

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 21 JUNE 2023, COMMENCING AT
6.30PM**

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

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

Council Prayer:

Council Prayer was led by Pastor Amanda Francis, New Vine Church Branxton.

The Mayor expressed his sincere condolences to the families and friends of those that sadly lost their lives as a result of the tragic bus accident.

A minutes silence was held as a mark of respect.

APOLOGY:

MOTION

Moved: Councillor Sander

Seconded: Councillor Hill

502

RESOLVED

That the apologies tendered on behalf of Councillors Burke and Watton, for unavoidable absence, be accepted and that the leave of absence previously granted for Councillor Paynter be noted.

FOR

AGAINST

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

Total (10)

Total (0)

CARRIED UNANIMOUSLY

MINUTES:**MOTION****Moved:** Councillor Hill
Councillor Moores**Seconded:**

503

RESOLVED

That the Minutes of the Ordinary Meeting of Council held on 17 May 2023, as circulated, be taken as read and confirmed as a correct record.

FOR**AGAINST**

Councillor Jackson

Councillor Dunn

Councillor Moores

Councillor Grine

Councillor Sander

Councillor Hill

Councillor Hawkins

Councillor Olsen

Councillor Jurd

Councillor Suvaal

Total (10)**Total (0)****CARRIED UNANIMOUSLY****DISCLOSURES OF INTEREST****DISCLOSURES OF INTEREST NO. DI5/2023****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.

MM3/2023 Food Waste Reduction Grants

Councillor Grine declared a Non Pecuniary Interest + Significant conflict for the reason that she is related to the charity organiser. Councillor Grine advised that she would leave the Chamber and take no part in discussion and voting.

CC32/2023 Tender T012324HUN Road Resurfacing

Councillor Olsen declared a Non Pecuniary Interest + Significant conflict for the reason that his grandson works for one of the companies that submitted a successful tender. Councillor Olsen advised that he would leave the Chamber and take no part in discussion and voting.

PETITIONS

Nil

ADDRESS BY INVITED SPEAKERS

The following people addressed the meeting of Council:

Speakers	Company	For / Against	Report	Page No.	Duration
Judith Knott		For	PE22/2023 - Development Application No. 8/2022/1130/1 proposing a Camping Ground comprising 60 camp sites, construction of an amenities building and associated car park 281 Watagan Creek Road, Laguna	65	3 mins
Cong Yi	3D Works NSW	Against	PE22/2023 - Development Application No. 8/2022/1130/1 proposing a Camping Ground comprising 60 camp sites, construction of an amenities building and associated car park 281 Watagan Creek Road, Laguna	65	3 mins

EXTENSION OF TIME

504

Moved:

Councillor Hawkins

Seconded:

Councillor Sander

RESOLVED

That an extension of one minute be given to Judith Knott to complete her presentation.

FOR

Councillor Jackson
Councillor Dunn
Councillor Moores
Councillor Grine
Councillor Sander
Councillor Hill
Councillor Hawkins
Councillor Jurd
Councillor Suvaal

Total (9)

AGAINST

Councillor Olsen

Total (1)

CARRIED

PLANNING AND ENVIRONMENT NO. PE22/2023

SUBJECT: DEVELOPMENT APPLICATION NO. 8/2022/1130/1 PROPOSING A CAMPING GROUND COMPRISING 60 CAMP SITES, CONSTRUCTION OF AN AMENITIES BUILDING AND ASSOCIATED CAR PARK

281 WATAGAN CREEK ROAD, LAGUNA

MOTION
505
RESOLVED

Moved: Councillor Dunn

Seconded: Councillor Hawkins

1. That:

- (i) Development Application No. 8/2022/1130/1 proposing a camping ground comprising 60 camp sites, construction of an amenities building and associated car park at 281 Watagan Creek Road Laguna, be refused pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, for the reasons contained in this report.
- (ii) The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:

 - a. The proposal fails to satisfy the underlying aims and objectives of *State Environmental Planning Policy (Primary Production) 2021* (pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*), in respect to:

 - I. It does not facilitate the orderly and economic use of land.
 - II. It does not assist in the proper management, development and protection of rural lands.
 - III. It fails to introduce suitable measures designed to reduce land use conflicts.
 - b. The proposal fails to satisfy the following provisions of the *Cessnock Local Environmental Plan 2011* (pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*):

 - I. The objectives of the RU2 Rural Landscape Zone, in terms of incompatibility with rural landscape character, incompatibility with existing uses, the intensity of the development is unsuitable, the site disturbance is unclear and the visual impact is unclear.
 - II. Clause 5.21 in that the development will be unable to provide for the safe and efficient evacuation of people in the event of a flood.
 - III. Clause 7.2 in that insufficient information has been provided on earthworks to determine the likely environmental impacts of the development.
 - IV. Clause 7.14 in that insufficient information has been provided to determine if essential services are able to be provided to support the development.

- c. The proposal fails to satisfy the following provisions of the Cessnock Development Control Plan 2010 (pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979):
- I. Chapter C.1 (Parking and Access) in that the development fails to identify the provision of adequate parking on the site to service the development.
 - II. Chapter C.4 (Land Use Conflict and Buffer Zones) in that the proposal is likely to result in land use conflict with surrounding rural and residential land uses.
 - III. Chapter C.5 (Waste Management and Minimisation) in that no provision has been made for waste management generated by the development.
 - IV. Chapter C.9 (Development on Flood Prone Land) in that the development will be unable to provide suitable and efficient flood free access for emergency evacuation in the event of a flood.
 - V. Chapter C.8 (Social Impact Assessment and Crime Prevention Through Environmental Design) in that a Social Impact Assessment has not been provided in support of the development to determine the likely social impacts associated with the development.
- d. The proposal will result in unacceptable impacts in relation to the risk to life in the event of a flood (pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*).
- e. Insufficient information has been provided to determine the likely impacts of the development in relation to traffic generation, noise, ecology, bushfire, earthworks, social implications, crime prevention, waste water disposal, visual impact and waste management (pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*).
- f. The subject site is not considered suitable for the development due to the flood affectation of the land and the inability to provide for flood free access (pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*).
- g. The proposal is not considered to be in the public interest (pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*).

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

- The development is not suitable for the site given that flood free access is not available to the property.
- The development is not considered to be compatible with the character of the surrounding rural environment.

- **Insufficient and conflicting information has been provided, therefore it is not possible to determine the likely impacts of the development on the environmental qualities of the site and amenity of the surrounding neighbourhood.**
 - **The application has not demonstrated that adequate essential services can be made available to service the development.**
- (iv) **The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the *Environmental Planning and Assessment Act 1979*.**
2. **That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.**

REASONS FOR REFUSAL

1. The proposal fails to satisfy the underlying aims and objectives of *State Environmental Planning Policy (Primary Production) 2021* (pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*), in respect to:
 - I. It does not facilitate the orderly and economic use of land.
 - II. It does not assist in the proper management, development and protection of rural lands.
 - III. It fails to introduce suitable measures designed to reduce land use conflicts.
2. The proposal fails to satisfy the following provisions of the *Cessnock Local Environmental Plan 2011* (pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*):
 - I. The objectives of the RU2 Rural Landscape Zone, in terms of incompatibility with rural landscape character, incompatibility with existing uses, the intensity of the development is unsuitable, the site disturbance is unclear and the visual impact is unclear.
 - II. Clause 5.21 in that the development will be unable to provide for the safe and efficient evacuation of people in the event of a flood.
 - III. Clause 7.2 in that insufficient information has been provided on earthworks to determine the likely environmental impacts of the development.
 - IV. Clause 7.14 in that insufficient information has been provided to determine if essential services are able to be provided to support the development.
3. The proposal fails to satisfy the following provisions of the *Cessnock Development Control Plan 2010* (pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*):
 - I. Chapter C.1 (Parking and Access) in that the development fails to identify the provision of adequate parking on the site to service the development.
 - II. Chapter C.4 (Land Use Conflict and Buffer Zones) in that the proposal is likely to result in land use conflict with surrounding rural and residential land uses.
 - III. Chapter C.5 (Waste Management and Minimisation) in that no provision has been made for waste management generated by the development.

- IV. Chapter C.9 (Development on Flood Prone Land) in that the development will be unable to provide suitable and efficient flood free access for emergency evacuation in the event of a flood.
 - V. Chapter C.8 (Social Impact Assessment and Crime Prevention Through Environmental Design) in that a Social Impact Assessment has not been provided in support of the development to determine the likely social impacts associated with the development.
4. The proposal will result in unacceptable impacts in relation to the risk to life in the event of a flood (pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*).
 5. Insufficient information has been provided to determine the likely impacts of the development in relation to traffic generation, noise, ecology, bushfire, earthworks, social implications, crime prevention, waste water disposal, visual impact and waste management (pursuant to Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*).
 6. The subject site is not considered suitable for the development due to the flood affectation of the land and the inability to provide for flood free access (pursuant to Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*).
 7. The proposal is not considered to be in the public interest (pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*).

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

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

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
506
RESOLVED

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

GMU4/2023	Minutes of the Audit and Risk Committee Meeting held 9 May 2023	12
PE23/2023	Development Application Performance Monitoring Report _ March 2023	14
CC31/2023	Tender T022324HUN Ready Mixed Concrete	15
CC33/2023	Tender T2023-03 Electrical Maintenance	18
CC37/2023	Minutes of the Strategic Property & Community Facilities Committee Meeting held 31 May 2023	24
CC38/2023	Investment Report - May 2023	25
CC39/2023	Resolutions Tracking Report	26
WI19/2023	Community Sponsorship and Fee Waiving Policy Review	27
WI20/2023	Minutes of the Local Traffic Committee Meeting held 15 May 2023	28
WI21/2023	Minutes of the Local Traffic Committee Extra Ordinary Meeting held 2 June 2023	30

Council adopt the recommendations as printed for those items.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

MAYORAL MINUTES

MAYORAL MINUTES NO. MM2/2023

SUBJECT: WINE COUNTRY DRIVE BUS TRAGEDY

MOTION **Moved:** Councillor Suvaal
507

RESOLVED

1. That Council express its sincere condolences to the families and friends of those that sadly lost their lives as a result of the tragic bus accident.
2. That Council recognises the bus passengers who survived the crash for their bravery in providing crucial first aid and support immediately after the crash, and expresses our support for them during their recovery.
3. That Council acknowledge and thank all first responders including, NSW Police, Ambulance NSW, Fire and Rescue NSW, NSW Rural Fire Services, NSW State Emergency Services, Cessnock District VRA Rescue Squad, NSW Health Workers, Transport for NSW, Council Officers and the broader community for their tremendous support and efforts managing this major incident.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

MAYORAL MINUTES NO. MM3/2023

SUBJECT: FOOD WASTE REDUCTION GRANTS

Councillor Grine declared a Non Pecuniary Interest + Significant conflict for the reason that she is related to the charity organiser. Councillor Grine advised that she would leave the Chamber and take no part in discussion and voting.

MOTION **Moved:** Councillor Suvaal
508

RESOLVED

That Council sponsor OzHarvest and local food recycling providers, to utilise unspent funds available from the Better Waste and Recycling Fund program, in accordance with the current grant funding guidelines by 30 June 2023.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

Councillor Grine left the meeting, the time being 06:58 pm

Councillor Grine returned to the meeting, the time being 07:01 pm

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU5/2023

SUBJECT: MOTIONS OF URGENCY

Nil

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU4/2023

SUBJECT: MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 9 MAY 2023

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
509
RESOLVED

1. That the Minutes of the Audit and Risk Committee Meeting held 9 May 2023 be adopted as a resolution of the Ordinary Council.
2. That Council adopts the Project Authorisation and Revotes Policy.
3. That Council adopts the Investment Policy.
4. That Council writes to:
 - The Hon Christopher Minns, Premier of NSW
 - The Hon Daniel Mookhey, Treasurer for NSW
 - The Hon Jihad Dib, Minister for Emergency Services
 - The Hon Ron Hoenig, Minister for Local Government, and
 - The Chair of the NSW Parliamentary Public Accounts Committee

With the correspondence to note that at least 42 Councils (34% of all Councils) have qualified financial statements for the year ended 30 June 2022 in relation to the non-recognition of Rural Fire Service assets despite:

- All councils have made an accounting policy that is in accordance with the Local Government Code of Accounting Practice and financial reporting
- All councils have an accounting policy that is in accordance with the Office of Local Government's own independent accounting advice
- The NSW Treasury and NSW Rural Fire Service have provided no independent third-party accounting advice that states categorically why Councils control RFS assets
- The NSW Audit Office have provided no tangible evidence, or third-party independent advice, as to why the Audit Office have adopted the NSW Treasury viewpoint that has resulted in 42 qualified financial statements

And that council calls on the NSW Government:

- To investigate the basis behind all RFS related qualified financial statements for the year ended 30 June 2022 despite there being no change in past accounting treatments
- To investigate statutory remedies that enshrine in legislation that NSW Rural Fire Service assets are controlled by the NSW Rural Fire Service

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT

PLANNING AND ENVIRONMENT NO. PE23/2023

**SUBJECT: DEVELOPMENT APPLICATION PERFORMANCE MONITORING
REPORT _ MARCH 2023**

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
510
RESOLVED

That Council receives and notes the Development Performance Monitoring Report for the March quarter 2022/23.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC31/2023

SUBJECT: TENDER T022324HUN READY MIXED CONCRETE

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
511

RESOLVED

1. That Council accepts the Regional Procurement Tender for the Supply and Delivery of Ready Mixed Concrete (T022324HUN).

2. That Council accept the Panel of suppliers in no order of preference;

- Boral Resources (Country) Pty Ltd
- Hanson Construction Materials Pty Ltd
- Hunter Readymixed Concrete Pty Limited
- Maitland Ready Mixed Concrete Pty Ltd
- Premier NSW Pty Ltd t/a Premier Concrete
- Redicrete Pty Ltd

as the preferred suppliers for Council under the Regional Procurement Tender

3. That Council note the contract term for Tender Supply and Delivery of Ready Mixed Concrete (T022324HUN) is from 1 July 2023 to 30 June 2026 with an option for two 12-month contract extension based on satisfactory supplier performance through to 30 June 2027.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC32/2023

SUBJECT: TENDER T012324HUN ROAD RESURFACING

Councillor Olsen declared a Non Pecuniary Interest + Significant conflict for the reason that his grandson works for one of the companies that submitted a successful tender. Councillor Olsen advised that he would leave the Chamber and take no part in discussion and voting.

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Hawkins
512

RESOLVED

1. That Council accepts the Regional Procurement Panel Tender for the Provision of Road Resurfacing (T012324HUN).
2. That Council accept the Panel of suppliers in the following categories in no order of preference;
 - **Cat 1 Bitumen Spray Seal;**
Bitupave Ltd t/a Boral Asphalt/ Colas New South Wales Pty Ltd/ Fulton Hogan Industries Pty Ltd/ Stabilised Pavements of Australia Pty Ltd
 - **Cat 2 Asphaltic Concrete**
Bitupave Ltd t/a Boral Asphalt/ Colas New South Wales Pty Ltd/ Fulton Hogan Industries Pty Ltd/ Accurate Asphalt & Road Repairs Pty Ltd/ ANA Industries Pty Ltd/ Fenworx Pty Ltd t/a Newpave Asphalt/ Downer EDI Works Pty Ltd.
 - **Cat 3 Mill and Re sheet**
Bitupave Ltd t/a Boral Asphalt/ Colas New South Wales Pty Ltd/ Fulton Hogan Industries Pty Ltd/ Accurate Asphalt & Road Repairs Pty Ltd/ ANA Industries Pty Ltd/ Fenworx Pty Ltd t/a Newpave Asphalt/ Downer EDI Works Pty Ltd.
 - **Cat 4 Crack Sealing**
The Trustee for Supersealing Unit Trust t/a Supersealing
 - **Cat 5 Heavy Patch**
Bitupave Ltd t/a Boral Asphalt/ Colas New South Wales Pty Ltd/ Fulton Hogan Industries Pty Ltd/ Accurate Asphalt & Road Repairs Pty Ltd/ ANA Industries Pty Ltd/ Fenworx Pty Ltd t/a Newpave Asphalt/ Downer EDI Works Pty Ltd
3. That Council note the contract term for Tender for the Provision of Road Resurfacing (T012324HUN) is from 1 July 2023 to 30 June 2026 (36 Months). A 12-month option may be taken up based on satisfactory performance by the contractor/s.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Jurd	
Councillor Suvaal	
Total (9)	Total (0)

CARRIED UNANIMOUSLY

Councillor Olsen left the meeting, the time being 07:01 pm
 Councillor Olsen returned to the meeting, the time being 07:02 pm

CORPORATE AND COMMUNITY NO. CC33/2023

SUBJECT: TENDER T2023-03 ELECTRICAL MAINTENANCE

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

513

RESOLVED

That Council accepts the following suppliers for tender T2023-03 Electrical Maintenance;

- **Specific Programmed Maintenance (Schedule 2a)**
 - Hartcher Hall Pty Ltd
- **Reactive Type Maintenance (Schedule 2b)**
 - Hartcher Hall Pty Ltd
 - Platinum Electricians NLM
- **New Electrical Installations**
 - Hartcher Hall Pty Ltd
 - Platinum Electricians NLM
 - Prophase Electrical Solutions Pty Ltd
- **The term of the contract shall be three years commencing 1 July 2023 to 30 June 2026 plus two one-year options based on satisfactory tenderer performance.**

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC34/2023

**SUBJECT: ADOPTION OF THE OPERATIONAL PLAN 2023-2024
INCORPORATING THE BUDGET, REVENUE POLICY AND FEES &
CHARGES.**

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

That Council having considered all submissions received from the community following public exhibition of the draft documents adopts the:

- Operational Plan 2023-2024, including the budget and Revenue Policy, with the removal of the \$499,000 Election expenses line item.
- Fees and Charges for 2023-2024

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

That Council having considered all submissions received from the community following public exhibition of the draft documents adopts the:

- Operational Plan 2023-2024, including the budget and Revenue Policy, with the removal of the \$499,000 Election expenses line item.
- Fees and Charges for 2023-2024 with changes relating to aquatic programs and bookings.

FOR	AGAINST
Councillor Olsen	Councillor Jackson
Councillor Jurd	Councillor Dunn
	Councillor Moores
	Councillor Grine
	Councillor Sander
	Councillor Hill
	Councillor Hawkins
	Councillor Suvaal
Total (2)	Total (8)

The amendment was PUT and LOST

The motion was then PUT and CARRIED

MOTION
514

Moved: Councillor Hill

Seconded: Councillor Dunn

RESOLVED

That Council having considered all submissions received from the community following public exhibition of the draft documents adopts the:

- **Operational Plan 2023-2024, including the budget and Revenue Policy, with the removal of the \$499,000 Election expenses line item.**
- **Fees and Charges for 2023-2024**

FOR	AGAINST
Councillor Jackson	Councillor Olsen
Councillor Dunn	Councillor Jurd
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Suvaal	
Total (8)	Total (2)

CARRIED

CORPORATE AND COMMUNITY NO. CC35/2023

SUBJECT: MAKING THE RATE 2023-24

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Dunn
515
RESOLVED

That Council make the following rates and charges for the year commencing 1 July 2023 to 30 June 2024:

1. Ordinary Rates

The following Ordinary Rates now be made for the year commencing 1 July 2023.

Category	Sub Category	Ad-valorem Amount Cents in \$	Base Amount \$	Base Yield % of Total Rate
Residential		0.225438	430.00	32.70%
Residential	Rural	0.170496	430.00	19.68%
Farmland		0.134616	430.00	15.10%
Farmland	Mixed Use	0.354150	535.00	6.55%
Farmland	Business Rural	0.352255	535.00	8.92%
Business		1.059287	535.00	12.18%
Mining		4.275466	1,500.00	0.49%

2. Waste Charges

Council do hereby prescribe and order under Section 496 of the *Local Government Act 1993* for rateable land categorised for rating purposes as residential or farmland and situated within the area in which a Domestic Waste Management Service is able to be provided, that the following waste charges be now made for the year commencing 1 July 2023.

Domestic Waste Management Service Charge

Domestic Waste Management Availability Charge ¹	\$79.00
Domestic Waste Management Service Charge ²	\$670.00
Additional Domestic Waste Management Service Charge ³	\$670.00
Additional Domestic Waste Management Service Charge – Recycling	\$88.50
Additional Domestic Waste Management Service Charge – Organics	\$88.50

1. Charge applies to vacant rateable land situated within the area in which a Domestic Waste Management Service is able to be provided.
2. Each premise is entitled to one approved mobile waste bin mixed waste service per week, one fortnightly collection of recyclable material and one fortnightly collection of organic material for each Domestic Waste Management Service Charge.
3. Each premise is entitled to one approved mobile waste bin mixed waste service per week for each Additional Domestic Waste Management Service Charge.

Council do hereby prescribe and order under Section 501 of the *Local Government Act 1993*, for land not categorised for rating purposes as residential or farmland and situated within the area in which a Waste Management Service is able to be provided, that the following waste charges be now made for the year commencing 1 July 2023.

Waste Management Service Charge

Commercial Waste Management Service Charge ¹	\$817.00
Additional Waste Management Service Charge ²	\$817.00
Additional Waste Management Service Charge - Recycling	\$88.50
Additional Waste Management Service Charge - Organics	\$88.50

1. Each premise is entitled to one approved mobile waste bin mixed waste service per week and one fortnightly collection of recyclable material for each Waste Management Service Charge. Each premise is also entitled to one fortnightly collection of organic material for each Waste Management Service Charge upon request and justification of needs.
2. Each premise is entitled to one approved mobile waste bin mixed waste service per week for each Additional Waste Management Service Charge.

3. Stormwater Management Services Charges

Council do hereby prescribe and order under Section 496A of the *Local Government Act 1993*, for land situated within the designated stormwater area, that the following stormwater charges be now made for the year commencing 1 July 2023.

Stormwater Management Service Charge

Stormwater Management Service Charge - Residential	\$25.00
Stormwater Management Service Charge - Residential Strata	\$12.50
Stormwater Management Service Charge - Business	\$25.00 per 350m ² (or part thereof) to a maximum \$500

4. Interest on Overdue rates and Charges

Council do hereby determine and order, in accordance with Section 566 of the *Local Government Act 1993*, that if rates and charges are unpaid at the due date, the amount shall be increased by a sum calculated at:

- nine per cent (9%) per annum, simple interest, calculated daily for the period 1 July 2023 to 30 June 2024.

5. Hunter Local Land Services

Council, in accordance with Clauses 36 and 40, Part 4, of the *Local Land Services Regulation 2014*, prescribes that the rate for the year commencing 1 July 2023 shall be the rate gazetted by the Minister for the Hunter Catchment Contribution for the period 1 July 2023 to 30 June 2024 inclusive being 0.01046 cents per dollar of rateable land value.

FOR	AGAINST
Councillor Jackson	Councillor Olsen
Councillor Dunn	Councillor Jurd
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Suvaal	
Total (8)	Total (2)

CARRIED

CORPORATE AND COMMUNITY NO. CC36/2023

SUBJECT: MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE MEETING OF THE CESSNOCK CITY COUNCIL HELD 12 MAY 2023

MOTION **Moved:** Councillor Grine **Seconded:** Councillor Hill
516
RESOLVED

1. That the Minutes of the Aboriginal and Torres Strait Islander Committee meeting held on 12 May 2023 be adopted as a resolution of Ordinary Council.
2. That the General Manager appoint two people from the Aboriginal and Torres Strait Islander Committee comprising a staff representative and a community representative for membership to the Newcastle from the Heart Committee.

FOR	AGAINST
Councillor Jackson	Councillor Olsen
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Suvaal	
Total (8)	Total (1)

CARRIED

Councillor Jurd left the meeting, the time being 07:32 pm

Councillor Jurd returned to the meeting, the time being 07:35 pm

CORPORATE AND COMMUNITY NO. CC37/2023

SUBJECT: MINUTES OF THE STRATEGIC PROPERTY & COMMUNITY FACILITIES COMMITTEE MEETING HELD 31 MAY 2023

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
517

RESOLVED

That the Minutes of the Strategic Property and Community Facilities Committee meeting of 31 May 2023 be adopted as a resolution of the Ordinary Council.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC38/2023

SUBJECT: INVESTMENT REPORT - MAY 2023

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
518
RESOLVED

That Council receives the Investment Report for May 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 \$71,934,417.**

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC39/2023

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
519
RESOLVED

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

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI19/2023

SUBJECT: COMMUNITY SPONSORSHIP AND FEE WAIVING POLICY REVIEW

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
520

RESOLVED

- 1. That Council place the Community Sponsorship and Fee Waiving Policy on public exhibition for a period of 28 days**
- 2. If there are no significant public submissions received that the Policy be automatically adopted at the end of the exhibition period.**

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI20/2023

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING HELD 15 MAY 2023

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
521

RESOLVED

That the Minutes of the Cessnock Local Traffic Committee Meeting of 15 May 2023 be adopted as a resolution of the Ordinary Council.

- **TC24/2023** - That Council notes the installation of regulatory parking signage and line marking on Lang Street, Kurri Kurri between Alexandra Street & Allworth Street in accordance with the Lang Street Kurri Kurri _ Signage & Line Marking Diagram.
- **TC25/2023** - That Council notes the installation of a children's crossing, kerb extensions, and associated signage and line marking on Anderson Avenue, Paxton in accordance with the Anderson Avenue Paxton _ Signage & Line Marking Diagram.
- **TC26/2023** - That Council notes the installation of a regulatory parking controls and associated signage and line marking on Rothbury Street, Nulkaba in accordance with the Rothbury Street Nulkaba _ Signage & Line Marking Diagram.
- **TC27/2023** - That Council notes the installation of centre line marking on Deakin Street and Wermol Street, Kurri Kurri in accordance with the Deakin Street Kurri Kurri _ Line Marking Diagram.
- **TC28/2023** - That Council notes the installation of intersection controls including associated signage and line marking on Charlton & Fisher Streets, Bellbird in accordance with the Charlton Street Bellbird _ Signage & Line Marking Diagram.
- **TC29/2023** - That Council notes installation of regulatory controls on Coulter Street within Huntlee, in accordance with Coulter Street North Rothbury _ Signage & Line Marking Diagram.
- **TC30/2023** - That Council declines support for the proposed intersection treatment on Old Buttai Road Buttai, as shown in the Old Buttai Road Buttai _ Proposed Intersection Diagram, and authorises Council officers to undertake investigation and consultation with all parties to facilitate a land swap as shown in the Old Buttai Road Buttai, Alternate Intersection Diagram.
- **TC31/2023** - That Council note the advice of the Local Traffic Committee regarding the Technical Review of a proposed Channelised Right Turn Treatment, and associated zebra crossing relocation, at Maitland Road, Cessnock as shown in the Maitland Road Cessnock _ Proposed Intersection Diagram.

FOR**AGAINST**

Councillor Jackson

Councillor Dunn

Councillor Moores

Councillor Grine

Councillor Sander

Councillor Hill

Councillor Hawkins

Councillor Olsen

Councillor Jurd

Councillor Suvaal

Total (10)**Total (0)*****CARRIED UNANIMOUSLY***

WORKS AND INFRASTRUCTURE NO. WI21/2023

SUBJECT: MINUTES OF THE LOCAL TRAFFIC COMMITTEE EXTRA ORDINARY MEETING HELD 2 JUNE 2023

MOTION **Moved:** Councillor Dunn **Seconded:** Councillor Hill
522

RESOLVED

That the Minutes of the Cessnock Local Traffic Committee Extra Ordinary Meeting of 2 June 2023 be adopted as a resolution of the Ordinary Council.

FOR	AGAINST
Councillor Jackson	
Councillor Dunn	
Councillor Moores	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
Total (10)	Total (0)

CARRIED UNANIMOUSLY

COUNCILLORS REPORTS

Councillor Jurd – Local Roads Congress

On the 5th of June 2023, I attend the Local Roads Congress. I heard from councillors on other councils, that this conference, is a great way to learn how roads operate and how the government looks after the councils for adequacy for residents. Will Barton open the conference with a welcoming, and spoke about sustainably investments and how to deliver and how it effect the roads and its safety.

Cr Darriea Turley

Her welcome, talked about the partnership that helps gets action, how working together will achieve this. She said the congress has been a platform for building networks and policy that we can take away and can help us with our council. The she talked about the weather, how its effected everyone. How we need to make sure our roads assets, are looked at and documented, we need to know how much they cost. She talked about the rate peg, that everything has gone up and yet it was capped. That the state levy with the emergency services, how now its costing us. That we already done the operation plans prior to state giving the emergency service levy and how it's a major problem.

The Hon. Jenny Aitchison MP

She used to work in the tour industry, worldwide. This is why she is regional roads minister, as she knows the system. Prior to holding this pro folio she had a tourism one. She talked about the roads and the issues around the emergency's and the regional roads. She has changed the grant programs, because she said there was issues with it with the prior people. Saying 50 million was for pot holes funding, 280 million then for regional. Which was only then 1 in 5 who got funding. She said her team have put more into it which was about 600 million.

Local government is council roads

State roads, is state roads

She said to contact her, she loves to talk to anyone about it all.

The Hon. John Graham, MLC

He spoke about damaged roads from 2022, repairing roads and minimises the flooding issues. Talked about Sydney issues and then talks about COVID 19 patterns how its changed how we work and live. He talked about the tolls in Sydney being another thing that has been hard on the Sydney people. With the cost of food and living going up, the tolls are another thing that is making it hard on them. It was all about Sydney.

The Hon. Natalie Ward MLC

Talked about how its important what we do for our community's. She spoke about the minister and said she looks forward to working with him, he didn't even look up. Talked about the roads and safety issues and the connectivity, she was the previous roads minister. Talked about local roads and the quality, how its brought community together. Then about COVID 19 and green space etc. encouraging people not to have to travel etc. Left a 76 billion dollar pipeline for roads as a parting gift, to do a motorway. Talked about the planning, how it is part of jobs, it creates job, the infrastructure is about jobs.

What they did well, 5 new motorways for the next 5 years, lowest road deaths

What they could of done better, I missed that part or she never said one.

12 years they were in there. (Libs)

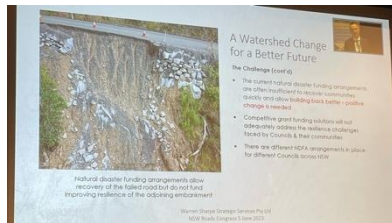
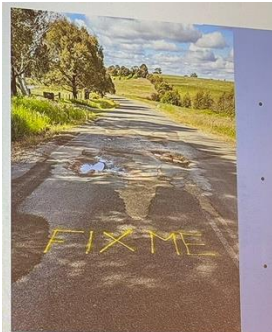
The Hon. Sam Farraway MLC

Talked about the importance of the local government, to be able to help state. Especially when he went to Lismore with the flooding. Talked about the timber bridges and how they changed them. Betterem funding, regional roads fund, to build reliance. Better infrastructure and then about the government apparently you cant control the weather.

Panel discussion – ministers
Funding, vision to deal with flooding and pipeline

Warren Sharpe OAM

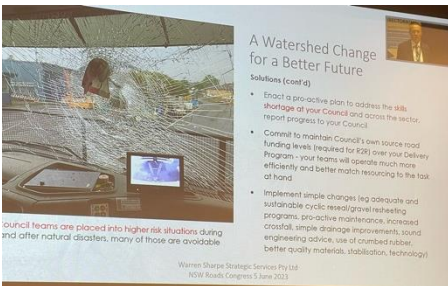
Talking about towards a resilience future.
Road map to build back better



Steve Verity

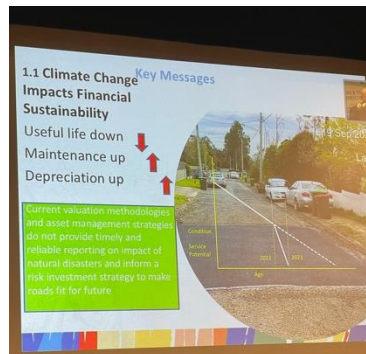
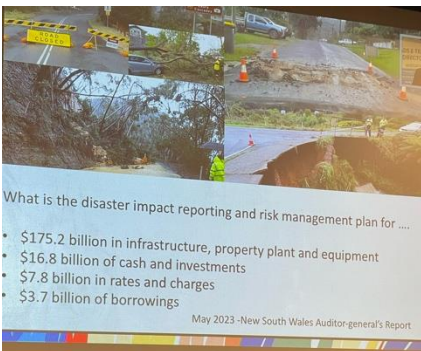
Road asset benchmarking

Identifies the shortfall in funding to ensure roads and bridges assets are maintained at the lowest lifecycle cost and provides the evidence for sustainable and affordable road funding.



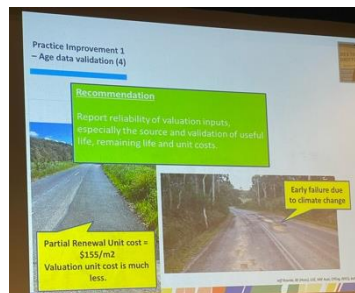
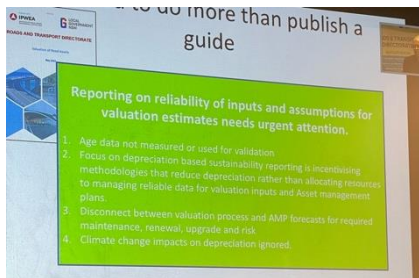
Jeff Roorda

Valuation of road infrastructure after natural disasters



Talked about the guidelines about how to fix roads and how its not always the right way to do it and how they should change them.

'Next time we have a climate change storm.'



These were my notes from the congress, and feel like it was a great day for learning.

Councillor Jackson – Australian Local Government Association, 2023 National Government Assembly

Australian Local Government Association
2023 National Government Assembly
Our Communities Our Future
13-16 June 2023

I wish I could condense this into a few paragraphs but after 4 days of activity I can't because we were introduced to so much information which was absolutely fantastic and useful.

The ALGA welcomed a record crowd of over 1100 local government leaders, delegates and elected representatives to Canberra's National Convention Centre, of which 178 were voting delegates.

Based on the ALGA theme "Our Communities, Our Future", delegates will discuss how Australia's 537 local governments can best partner with the Federal Government to deliver a better future for our communities.

Considering the last conference was held a decade ago, it ran smoothly and seamlessly. You could not help but think they had been running these events annually.

Tuesday's Regional Forum had a record 450 delegates registered. That evening from 5:00pm to 7:00 pm was the Welcome Reception & Exhibition Opening. It was an ideal time to network with fellow Mayors, Deputy Mayors and Councilors from across the country as well as meet the exhibitors.

Wednesday was an event packed day starting off with the Australian Local Government Women's Association breakfast of which many men participated. The keynote speaker was Tracey Roberts talking about "Women in leadership, the journey to get there and empowering other women".

Next we had the opening ceremony with a Welcome to Country by Aunty Violet Sheridan which included an address from His Excellency General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia.

After a Minister address from The Hon. Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, we heard from the President's Address from Cr Linda Scott, ALGA President. Our Guest Speaker was His Excellency Vasyl Myroshnychenko, Ambassador of Ukraine. Our next speaker was The Honourable Peter Dutton MP, Leader of the Opposition. Jimmy Rees made the Keynote Address.

After lunch we heard a panel addressing The Future of Local Government and a panel Addressing Building a Stronger Workforce. All speakers had valuable points to put forward. None were more important than the other. What resonated with me was the Young Mayors Program Foundation which I feel would make an invaluable impact on Cessnock City Council for getting young people involved in their community. <https://www.fya.org.au/program/young-mayors/>

In the afternoon, we debated and voted on half of the 145 motions submitted by councils across the country. It was decided to englobe the first 21 motions. Of the remaining motions, we only discussed whole numbers. Any motion with a .1, .2, .3, etc. was discarded.

This proved to be an excellent and efficient way to handle the proceedings as we managed to finish on time if not earlier.

Thursday started off with a panel about “A conversation about the Voice”. I was incredibly interested in this panel. I was hoping to get information from both the “yes” and “no” camp.

All speakers were very passionate and eloquent, but it was all one-sided for the “yes” vote. By the end, I still did not understand how or why Aboriginals are not recognised under the Constitution. Doesn't the Australian Constitution recognise ALL Australians?

The most impactful keynote speaker, (in my opinion), was Jennifer Michelmore, Chief Executive, Studio THI. I felt she has the most practical solutions/answers to help lead communities through change. She had an extensive presentation about managing growth to leading transformational change through a change in our thinking and practice. There needs to be an **awareness** of the need for change, a **desire** to participate in and support change, **knowledge** of how to change, the **ability** to implement the change on a day to day basis and **reinforcement** to keep the change in place. I need to create a separate report solely on her presentation and thought process to do it justice.

After morning tea was a panel on Cyclones, Fires and Floods. Our speakers were Brendan Moon AM (Coordinator General National Emergency Management Agency), Mayor Peter Freshney (Latrobe Council), and Mayor Samantha O'Toole (Balonne Shire). They fielded a great many questions from the audience. Next was a Keynote address by Saul Griffith.

After lunch we had two more panels where the audience asked many questions. They were on Australia's Affordable Housing Crisis and Cyber Security and Local Government; both very hot topics.

We debated and voted on the rest of the motions after afternoon tea and managed to get through them all in a very timely manner. There were no surprises in which motions were carried or not. There were only two which were a bit controversial in the closeness of the vote.

Motion number 93 Gunnedah Shire Council NSW

This National General Assembly calls on the Australian Government to remove restrictions preventing the development of Nuclear Energy as a viable option in the production of base load electricity following the decommissioning of coal fired power stations throughout Australia.

Failed For 88 Against 90

Motion number 95 Brimbank City Council VIC

This National General Assembly acknowledges the Australian Government's support of constitutional recognition for Aboriginal and Torres Strait Islanders through a Voice to Parliament and recognises what the Uluru Statement and the Voice to Parliament will mean for Australia's First Nations peoples and the broader Australian community.

Carried (I don't remember the numbers but it was close)

Friday was the historic return of the Australian Council of Local Government (ACLG). The agenda for this event, featured panel sessions and speaking appearance from key Federal Ministers. Returning for the first time in a decade, the ACLG allowed mayors to join the Prime Minister, Cabinet Ministers and Government to meet and create better ways to work together. The ACLG will follow and be informed by discussions at this year's NGA.

The day started with an extensive Welcome to Country by Paul Girrawah House along with the participation of two audience members. After a Welcome Address by The Hon. Anthony Albanese MP our first panel was on The Future of Local Government.

The panel was The Hon. Catherine King MP (Minister for Infrastructure, Transport, Regional Development and Local Government), The Hon. Stephen Jones MP (Assistant Treasurer; Minister for Financial Services), and Mayor Matt Burnett (Vice President of the Australian Local Government Association).

Panel #2: Our Industries and Economies - Achieving Economics and Industry Growth chaired by The Hon. Chris Bowen MP (Minister for Climate Change and Energy), Senator the Hon. Don Farrell (Minister for Trade and Tourism; Special Minister of State), and The Hon. Ed Husic MP (Minister for Industry and Science).

Panel #3: Our People - Local Government as a Trusted Delivery Partner chaired by The Hon. Jason Clare MP (Minister for Education), The Hon. Julie Collins MP (Minister for Housing; Minister for Homelessness; Minister for Small Business), and The Hon. Patrick Gorman MP (Assistant Minister to the Prime Minister; Assistant Minister for the Public Service).

Panel #4: Our Places - Resilience and Our Regions chaired by The Hon. Emma McBride MP (Assistant Minister for Mental Health and Suicide Prevention; Assistant Minister for Rural and Regional Health), The Hon. Bill Shorten MP (Minister for the National Disability Insurance Scheme; Minister for Government Services), and Senator the Hon. Murray Watt (Minister for Agriculture, Fisheries and Forestry; Minister for Emergency Management).

After the fourth panel, we broke out into two different panels; Regional and Urban. Obviously, I chose the Regional Panel which was chaired by The Hon. Andrew Giles MP (Minister for Immigration, Citizenship and Multicultural Affairs), Ms. Liz Ritchie (CEO, Regional Australian Institute), and Cr Rebecca Vonhoff (Toowoomba Regional Council).

Panel #5: Our Services - Live-ability and Local Government chaired by The Hon. Michelle Rowland MP (Minister for Communications), Mr. David Mackay (Deputy Secretary, Department of Infrastructure, Transport, Regional Development, Communications and the Arts), and Dr. Erin Brady (Deputy Director- General, Environment, Planning and Sustainable Development Directorate).

Closing remarks were made by The Hon. Kristy McBain MP (Minister for Regional Development, Local Government and Territories).

All panels fielded many questions from the audience. There was not enough time for everyone who lined up to the microphones. And the questions were very intelligent with equally intelligent answers from the respective speakers.

The best precis I can provide is that the common consensus is that the Federal Government is appreciative of the value of what Local Government provides. At a local level, we are the eyes on the ground who are better equipped to provide feedback to the Federal Government.

The Meeting Was Declared Closed at 7.36pm

CONFIRMED AND SIGNED at the meeting held on 19 JULY 2023

.....CHAIRPERSON

.....GENERAL MANAGER