

**MINUTES OF EXTRAORDINARY COUNCIL MEETING OF THE CESSNOCK CITY
COUNCIL HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 16 OCTOBER 2024,
COMMENCING AT 6.30PM**

PRESENT: His Worship the Mayor, Councillor D Watton (in the Chair) and Councillors Dixon, Grine, Harrington, Hill, Jurd, King, Lea, Madden, Mason, Palmowski, Pascoe and Suvaal.

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Chief Finance Officer
Communications & Engagement Manager
Digital Media Officer
Help Desk Support Officer
Council Services Team Leader

Acknowledgement of traditional Land Owners presented by Uncle Richard Edwards

The Prayer was presented by Councillor Mark Mason

The Mayor gave an Opening Statement

**APOLOGIES/LEAVE OF ABSENCE /
ATTENDANCE BY AV
LINK:**

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. PPD11/2024

SUBJECT: DISCLOSURES OF INTEREST

NIL

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC63/2024

SUBJECT: ELECTION OF DEPUTY MAYOR - 2024/2025

MOTION **Moved:** Councillor Madden **Seconded:** Councillor Lea

1

RESOLVED

That Council vote on the recommendation in seriatim.

FOR	AGAINST
Councillor Dixon	
Councillor Grine	
Councillor Harrington	
Councillor Hill	
Councillor Jurd	
Councillor King	
Councillor Lea	
Councillor Madden	
Councillor Mason	
Councillor Palmowski	
Councillor Pascoe	
Councillor Suvaal	
Councillor Watton	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

MOTION **Moved:** Councillor Jurd **Seconded:** Councillor Madden
2
RESOLVED

2. **That Council elect a Deputy Mayor for a term of office of 12 months and set the annual fee applicable to the term of the appointment at \$1,200.**

FOR	AGAINST
Councillor Dixon	
Councillor Grine	
Councillor Harrington	
Councillor Hill	
Councillor Jurd	
Councillor King	
Councillor Lea	
Councillor Madden	
Councillor Mason	
Councillor Palmowski	
Councillor Pascoe	
Councillor Suvaal	
Councillor Watton	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Grine
3
RESOLVED

3. **That Council elect a Deputy Mayor by Open Voting.**

FOR	AGAINST
Councillor Dixon	
Councillor Grine	
Councillor Harrington	
Councillor Hill	
Councillor Jurd	
Councillor King	
Councillor Lea	
Councillor Madden	
Councillor Mason	
Councillor Palmowski	
Councillor Pascoe	
Councillor Suvaal	
Councillor Watton	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

The General Manager advised the meeting that 2 nominations had been received those being Councillors Hill and Jurd.

Voting was conducted between Councillors Hill and Jurd and by way of a show of hands.

The result of the vote is as follows:

For Councillor Hill – Councillors Grine, Hill, Lea, Madden, Palmowski, Pascoe and Suvaal

For Councillor Jurd – Councillors Dixon, Harrington Jurd, King, Mason and Mayor Watton

MOTION **Moved:** Councillor Grine **Seconded:** Councillor Suvaal
4
RESOLVED

4. **That Council note the declaration of the Returning Officer that Councillor Mitchell Hill is elected as Deputy Mayor for the term of office 17 October 2024 to the day prior to the Ordinary Council meeting in September 2025.**

FOR	AGAINST
Councillor Dixon	
Councillor Grine	
Councillor Harrington	
Councillor Hill	
Councillor Jurd	
Councillor King	
Councillor Lea	
Councillor Madden	
Councillor Mason	
Councillor Palmowski	
Councillor Pascoe	
Councillor Suvaal	
Councillor Watton	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC64/2024

SUBJECT: 2024 LOCAL GOVERNMENT ELECTION - CASUAL VACANCY IN CIVIC OFFICE - COUNTBACK OPTION

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Grine
5
RESOLVED

That pursuant to Section 291A(1)(b) of the Local Government Act 1993 (the Act) Cessnock City Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commission of the Council decision within 7 days of the decision.

FOR	AGAINST
Councillor Dixon	
Councillor Grine	
Councillor Harrington	
Councillor Hill	
Councillor Jurd	
Councillor King	
Councillor Lea	
Councillor Madden	
Councillor Mason	
Councillor Palmowski	
Councillor Pascoe	
Councillor Suvaal	
Councillor Watton	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC65/2024

**SUBJECT: INSTRUMENTS OF DELEGATION TO THE MAYOR AND GENERAL
MANAGER**

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Suvaal

- 1. That Council delegates the functions, powers and duties in accordance with the Instrument of Delegation to the Mayor attached to this report as Enclosure 1.**
- 2. That Council delegates the functions, powers and duties of the Mayor to the Deputy Mayor with the general limitations that the Deputy Mayor may only exercise these Functions:**
 - a) at the request of the Mayor; or**
 - b) if the Mayor is prevented by illness, absence or otherwise from exercising these functions; or**
 - c) if there is a casual vacancy in the office of Mayor.**
- 3. That Council delegates the functions, powers, duties, authorities and appointments in accordance with the Instrument of Delegation to the General Manager attached to this report as Enclosure 2.**
- 4. That Council authorises the Director Planning & Environment, Director Works & Infrastructure, or Director Corporate and Community Services to act in the capacity of General Manager in the absence of the General Manager during periods of leave, as nominated by the General Manager in each instance.**

PROCEDURAL MOTION

Moved: Councillor King
Seconded: Councillor Jurd

That the report be deferred to the next Ordinary meeting of Council and a briefing be held.

FOR	AGAINST
Councillor Dixon	Councillor Grine
Councillor Harrington	Councillor Hill
Councillor Jurd	Councillor Lea
Councillor King	Councillor Madden
Councillor Mason	Councillor Palmowski
Councillor Watton	Councillor Pascoe
	Councillor Suvaal
Total (6)	Total (7)

The Procedural Motion was **PUT** and **LOST**

AMENDMENT **Moved:** Councillor Jurd **Seconded:** Councillor King

That the dollar figure within Part C – General Limitations regarding tenders of the General Manager’s Instrument of Delegation be changed from \$2 million to \$1.5 million.

FOR	AGAINST
Councillor Dixon	Councillor Grine
Councillor Jurd	Councillor Harrington
Councillor King	Councillor Hill
	Councillor Lea
	Councillor Madden
	Councillor Mason
	Councillor Palmowski
	Councillor Pascoe
	Councillor Suvaal
	Councillor Watton
Total (3)	Total (10)

The Amendment was **PUT** and **LOST**.

The Motion was then **PUT** and **CARRIED**.

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Suvaal

6

RESOLVED

1. That Council delegates the functions, powers and duties in accordance with the Instrument of Delegation to the Mayor attached to this report as Enclosure 1.
2. That Council delegates the functions, powers and duties of the Mayor to the Deputy Mayor with the general limitations that the Deputy Mayor may only exercise these Functions:
 - a) at the request of the Mayor; or
 - b) if the Mayor is prevented by illness, absence or otherwise from exercising these functions; or
 - c) if there is a casual vacancy in the office of Mayor.
3. That Council delegates the functions, powers, duties, authorities and appointments in accordance with the Instrument of Delegation to the General Manager attached to this report as Enclosure 2.
4. That Council authorises the Director Planning & Environment, Director Works & Infrastructure, or Director Corporate and Community Services to act in the capacity of General Manager in the absence of the General Manager during periods of leave, as nominated by the General Manager in each instance.

FOR

Councillor Grine
Councillor Harrington
Councillor Hill
Councillor Lea
Councillor Madden
Councillor Mason
Councillor Palmowski
Councillor Pascoe
Councillor Suvaal
Councillor Watton

Total (10)**AGAINST**

Councillor Dixon
Councillor Jurd
Councillor King

Total (3)***CARRIED***

CORPORATE AND COMMUNITY NO. CC66/2024

SUBJECT: APPOINTMENT OF REPRESENTATIVES TO EXTERNAL COMMITTEES

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

1. That Council recognises the contribution of current and former Councillors who represented Council on external committees.
2. That Council seeks nominations for, and appoints Councillor members and alternates to the following external committees for the current Council term:
 - a) Councillor Jay Suvaal as Council's representative to the Austar Coal Mine Community Consultative Committee and Councillor Quintin King as the alternate.
 - b) Councillor Chris Madden as Council's representative to the Blackhill Quarry Consultative Committee and Councillor Mitchell Hill as the alternate
 - c) Councillor Mitchell Hill as Council's representative to the Buttai Quarry Consultative Committee and Councillor Chris Madden as the alternate.
 - d) Councillor Mark Mason as Council's representative to the Hunter Water Customer and Community Advisory Group and Councillor Sophie Palmowski as the alternate.
 - e) Councillor Mitchell Lea as Council's representative to the Lower Hunter and Hunter Bushfire Management Committee and Councillor Sophie Palmowski as the alternate.
 - f) Councillor Sophie Palmowski as Council's representative to the Lower Hunter Zone District Liaison Committee and Councillor Mitchell Lea as the alternate.
 - g) Councillor Tracey Harrington as Council's representative to the Public Libraries NSW (Central East Zone) Committee and Councillor Sarah Pascoe as the alternate.
 - h) Councillor Mitchell Hill as Council's representative along with the Mayor, and Councillors Jay Suvaal, Jessica Jurd, Mark Mason and Tracey Harrington as alternate representatives to the Sydney District and Regional Planning Panels - Hunter and Central Coast Regional Planning Panel.
3. That Council authorises the General Manager to appoint staff to any external committees that have vacancies following the election of Councillors.

AMENDMENT *Moved:* Councillor Jurd *Seconded:* Councillor King

That Councillor Quintin King as Council's representative to the Austar Coal Mine Community Consultative Committee and Councillor Jay Suvaal as the alternate.

FOR	AGAINST
Councillor Dixon	Councillor Grine
Councillor Harrington	Councillor Hill
Councillor Jurd	Councillor Lea
Councillor King	Councillor Madden
Councillor Watton	Councillor Mason
	Councillor Palmowski
	Councillor Pascoe
	Councillor Suvaal
Total (5)	Total (8)

The Amendment was **PUT** and **LOST**.

The Motion was then **PUT** and **CARRIED**

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

7

RESOLVED

1. **That Council recognises the contribution of current and former Councillors who represented Council on external committees.**
2. **That Council seeks nominations for, and appoints Councillor members and alternates to the following external committees for the current Council term:**
 - a) **Councillor Jay Suvaal as Council's representative to the Austar Coal Mine Community Consultative Committee and Councillor Quintin King as the alternate.**
 - b) **Councillor Chris Madden as Council's representative to the Blackhill Quarry Consultative Committee and Councillor Mitchell Hill as the alternate**
 - c) **Councillor Mitchell Hill as Council's representative to the Buttai Quarry Consultative Committee and Councillor Chris Madden as the alternate.**
 - d) **Councillor Mark Mason as Council's representative to the Hunter Water Customer and Community Advisory Group and Councillor Sophie Palmowski as the alternate.**
 - e) **Councillor Mitchell Lea as Council's representative to the Lower Hunter and Hunter Bushfire Management Committee and Councillor Sophie Palmowski as the alternate.**
 - f) **Councillor Sophie Palmowski as Council's representative to the Lower Hunter Zone District Liaison Committee and Councillor Mitchell Lea as the alternate.**

- g) Councillor Tracey Harrington as Council's representative to the Public Libraries NSW (Central East Zone) Committee and Councillor Sarah Pascoe as the alternate.
 - h) Councillor Mitchell Hill as Council's representative along with the Mayor, and Councillors Jay Suvaal, Jessica Jurd, Mark Mason and Tracey Harrington as alternate representatives to the Sydney District and Regional Planning Panels - Hunter and Central Coast Regional Planning Panel.
3. That Council authorises the General Manager to appoint staff to any external committees that have vacancies following the election of Councillors.
 4. That the delegate and/or alternate delegate for committees provide the official minutes or a Council report back to Council.

FOR	AGAINST
Councillor Dixon	
Councillor Grine	
Councillor Harrington	
Councillor Hill	
Councillor Jurd	
Councillor King	
Councillor Lea	
Councillor Madden	
Councillor Mason	
Councillor Palmowski	
Councillor Pascoe	
Councillor Suvaal	
Councillor Watton	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC67/2024

SUBJECT: COUNCILS INTERNAL COMMITTEE STRUCTURE AND APPOINTMENT OF REPRESENTATIVES

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

8

RESOLVED

1. That Council established the following Committees and adopts their respective governing Charters in Enclosure 1:
 - a) Aboriginal and Torres Strait islander Advisory Committee.
 - b) Council Initiated Awards Committee,
 - c) Floodplain Risk Management Committee,
 - d) Grants Advisory Committee,
 - e) Local Traffic Committee, and
 - f) Organisational and General Manager's Performance Review Panel.
2. That Council notes the statutory Audit, Risk and Improvement Committee and its governing Charter in Enclosure 1.
3. That Council appoints Councillors to the following committees/panels:

Committee	Councillor member/s	Alternate member/s
Aboriginal and Torres Strait Islander Advisory Committee	<i>Councillor Mitchell Hill Councillor Sophie Palmowski Councillor Chris Madden</i>	<i>Councillor Mitchell Lea</i>
Audit, Risk and Improvement Committee	<i>Mark Mason who is a non-voting member and cannot be the Mayor</i>	
Council Initiated Awards Committee	<i>Mayor Daniel Watton (Chair) Councillor Tracey Harrington Councillor Rosa Grine</i>	<i>Councillor Sarah Pascoe Councillor Jay Suvaal</i>
Floodplain Risk Management Committee	<i>Mayor Daniel Watton (Chair) Councillor Mitchell Lea</i>	<i>Councillor Susanne Dixon</i>
Grants Advisory Committee	<i>Mayor Daniel Watton (Chair) Councillor Sarah Pascoe Councillor Susanne Dixon</i>	<i>Councillor Tracey Harrington Councillor Jessica Jurd</i>
Local Traffic Committee	<i>Councillor Jessica Jurd</i>	<i>Councillor Quintin King</i>
General Manager's Organisational and General Managers' Performance Review Panel	<i>Councillor Rosa Grine</i>	<i>Councillor Sarah Pascoe</i>

- 4. That Council delegates the care, control and management of Council's community and recreation facilities, other Council owned and controlled land, to relevant Section 355 Committees.**
- 5. That Council authorises the management of the Section 355 Committees to be in accordance with any practices and procedures adopted by the General Manager.**
- 6. That Council authorises the General Manager to execute documents confirming the delegated functions with each of the appointed community representatives for each of the respective Section 355 Committees in accordance with any practices and procedures.**
- 7. That Council establishes the following Section 355 Committees:**

 - a) Abermain Plaza Hall,**
 - b) Abermain School of Arts**
 - c) Branxton Community Hall,**
 - d) Crawfordville Community Hall,**
 - e) Ellalong Community Hall,**
 - f) Former Greta Council Chambers,**
 - g) Former Great Courthouse**
 - h) Greta Arts and Sports Community Hall,**
 - i) Kearsley Community Hall,**
 - j) Kurri Kurri Senior Citizens Hall,**
 - k) Laguna Community Hall,**
 - l) Marthaville Arts and Cultural Centre,**
 - m) Mulbring Park Tennis Court,**
 - n) North Cessnock Community Hall,**
 - o) Pokolbin Community Hall,**
 - p) Weston Civic Centre, and**
 - q) Wollombi Community Hall.**
- 8. That Council recognises the contribution of current and former Councillors and community representatives on Council committees.**

FOR	AGAINST
Councillor Dixon	
Councillor Grine	
Councillor Harrington	
Councillor Hill	
Councillor Jurd	
Councillor King	
Councillor Lea	
Councillor Madden	
Councillor Mason	
Councillor Palmowski	
Councillor Pascoe	
Councillor Suvaal	
Councillor Watton	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC68/2024

SUBJECT: SCHEDULE OF ORDINARY MEETINGS OF COUNCIL FOR 2025

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Lea
9

RESOLVED

That Council adopts the schedule of Ordinary Meetings of Council for 2025:

19 February 2025	19 March 2025	16 April 2025
21 May 2025	18 June 2025	16 July 2025
20 August 2025	17 September 2025	15 October 2025
19 November 2025	10 December 2025	

FOR

Councillor Grine
Councillor Harrington
Councillor Hill
Councillor Jurd
Councillor King
Councillor Lea
Councillor Palmowski
Councillor Pascoe
Councillor Suvaal
Councillor Watton

Total (10)

AGAINST

Councillor Dixon
Councillor Madden
Councillor Mason

Total (3)

CARRIED

CORPORATE AND COMMUNITY NO. CC69/2024

SUBJECT: LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - DELEGATES AND VOTING DELEGATES

MOTION **Moved:** Councillor Hill **Seconded:** Councillor Lea
10
RESOLED

1. That Council determines the delegates to attend the Local Government NSW Annual Conference 2024 as Mayor Watton and Councillors Hill, Suvaal and Palmowski.
2. That Council determines the voting delegates for the Local Government NSW Annual Conference 2024 as Mayor Watton and Councillors Hill, Suvaal and Palmowski.
3. That Council determines Councillor Chris Madden to be an alternate delegate in the event that any Councillor is unable to attend the conference.

FOR	AGAINST
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Councillor Dixon	
Councillor Grine	
Councillor Harrington	
Councillor Hill	
Councillor Jurd	
Councillor King	
Councillor Lea	
Councillor Madden	
Councillor Mason	
Councillor Palmowski	
Councillor Pascoe	
Councillor Suvaal	
Councillor Watton	
Total (13)	Total (0)

CARRIED UNANIMOUSLY

The Meeting Was Declared Closed at 7.23.pm

CONFIRMED AND SIGNED at the meeting held on

.....CHAIRMAN

.....GENERAL MANAGER