

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 19 JULY 2023, COMMENCING AT
6.30PM**

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

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Development Services Manager
Strategic Planning Manager
Communications & Engagement Manager
Community Engagement Officer
Help Desk Support Officer
Council Services Senior Admin Officer
Acting, Executive Assistant Corporate & Community Services

Council Prayer:

Council Prayer was led by Pastor Wayne Kembery from Cessnock City Church.

**APOLOGY/LEAVE
OF ABSENCE:**

MOTION

Moved: Councillor Hawkins
Seconded: Councillor Moores

523
RESOLVED

That the apology tendered on behalf of Councillor Jackson, for unavoidable absence, be accepted and;

That a Leave of Absence be granted to Councillor Burke from 14 July to 21 July 2023 and,

That a Leave of Absence be granted to Councillor Jackson from 18 August to 14 November 2023.

FOR

AGAINST

Councillor Dunn
Councillor Moores
Councillor Grine
Councillor Sander
Councillor Hill
Councillor Hawkins
Councillor Paynter
Councillor Watton
Councillor Olsen
Councillor Jurd
Councillor Suvaal
Total (11)

Total (0)

CARRIED UNANIMOUSLY

MINUTES:

MOTION

Moved: Councillor Hill
Seconded: Councillor Sander

524

RESOLVED

That the Minutes of the Ordinary Meeting of Council held on 21 June 2023, as circulated, be taken as read and confirmed as a correct record.

FOR

AGAINST

Councillor Dunn
Councillor Moores
Councillor Grine
Councillor Sander
Councillor Hill
Councillor Hawkins
Councillor Paynter
Councillor Watton
Councillor Olsen
Councillor Jurd
Councillor Suvaal
Total (11)

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI6/2023

SUBJECT: DISCLOSURES OF INTEREST

Nil

PETITIONS

Nil

MAYORAL MINUTES

MAYORAL MINUTES NO. MM4/2023

SUBJECT: **AMENDMENT OF RURAL LANDS PLANNING PROPOSAL -
REINSTATE DUAL OCCUPANCIES AS A PERMISSIBLE LAND USE
WITHIN THE RU2 RURAL LANDSCAPE ZONE**

MOTION **Moved:** Councillor Suvaal

525

RESOLVED

1. That Council vary the Rural Lands Planning Proposal (PP-2022-1446) to reinstate dual occupancy development as a permissible land use within the RU2 Rural Landscape Zone, pursuant to Section 3.35(1) of the *Environmental Planning and Assessment Act, 1979*.
2. That Council forward the revised Planning Proposal to the Minister seeking an alteration to the current Gateway Determination pursuant to Section 3.35(2) of the *Environmental Planning and Assessment Act, 1979*.
3. That Council request authorisation from the Minister to utilise its Local Plan Making delegations for the making of the plan, pursuant to Section 3.31 of the *Environmental Planning and Assessment Act, 1979*.
4. That Council undertake additional agency and/or community consultation as directed by an altered Gateway Determination, as issued pursuant to Section 3.34 of the *Environmental Planning and Assessment Act, 1979*.
5. That Council resolve to finalise and make the plan, subject to there being no unresolvable submissions from agency and/or community consultation.

FOR	AGAINST
Councillor Dunn	Councillor Jurd
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Suvaal	
Total (10)	Total (1)

CARRIED

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU6/2023

SUBJECT: MOTIONS OF URGENCY

Nil

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE24/2023

SUBJECT: **DEVELOPMENT APPLICATION NO. 8/2022/904/1 PROPOSING A BOUNDARY ADJUSTMENT, REMOVAL OF FOUR TREES, CONSTRUCTION OF AN ATTACHED TWO-STOREY DUAL OCCUPANCY FOLLOWED BY A STRATA TITLE SUBDIVISION INTO TWO LOTS.**

21 – 23 CARROLL AVENUE, CESSNOCK

MOTION
526
RESOLVED

Moved: Councillor Sander **Seconded:** Councillor Dunn

1. That:

- (i) (Development Application No. 8/2022/904/1 proposing a boundary adjustment, removal of four (4) trees, construction of an attached two-storey dual occupancy followed by a strata title subdivision into two (2) lots at 21 – 23 Carroll Avenue Cessnock, be approved pursuant to Sections 4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979*, subject to the conditions contained in Enclosure 2.
- (ii) The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:
 - The proposal is a permitted land use in the R3 Medium Density zone under the *Cessnock Local Environmental Plan 2011*,
 - The proposal is consistent with the objectives of the R3 Medium Density zone under the *Cessnock Local Environmental Plan 2011*,
 - The proposal is consistent with the relevant provisions contained within the relevant State Environmental Planning Policies,
 - The proposal is generally compliant with the provisions of the Cessnock Development Control Plan 2010, and any variations are considered minor and justified,
 - The proposal incorporates adequate measures to ensure the development will not result in any adverse impacts on the natural and built environments,
 - The proposal incorporates adequate measures to ensure the development will not result in any adverse impacts on the social and economic locality,
 - The proposal is considered to be consistent with the public interest.

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

- The development proposed will have an acceptable impact on the amenity of the area,
- The proposed development will provide additional housing stock within the locality, and
- Some of the concerns in respect to the proposed development can be addressed via the imposition of conditions of consent.

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

2. That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.

CONDITIONS OF CONSENT

SCHEDULE 1

TERMS OF CONSENT

1. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2022/904/1 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Project No: 2215 Revision B Sheets: DA000 – DA004 DA050 – DA051 DA100 – DA102 DA300 – DA301 DA400 DA500 – DA502 DA700 DA800 – DA801 DA900	Shade	17 May 2023

Plan Reference	Prepared By	Dated
Arboricultural Impact Assessment	Harwood Tree Care and Consulting	Undated

2. CC, PC & Notice Required

In accordance with the provisions of Section 6.6 and 6.7 of the *EP&A Act 1979* construction works approved by this consent must not commence until:

- a) A *CC* has been issued by a Certifier (being Council or a registered certifier); and
- b) A *PC* has been appointed by the person having benefit of the development consent; and
- c) If Council is not the *PC*, notify Council no later than two (2) days before building work commences as to who is the appointed *PC*; and
- d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

3. BCA Compliance

Pursuant to Section 4.17(11) of the *EP&A Act 1979* all building work must be carried out in accordance with the requirements of the *BCA*.

4. BASIX Certificate

Development shall be undertaken strictly in accordance with all commitments specified in the current BASIX certificate.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with prior to the issue of a Construction Certificate:

5. Boundary Adjustment

Prior to issue of the *CC*, evidence is to be provided to the Certifier that the boundary adjustment between Lot 2 and Lot 4 DP 580045, has been registered.

6. Long Service Levy

In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, the applicant must pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council for any work costing \$250,000 or more. The Long Service Levy is payable prior to the issue of a *CC*.

7. Section 7.11 Contributions Payable

A contribution pursuant to the provisions of Section 7.11 of the EP&A Act 1979 for the services detailed and for the amount detailed must be made to Council prior to the issue of a CC:

Fee Type Code	Contribution Type	Amount Payable
800	Open Space and Recreation Facilities	\$7,852.57
801	Community Facilities	\$1,217.16
802	Cycleway Facilities	\$7,506.24
803	Roads and Traffic	\$1,396.88
804	Plan Administration	\$311.16
	Total	\$18,284.00

A copy of Council's City Wide Infrastructure Contributions Plan 2020 may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at www.cessnock.nsw.gov.au.

The amount of contribution payable under this condition has been calculated at the date of consent. In accordance with the provisions of the Contributions Plan, this amount shall be indexed at the time of actual payment in accordance with the Consumer Price Index. Indexation of contributions for payment occurs quarterly.

8. Stormwater – Detailed Design Requirements

A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property, and connection to the existing drainage system in accordance with Council's 'Engineering Requirements for Development' (available at Council's offices). Such layout shall include existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

9. Stormwater – Discharge (General)

The applicant shall collect all roof and stormwater runoff from the impervious areas on site, and any other drainage entering the site, and discharge it to Council's satisfaction in accordance with Council's 'Engineering Requirements for Development'.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of the CC.

10. Section 50 – Hunter Water Act 1991

Evidence shall be submitted to Council that the registered proprietors of the land on whose behalf the application was made have complied with the requirements of Section 50 of the Hunter Water Act 1991. Such evidence shall be submitted to Council prior to the issue of the CC.

11. Retaining Walls

Where a retaining wall is in excess of 600mm in height and/or within 900mm of a property boundary, separate detailed drawings are to be submitted in conjunction with the CC, specifying wall heights, heights of retaining walls, proposed mounding and stabilisation treatment, and landscaping for the elevations of the building.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a CC.

12. Bedroom Windows – First Floor

The CC plans are to be amended to identify all west facing bedroom windows on the first floor of the building (being both Dwellings 1 and 2) as being constructed utilising high set windows with obscure glazing, along with a minimum sill height of 1500mm above the relative finished floor level.

13. Landscape Plan

Prior to issue of the CC a landscaping plan is to be lodged and approved by the Certifier.

PRIOR TO COMMENCEMENT OF WORKS

The following conditions are to be complied with prior to the commencement of works on the subject site/s:

14. PC Signage and Contact Details

Prior to the commencement of works, a sign must be erected in a prominent position on the site on which the proposal is being carried out. The sign must state:

- a) Unauthorised entry to the work site is prohibited.
- b) The name of the principal contractor (or person in charge of the site) and a telephone number on which that person may be contacted at any time for business purposes and including outside working hours.
- c) The name, address and telephone number of the PC for the work.

Any such sign must be maintained while the work is being carried out, but must be removed when the work has been completed.

15. Home Building Act Requirements

Pursuant to Section 4.17(11) (cf previous s 80A) of the *EP&A Act 1979*, where the development involves residential building work for which the Home Building Act 1989 requires a contract on insurance to be in force in accordance with Part 6 of that Act, building work authorised by this consent must not commence until such a contract of insurance has been obtained and is in force.

Residential building work must not be carried out unless the PC for the development to which the work relates (not being the council) has given the council written notice of the following information:

- a) in the case of work for which a principal contractor is required to be appointed:
 - i) the name and licence number of the principal contractor, and
 - ii) the name of the insurer by which the work is insured under Part 6 of that Act

- b) in the case of work to be done by an owner-builder:
 - i) the name of the owner-builder, and
 - ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information required by (a) or (b) becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the updated information.

This condition does not apply in relation to Crown building work that is certified, in accordance with Section 6.28 of the Act, to comply with the technical provisions of the State's building laws.

16. Relocation of Services

The registered proprietor of the land shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

17. Public Liability Insurance

Any person or contractor undertaking works on public property must take out Public Risk insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within, public property. The Policy is to note, and provide protection for Cessnock City Council as an interested party, and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property. The insurance shall also note the location and the risk.

18. Section 138 Roads Act

Under Section 138 of the Roads Act 1993, should any work on the verge, footpath, or public road reserve be required, a S138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The S138 application is to be submitted to, and approved by, Council prior to works commencing.

19. Tree Removal

All recommendations listed in the submitted Arboricultural Impact Assessment Report prepared by Harwood Tree Care and Consulting are to be adopted prior to any works commencing.

DURING WORKS

The following conditions are to be complied with during works:

20. Construction Hours

Excavation, building or subdivision work must be restricted to the hours of 7.00am and 5.00pm on Monday to Saturday inclusive. No work is to be carried out on Sundays and public holidays.

21. Erosion and Sediment Controls

The control of erosion, and the prevention of silt discharge into drainage systems and waterways, will be necessary in accordance with Council's "Engineering Requirements for Development", and Landcom's Soils and Construction Manual - April 2004. Erosion control measures are to be implemented prior to the commencement of any earthworks, and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

22. Stormwater Runoff

Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

23. Waste Management

Rubbish generated from the development is to be suitably contained on site at all times. No rubbish shall be stockpiled in a manner which facilitates the rubbish to be blown off site.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions are to be complied with, to the satisfaction of the Principal Certifying Authority, prior to issue of an Occupation Certificate.

24. Roads – Concrete Crossing

The registered proprietors shall construct and maintain two (2) concrete access crossings from the kerb and gutter in Carroll Avenue to the property boundary in accordance with Council's "Engineering Requirements for Development" and AS 2890.1. A S138 Roads Act Approval is required from Council prior to any construction commencing within the road reserve. The access crossing is required to be constructed prior to the issue of an OC for the whole of the building. Where a Partial OC is issued the crossing shall be completed within six (6) months from the date of the Partial OC.

Construction of the crossing will require inspections to be undertaken by Council. The applicant shall pay Council engineering site supervision fees in accordance with Council's current Fees & Charges, prior to the inspections being undertaken.

The initial fee will facilitate approval of the application and one (1) construction inspection (gravel in place but prior to sealing of the crossing).

A final inspection will be required upon completion of the driveway and restoration of all disturbed footway areas. (A separate fee will be required to be paid when the final inspection is booked.). Should further inspections become necessary as a result of unsatisfactory or defective works, additional inspection fees will be charged in accordance with Council's current Fees & Charges.

The applicant is to advise Council at least 48 hours prior to inspection of works within the footpath and/or road reserve.

25. Stormwater – Discharge to Kerb & Gutter

The registered proprietor of the land shall ensure that connection of the stormwater drainage to the kerb inlet pits in Carroll Avenue is carried out in accordance with the following:

- a) the connection point into the existing drainage pipe will be required to be sealed by the use of mortar, ensuring that no material can enter the drainage system around the connection point. The connection of the PVC pipe is to be flush with the interior of Council's drainage pipe so that there are no obstructions within Council's drainage pipe.
- b) Any excess mortar or concrete rubble caused from the connection into the pit is to be removed, at the expense of the person/s undertaking the works, from both the footpath and from within the pit.
- c) When working within the footpath, appropriate signage is to be displayed warning pedestrians of the works. The owners shall hold Cessnock City Council indemnified against any claims arising out of damage or injury to property or persons in the performance of the proposed works.
- d) Any disturbance to underground services is to be restored / replaced at the expense of the person/s undertaking the works.
- e) All disturbed areas within the footpath are to be restored to at least the condition before the commencement of any works. This expense is to be borne by the owner of the property.
- f) An inspection of the stormwater connection into the pit will be required by a Council employee. The Subdivision and Engineering Coordinator shall be notified at least 48 hours before the required time of inspection.
- g) All works are to be carried out in accordance with Cessnock City Council's 'Engineering Requirements for Development.'

Construction works are to be completed prior to the issue of an OC.

26. Drainage Works

All drainage works required to be undertaken in accordance with this consent shall be completed prior to issue of an OC for the development.

27. Finish of Excavated &/or Filled Areas Around Site

The excavated and/or filled areas of the site are to be stabilised and drained, to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the building is to be graded to prevent ponding of water, and to ensure the free flow of water away from the building and adjoining properties.

28. Fencing

Prior to issue of an OC, 1800mm high solid fencing is to be erected along the side and rear boundaries of the site and internally on the common boundary of proposed Lots 1 and 2 (excluding the front building setback).

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE FOR THE STRATA TITLE SUBDIVISION

The following conditions are to be complied with, prior to issue of a Subdivision Certificate.

29. Requirement for a Subdivision Certificate

Prior to the issue of a SC for the strata title subdivision, the applicant shall submit an original plan of subdivision in an electronic format for Council's endorsement.

The plan of subdivision must show street names and house numbering as allocated by Council. The following details are also to be submitted:

- a) Evidence that all conditions of Development Consent have been satisfied.
- b) Evidence of payment of all relevant fees.
- c) The 88B instrument.
- d) Lot numbers to correspond with street numbering.
- e) A copy of the final OC for the development.

FOR	AGAINST
Councillor Dunn	Councillor Moores
Councillor Grine	Councillor Paynter
Councillor Sander	Councillor Watton
Councillor Hill	Councillor Olsen
Councillor Hawkins	Councillor Jurd
Councillor Suvaal	
Total (6)	Total (5)

CARRIED

PLANNING AND ENVIRONMENT NO. PE25/2023

SUBJECT: DRAFT HUNTER POWER PROJECT (KURRI KURRI POWER STATION) PLANNING AGREEMENT

PROCEDURAL MOTION *Moved:* Councillor Hill *Seconded:* Councillor Sander
527

RESOLVED

That the report is deferred to the next Ordinary Council meeting.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE26/2023

SUBJECT: COMPREHENSIVE DCP REVIEW - TOURIST ACCOMMODATION ON RURAL AND ENVIRONMENTAL LANDS - DRAFT FOR EXHIBITION

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Grine
528

RESOLVED

1. That Council exhibits the draft DCP Chapter: 'Tourist and Visitor Accommodation in Rural and Environmental Lands' in accordance with clause 13 of the Environmental Planning and Assessment Regulation 2021 and for a period of 28 days.
2. That a further report is brought to Council for determination after the exhibition period is concluded.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC40/2023

**SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2023 -
REQUEST FOR ATTENDANCE AND MOTIONS**

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Hawkins
529

RESOLVED

1. That Councillors wishing to attend the Local Government NSW Annual Conference 2023 make an application to attend the conference to the General Manager by 1 August 2023 so that Council can determine attendees at the meeting of 16 August 2023.
2. That Councillors consider possible motions for the conference and that they be provided to the General Manager by 1 August 2023 for consideration/endorsement by Council at the meeting of 16 August 2023.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC41/2023

SUBJECT: AMENDMENT TO THE INSTRUMENT OF DELEGATION TO THE GENERAL MANAGER

MOTION Moved: Councillor Hawkins **Seconded:** Councillor Hill

That Council adopts the amended Instrument of Delegation to the General Manager.

AMENDMENT Moved: Councillor Olsen **Seconded:** Councillor Jurd

That this report be deferred until a report be brought to Council clarifying the total number of Local Traffic Committee resolutions that have been delayed in the past twelve months.

FOR	AGAINST
Councillor Paynter	Councillor Dunn
Councillor Watton	Councillor Moores
Councillor Olsen	Councillor Grine
Councillor Jurd	Councillor Sander
	Councillor Hill
	Councillor Hawkins
	Councillor Suvaal
Total (4)	Total (7)

The Amendment was PUT and LOST.

The Motion was then PUT and CARRIED UNANIMOUSLY.

MOTION Moved: Councillor Hawkins **Seconded:** Councillor Hill
530

RESOLVED

That Council adopts the amended Instrument of Delegation to the General Manager.

FOR	AGAINST
Councillor Dunn	Councillor Paynter
Councillor Moores	Councillor Watton
Councillor Grine	Councillor Olsen
Councillor Sander	Councillor Jurd
Councillor Hill	
Councillor Hawkins	
Councillor Suvaal	
Total (7)	Total (4)

CARRIED

CORPORATE AND COMMUNITY NO. CC42/2023

SUBJECT: INVESTMENT REPORT - JUNE 2023

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Dunn
531

RESOLVED

That Council receives the Investment Report for June 2023 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 \$73,085,190.**

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC43/2023

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Sander
532

RESOLVED

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

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI22/2023

SUBJECT: NAMING OF BMX FACILITY AT CARMICHAEL PARK

MOTION **Moved:** Councillor Moores **Seconded:** Councillor Hawkins
533

RESOLVED

1. That Council endorse the proposal to name the upgraded BMX Facility within Carmichael Park the “Neville Tomlinson BMX Facility”.
2. That Council notifies those who made submissions during the public exhibition period of Council’s decision.
3. In line with the Geographic Names Board Place Naming Policy, the Board be notified of the BMX Facility name to ensure the name, position and origin is recorded in the Spatial Services’ Digital Topographic Database and the name shown on maps, where relevant.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI23/2023

SUBJECT: KURRI KURRI NETBALL FACILITY

MOTION **Moved:** Councillor Grine **Seconded:** Councillor Hill
534

RESOLVED

1. That a grant application for Kurri Kurri Netball Facility Stage 1 works, as outlined within this report, be submitted via the Arts Investing in Our Communities Program.
2. That the General Manager continue to investigate funding opportunities for Kurri Kurri Netball Facility Stage 2 works and that a further report come back to Council.

FOR	AGAINST
Councillor Dunn	Councillor Olsen
Councillor Moores	Councillor Jurd
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Suvaal	
Total (9)	Total (2)

CARRIED

WORKS AND INFRASTRUCTURE NO. WI24/2023

SUBJECT: REQUEST FOR SPONSORSHIP & FEE WAIVING - AUSTRALIAN POSTIE BIKE GRAND PRIX

MOTION **Moved:** Councillor Hawkins **Seconded:** Councillor Grine
535

RESOLVED

That Council supports the Australian Postie Bike Grand Prix on the weekend of 4 and 5 November 2023 by providing the following in-kind support:

- a) Waive all Council application fees in conjunction with the 2023 event by transfer of Tourism Related projects Reserve;
- b) Erection and removal of the relevant variable message boards and road closure/detour signage as required by Council and Transport for NSW, under the approved Traffic Management Plan and Traffic Control Plan; and
- c) Provide additional general waste bins throughout the main spectator and PIT areas of the circuit and remove the collected waste at the conclusion of the event.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI25/2023

SUBJECT: PAXTON PETITION FOR PATHWAY ON VARIOUS ROADS

MOTION **Moved:** Councillor Hawkins **Seconded:** Councillor Sander
536

RESOLVED

1. That Council notes the petition lodged on behalf of Paxton community members requesting that Council prioritise the construction of a footpath on Middle Road, Main Road, and Anderson Avenue, Paxton. Ideally to connect Paxton School, Paxton Playground and Paxton Bus Stops to ensure the safety, health and wellbeing of all residents.
2. That Council notes the outcome of the investigation into provision of pathways in Paxton.
3. That Council reiterates the previously resolved priorities for provision of pathways in accordance with the adopted Pedestrian Access Mobility Plan.
4. That the General Manager notifies the petition organiser of Council's plans and current efforts to secure funding for installation of the requested pathway.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI26/2023

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD ON 19 JUNE 2023

MOTION **Moved:** Councillor Hawkins **Seconded:** Councillor Hill
537

RESOLVED

That the Minutes of the Cessnock Local Traffic Committee Meeting of 19 June 2023 be adopted as a resolution of the Ordinary Council.

- **TC33/2023** - That Council authorises the temporary regulation of traffic on McDonalds Road, Thompsons Road, Marrowbone Road and Oakey Creek Road, Pokolbin for the End2End Festival in accordance with Various Roads Pokolbin _ End2End Festival Traffic Control Plans.
- **TC34/2023** - That Council authorises the removal of Disabled Parking Space signage on Crossing Street, Bellbird, in accordance with the Crossing Street Bellbird _ Signage Removal Diagram.
- **TC35/2023** - That Council authorises installation of line marking on Oakey Creek Road Pokolbin, in accordance with the Oakey Creek Road Pokolbin _ Line Marking Diagram.
- **TC36/2023** - That Council authorises installation of regulatory parking and intersection controls on various roads within Huntlee, in accordance with Various Roads North Rothbury _ Signage & Line Marking Diagrams.
- **TC37/2023** - That Council authorises the installation of regulatory signage and line marking on Lumby Lane and Sawyers Gully Road, Sawyers Gully, in accordance with the Lumby Lane Sawyers Gully _ Signage & Line Marking Diagram.
- **TC38/2023** -
 - authorises the installation of regulatory parking signage and line marking on Vincent Street, Cessnock in accordance with the Vincent Street Cessnock _ Signage & Line Marking Diagram; and
 - assesses the adequacy of the DA approved parking arrangements when the In Focus Radiology premises works are completed and the car park becomes fully operational.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORRESPONDENCE

CORRESPONDENCE NO. CO3/2023

**SUBJECT: BN12/2023 ADVOCATION FOR HEDDON GRETA CLIFTLEIGH
CORRIDOR PLAN SOLUTIONS**

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Sander
538
RESOLVED

That Council notes the correspondence received from Clayton Barr MP - State Member for Cessnock.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO4/2023

SUBJECT: MM1/2023 DAMAGING INCREASE IN EMERGENCY SERVICES LEVY COSTS

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Sander
539

RESOLVED

That Council notes the correspondence received from Clayton Barr MP - State Member for Cessnock, The Hon. Ron Hoenig MP – Minister for Local Government and the Independent Pricing and Regulatory Tribunal NSW.

FOR	AGAINST
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Watton	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

COUNCILLOR REPORTS

Councillor Dunn tabled on behalf of Councillor Jackson - Hunter Water Customer and Community Advisory Group (CCAG) Wednesday 28 June.

This meeting was held at Hunter Water's Burwood Beach Wastewater Treatment Works in Merewether.

Darren Cleary, Managing Director, gave us a Hunter Water operational update. The Seaham Weir Refurbishment and Modification Project has developed erosion solutions which improves water quality as well as the environment which is important for wildlife, flora and fauna. Hunter Water storage is at 94.1%. There will be a 7.5% increase in pricing from 1 July 2023. This is set by IPart with automatic indexing from March to March. A dam safety periodic assessment has been done on Chichester Dam which is 100 years old and Grahamstown dam which is 50 years old. Dams are assessed every 15 years as well as conducting daily visual inspections, monthly satellite inspections and yearly and 5 yearly inspections. Water conservation is a key focus along with recycled water as a part of the Lower Hunter Water Security Plan. The Belmont Desalination Plant and Glen Innes Water Treatment Plant contribute to this project.

Ms. Emma Turner, senior Economist and Dr. Clare Hogue, Senior Community Engagement Advisor gave a presentation built on previous updates to the CCAG on the development of Hunter Water's next pricing proposal to the Independent Pricing and Regulatory Tribunal. The presentation updated members on current community and customer engagement activities. Customers, the Community and Stakeholders had their say through simulation surveys, prioritised surveys, Focus Groups and Quarterly Community Surveys.

The last item was a site tour of the Burwood Beach WWTW which was led by Rahul Chillar, Group Manager Information Controls and Energy, and Chris White, Team Leader - External Communications. We were shown upgrades to the wastewater treatment plants which are a major driver of the capital expenditure program. The site tour introduced CCAG members to the current operation of the plant and we were also shown demonstrations how the Plant operates and the challenges they encounter including blockages due to wet wipes. After the water is treated, it goes through one last filter where the water is held in large outside tanks before being released to the sea. This water is so clean that many birds are floating on the surface enjoying and drinking the water.

This was a very interesting, eye-opening site tour.



The Meeting Was Declared Closed at 7:38pm

CONFIRMED AND SIGNED at the meeting held on 16 August 2023

.....**CHAIRPERSON**

.....**GENERAL MANAGER**