

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**



**CORPORATE AND COMMUNITY NO. CC51/2022**

**SUBJECT: INVESTMENT POLICY**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
163  
**RESOLVED**

**That the Council approves the updated Investment Policy.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**CORPORATE AND COMMUNITY NO. CC52/2022**

**SUBJECT: RESOLUTIONS TRACKING REPORT**

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**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Hill  
164  
**RESOLVED**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **WORKS AND INFRASTRUCTURE**

### **WORKS AND INFRASTRUCTURE NO. WI37/2022**

**SUBJECT: TENDER 10048971 (PUBLIC WORKS) KURRI KURRI CBD SECTION 1.3 CONSTRUCTION**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
165  
**RESOLVED**

1. Council declines to accept the tender and enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender in accordance with Part 7, Division 4, Clause 178 of the Local Government (General) Regulation 2005 (Acceptance of tenders) 3e, due to:
  - the assessed financial capacity of the tenderer
  - Council is satisfied that having undertaken a tender process there would be little benefit gained in inviting fresh tenders as it will negatively impact the project program, grant funding timeframes and perceived reputation within the community.
2. That Council authorise the General Manager to accept a tender and enter into a contract for the Kurri Kurri Town Commercial Centre Upgrade in whole or separable parts.

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI38/2022**

**SUBJECT: TENDER T2022 - 09 KLINE STREET WESTON BRIDGE PROJECT**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
166  
**RESOLVED**

1. That Council rejects all tenders for the Kline Street Weston Bridge project (T2022 – 09) and in accordance with Part 7, Division 4, Clause 178 of the *Local Government (General) Regulation 2021* (Acceptance of tenders) 3e, to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender, due to:
  - insufficient funding.
  - the Council is satisfied that having undertaken a tender process there would be little benefit gained in inviting fresh tenders.
  - subject to securing additional funding, the Council believes that through negotiation a positive outcome can be achieved.
2. That Council authorise the General Manager to accept a tender and enter into a contract for the Kline Street Weston Bridge project in whole or separable parts.
3. That Council authorise the General Manager, to seek additional funding from TfNSW and the Department of Infrastructure, Transport, Regional Development and Communications, to facilitate the ability to award a contract for the replacement of Kline Street Weston Bridge.

**FOR**

**AGAINST**

Councillor Jackson  
Councillor Dunn  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Watton  
Councillor Olsen  
Councillor Jurd  
Councillor Suvaal  
**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

## WORKS AND INFRASTRUCTURE NO. WI39/2022

**SUBJECT: WASTE VOUCHER PROPOSED IMPROVEMENTS AND AMENDMENT TO WASTE MANAGEMENT POLICY**

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**MOTION**      **Moved:** Councillor Hill      **Seconded:** Councillor Sander  
167  
**RESOLVED**

1. That Council amend clause 4.4.7viii of the adopted Waste Management Policy 2020 – 25 allowing any household to contract transport of bulk waste with a voucher for disposal from 1 July 2022 to:

*“Eligible businesses may be approved to bring waste materials on behalf of residents upon submitting the relevant application.”*

2. That Council amend the current voucher system from 1 July 2023 to be issued twice per year, with each allocation to provide:

- Two (2) general waste vouchers of 250kg each and,
- Four (4) resource recovery vouchers (for recycling, organics and recoverable resources, etc.) of 250kg each.

*Councillor Jurd left the meeting, the time being 7.57pm*

*Councillor Jurd returned to the meeting, the time being 7.59pm*

FOR	AGAINST
Councillor Jackson	Councillor Olsen
Councillor Dunn	Councillor Jurd
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Suvaal	
<b>Total (8)</b>	<b>Total (2)</b>

**CARRIED**

**WORKS AND INFRASTRUCTURE NO. WI40/2022**

**SUBJECT: FINANCIAL ASSISTANCE FOR THE DISPOSAL OF WASTE  
(CHARITABLE AND NOT FOR PROFIT ORGANISATIONS) POLICY**

---

**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
168  
**RESOLVED**

**That Council adopts the revised Financial Assistance for the Disposal of Waste  
(charitable and not for profit organisations) Policy.**

<b>FOR</b>	<b>AGAINST</b>
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Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	

**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI41/2022**

**SUBJECT: 2021/22 OUTDOOR POOL SEASON REVIEW**

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**MOTION**      **Moved:** Councillor Hawkins      **Seconded:** Councillor Dunn  
169  
**RESOLVED**

1. That Council notes the information in the report with regard to ongoing program options at Council's aquatic facilities.
2. That the General Manager provide a further report to Council with costs, funding sources and other impacts of Council:
  - a) Issuing a free family pass entry voucher to all children completing the NSW Department of Education intensive learn to swim program and including information on the options to expand this free pass to include any other learn to swim programs run at Council pools.
  - b) Holding a free entry and community celebration for the launch of the Splash Pad at Cessnock Pool for 3 days from 1-3 October 2022.
  - c) Holding a free entry and community Australia Day Celebration and BBQ at Cessnock, Branxton and Kurri Kurri Pools on 26 January 2023.

*Councillor Hill left the meeting, the time being 8.08pm*

*Councillor Hill returned to the meeting, the time being 8.10pm*

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI42/2022**

**SUBJECT: KURRI KURRI RUGBY LEAGUE SPORTING GROUND**

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**MOTION**      **Moved:** Councillor Hill      **Seconded:** Councillor Sander  
170

**RESOLVED**

**That Council notes the information in the report in regards to the current operational maintenance and the preparation of an updated Kurri Kurri Central Sporting Facility Masterplan as part of the 2022/23 Operational Plan.**

<b>FOR</b>	<b>AGAINST</b>
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Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	

**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**



**WORKS AND INFRASTRUCTURE NO. WI43/2022**

**SUBJECT: MINUTES OF THE CESSNOCK LOCAL TRAFFIC COMMITTEE  
MEETING HELD 16 MAY 2022**

---

**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
171  
**RESOLVED**

**That the Minutes of the Cessnock Local Traffic Committee Meeting of 16 May 2022 be adopted as a resolution of the Ordinary Council.**

- 1. TC19/2022 - That Council note the advice of the Local Traffic Committee regarding the Technical Review of a proposed shared zone in Church Street, Branxton as shown in the Church Street Branxton \_ Shared Zone Signage Diagram.**
- 2. TC20/2022 - That Council note the advice of the Local Traffic Committee regarding the Technical Review of a proposed Shared Zone in Charlton Street, Cessnock as shown in the Charlton Street Cessnock \_ Shared Zone Signage Diagram.**
- 3. TC21/2022 - That Council note the advice of the Local Traffic Committee regarding the Technical Review of a proposed 40 km/h High Pedestrian Activity Area on Wollombi Road, Wollombi as shown in the Wollombi Road Wollombi \_ High Pedestrian Activity Area Diagram.**
- 4. TC22/2022 - That Council note the advice of the Local Traffic Committee regarding the Technical Review of proposed temporary regulation of traffic on various roads within Pokolbin, in accordance with the Various Roads Pokolbin \_ Port 2 Port Traffic Guidance Schemes.**

**FOR**

**AGAINST**

Councillor Jackson  
Councillor Dunn  
Councillor Grine  
Councillor Sander  
Councillor Hill  
Councillor Hawkins  
Councillor Watton  
Councillor Olsen  
Councillor Jurd  
Councillor Suvaal

**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

**WORKS AND INFRASTRUCTURE NO. WI44/2022**

**SUBJECT: MINUTES OF THE CESSNOCK LOCAL TRAFFIC COMMITTEE  
MEETING HELD 20 SEPTEMBER 2021**

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**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Hill  
172  
**RESOLVED**

**That the Minutes of the Cessnock Local Traffic Committee Meeting of 20 September 2021 be adopted as a resolution of the Ordinary Council, as amended.**

- 1. TC40/2021 - That Council authorises the removal of Bus Zone signage on Barton Street, Kurri Kurri, to be replaced with a 2 Hour Timed Parking zone, in accordance with the Barton Street Kurri Kurri \_ Signage Diagram.**
- 2. TC41/2021 - That Council does not endorse the works outlined in TC41/2021.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

*Councillor James Hawkins left the meeting, the time being 8.21pm*

## **BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN**

### **BUSINESS WITH NOTICE NO. BN19/2022**

**SUBJECT: PRIORITISING ROADWORKS**

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**MOTION**      **Moved:**    Councillor Jurd      **Seconded:**    Councillor Olsen  
173  
**RESOLVED**

1.      That the General Manager investigate and report back to the Roads Review Committee on Assets Funding including current funding level, any additional funding and options on how to address any underfunding.
2.      That the General Manager also report on how we prioritise on roadworks.

*Councillor James Hawkins returned to the meeting, the time being 8.22pm*

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

**BUSINESS WITH NOTICE NO. BN20/2022**

**SUBJECT: ADDRESSING HOMELESSNESS AND BASIC SERVICES FOR THE  
NEEDY IN CESSNOCK LGA**

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**MOTION**      **Moved:** Councillor Olsen      **Seconded:** Councillor Hawkins  
174  
**RESOLVED**

**That the report be deferred.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

## **COUNCILLOR'S REPORTS**

*Councillor Watton left the meeting, the time being 08:37 PM*

Councillor Jackson

### **Lower Hunter Bush Fire Management Committee**

Councillor Jackson attended the above meeting and reported as follows:-

The meeting was chaired by Peter Tarjani of the Forestry Corporation.

We discussed the BFCC (Bush Fire Coordinating Committee) stance on retardant type and usage, which is ongoing.

It was determined that Forestry is the responsible party for the Convict Bridge on Watagan Creek Rd. in Laguna, not CCC.

It was also confirmed that Kurri Kurri Hospital as a Neighbourhood Safer Place (NSP) is a health issue and not the responsibility of CCC.

We were informed of the Fuel Management Register. I have a copy which I will hand over to the Mayor, who can forward it to the appropriate department.

A majority of the meeting was spent with the various agencies and councils in attendance reporting on the progress of their respective hazard reductions in anticipation of the upcoming fire season, which could be busy thanks to all the rain creating so much fuel load.

I have a copy of the Fuel Management Plan for 2022-2023 which I will hand over to the Mayor, who can forward it to the appropriate department.

### **Hunter Water Customer and Community Advisory Group**

Councillor Jackson attended the above meeting and reported as follows:-

The Managing Director, Darren Cleary, gave us an update on our water storage, COVID-19 procedures, and the Hunter Water scorecard. Chichester Dam which supplies Cessnock LGA, is 100% full, as are all the other dams - Grahamstown Dam, Tomago Sandbeds, and Anna Bay Sandbeds.

We were updated on the adoption of the Lower Hunter Water Security Plan and the next steps for implementation, and Hunter Water's water conservation and leakage targets and programs.

The LHWSP is available here:

[hunterwater.com.au/waterfuture](https://hunterwater.com.au/waterfuture)

Keep an eye out for a "Respect the Throne" campaign.

<https://www.hunterwater.com.au/news/respect-the-throne-receives-highly-commended-for-best-covid-19-response>

Hunter Water's sustainability strategy, goals, and objectives, including carbon reduction goals, were also discussed. All the information is on their website:

<https://www.hunterwater.com.au/our-water/sustainability>

And lastly, a regulatory update was presented on the Hunter Water's Operating Licence and the next price path, which comes into effect on 1 July and is governed by IPART (Independent Pricing And Regulatory Tribunal).

<https://www.ipart.nsw.gov.au/Home/Industries/Water/Reviews/Licensing-Hunter-Water-Corporation/Hunter-Water-Operating-Licence-Review-2021>

## **CORRESPONDENCE**

### **CORRESPONDENCE NO. CO8/2022**

**SUBJECT:** **PE16/2022 - CESSNOCK CITY COUNCIL COMPANION ANIMAL  
MANAGEMENT PLAN 2022 - 2026**

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**MOTION**      **Moved:** Councillor Dunn      **Seconded:** Councillor Sander  
175

#### **RESOLVED**

That Council notes the correspondence received from the Minister for Local Government, the Hon Wendy Tuckerman MP, regarding the review of the Companion Animals Act 1998 and the Companion Animals Regulation 2018.

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (10)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**

*Councillor Watton returned to the meeting, the time being 8.40pm*

8.40PM

**Confidential reports (closed session)**

**MOTION**            **Moved:**    Councillor Sander            **Seconded:**    Councillor Grine  
176

**RESOLVED**

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

<b>FOR</b>	<b>AGAINST</b>
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Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	

**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**

9.12PM

**Open Session**

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

**CORPORATE AND COMMUNITY NO. CC53/2022**

**SUBJECT: LARGE SITES ELECTRICITY CONTRACT STATUS**

*This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.*

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**MOTION**                      **Moved:**    Councillor Dunn                      **Seconded:**    Councillor Grine  
177

**RESOLVED**

1.      That Council notes that Council's current Large Sites Electricity provider intends to cease supply of Electricity to Council effective 17 June 2022.
2.      That Council notes the Acting General Manager has written to the provider seeking clarification regarding the reasons for wishing to cease the contract.
3.      That Council delegates authority to the Acting General Manager to negotiate electricity supply contracts due to the limited timeframe.
4.      That a report to Council be provided on the outcome of the electricity supply contract.

*Councillor Jackson left the meeting, the time being 8.54pm*

*Councillor Jackson returned to the meeting, the time being 8.57pm*

<b>FOR</b>	<b>AGAINST</b>
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Councillor Jackson	
Councillor Dunn	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	

**Total (10)**

**Total (0)**

**CARRIED UNANIMOUSLY**



*The Meeting Was Declared Closed at 9.16pm*

**CONFIRMED AND SIGNED** at the meeting held on 20 July 2022

.....**CHAIRPERSON**

.....**GENERAL MANAGER**