



12 March 2020

To All Councillors

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993, that the next Ordinary Meeting of Council will be held in the Council Chambers, on Wednesday, 18 March 2020 at 6.30 pm, for the purposes of transacting the undermentioned business.

AGENDA:

PAGE NO.

- (1) **OPENING PRAYER**
- (2) **ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**
- (3) **RECEIPT OF APOLOGIES**
- (4) **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
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- (9) **NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION**
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‡ - Denotes that Report is for notation only.



Principles for Local Government

Exercise of functions generally

The following general principles apply to the exercise of functions by Councils:

- a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- e) Councils should work co-operatively with other Councils and the State government to achieve desired outcomes for the local community.
- f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- g) Councils should work with others to secure appropriate services for local community needs.
- h) Councils should act fairly, ethically and without bias in the interests of the local community.
- i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

Council's Values

- Integrity
- Accountability
- Respect
- Excellence
- Teamwork

Our Community's Vision

Cessnock will be a cohesive and welcoming community living in an attractive and sustainable rural environment with a diversity of business and employment opportunities supported by accessible infrastructure and services which effectively meet community need.

Cessnock – thriving, attractive and welcoming.

Our Community's Desired Outcomes

- A connected, safe and creative community.
- A sustainable and prosperous economy.
- A sustainable and healthy environment.
- Accessible infrastructure, facilities and services.
- Civic Leadership and effective governance.



Council Model Code of Conduct

Council adopted its current Code of Conduct on 17 April 2019. This Code provides details of statutory requirements and gives guidance in respect of the way in which pecuniary and conflict of interest issues must be disclosed.

Generally, the Code outlines the following issues:

1. Councillors are under an obligation at law to disclose any interest they may have in any matter before the Council and to refrain from being involved in any consideration or to vote on any such matter
2. Councillors must disclose any interest in any matter noted in the business paper prior to or at the opening of the meeting
3. The nature of the interest shall be included in the notification
4. Councillors shall immediately and during the meeting disclose any interest in respect of any matter arising during the meeting which is not referred to in the business paper
5. All declarations of interest shall be recorded by the General Manager
6. All disclosures of interest shall as far as is practicable be given in writing
7. Any member having a pecuniary or non-pecuniary significant conflict of interest shall leave the meeting and remain absent while the subject of the interest is being considered by Council
8. The meeting shall not discuss any matter in which a Councillor has a pecuniary or non-pecuniary significant conflict of interest while the Councillor is present at the meeting



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**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 4 MARCH 2020, COMMENCING AT
6.30 PM**

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

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Acting Development Services Manager (Team Leader Development Services)
Acting Environment & Waste Services Manager (Sustainability Officer)
Senior Media & Communication Officer
Corporate Governance Officer

**APOLOGY/LEAVE
OF ABSENCE:**

MOTION

Moved: Councillor Fitzgibbon
Seconded: Councillor Suvaal

1184

RESOLVED that the apology tendered on behalf of Councillor Olsen, for unavoidable absence, be accepted and leave of absence granted.

Councillor Dagg's Leave of Absence for 4 March 2020 is noted.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

MINUTES:**MOTION**

Moved: Councillor Burke
Seconded: Councillor Suvaal

1185

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 19 February 2020, as circulated, be taken as read and confirmed as a correct record.

FOR**AGAINST**

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

Total (11)

Total (0)

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI3/2020

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.

WI20/2020 - Minutes of Local Traffic Committee 17 February 2020 - Councillor Burke declared a Non Pecuniary Less Than Significant Conflict for the reason that he is a Town Coordinator and Stomp Festival Organiser. Councillor Burke advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty because it will not influence his decision.

MM2/2020 Volunteer Firefighters Thank You Event - Councillor Fagg declared a Non Pecuniary Less Than Significant Conflict for the reason that his wife is a prominent member of the Rothbury RFS. Councillor Fagg advised that he would remain in the Chamber and participate in discussion and voting as the conflict has not influenced him in carrying out his public duty.

PETITIONS

NIL

ADDRESS BY INVITED SPEAKERS

NIL

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

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal

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

NI1/2020	Notice of Intention to Deal with matters in Confidential Session. WI22/2019 - Minutes of the Confidential Session of the Floodplain Management Committee meeting of 19 February 2020	47
PE10/2020	Development Application 8/2019/235/1 - Fourteen (14) lot residential subdivision to occur in two (2) phases - 21 Main Road, Clifftleigh	71
‡ CC18/2020	Exclusion of Item from the Agenda	103
WI17/2020	Paynes Crossing Road, Paynes Crossing - Evaluation of Tender No T1920-06 Paynes Crossing Bridge Replacement	127
WI18/2020	Scholey & Quarrybylong Streets, Cessnock - Naming of Lane	136
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WI21/2020	Minutes of Extraordinary Floodplain Management Committee 19 February 2020	182
‡ CO2/2020	Wollombi Community Bus Service.....	190
‡ CO3/2020	Weston Fire Station Land Transfer to Council	192

Council adopt the recommendations as printed for those items.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

NOTICE OF INTENTION TO DEAL WITH MATTERS IN CONFIDENTIAL SESSION

NOTICE OF INTENTION NO. NI1/2020

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

**WI22/2019 - MINUTES OF THE CONFIDENTIAL SESSION OF THE
FLOODPLAIN MANAGEMENT COMMITTEE MEETING OF 19
FEBRUARY 2020**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal
1186

RESOLVED

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

**Report No. WI22/2019 – Minutes of the Confidential Session of the Floodplain
Management Committee Meeting of 19 February 2020 as it deals with
commercial information of a confidential nature that would, if disclosed
prejudice the commercial position of the person who supplied it.**

2. **That Council requests the Mayor in accordance with Clause 14.21 of Councils
Code of Meeting Practice to report on these matters to the meeting in Open
Session following completion of the Confidential Session.**

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

MAYORAL MINUTES

MAYORAL MINUTES NO. MM2/2020

SUBJECT: VOLUNTEER FIREFIGHTERS THANK YOU EVENT

Councillor Fagg declared a Non Pecuniary Less Than Significant Conflict for the reason that his wife is a prominent member of the Rothbury RFS. Councillor Fagg remained in the Chamber and participate in discussion and voting.

MOTION **Moved:** Councillor Pynsent
1187

RESOLVED

1. **That the General Manager organise an event to thank the Rural Fire Fighter Brigades in the Cessnock LGA and all agencies within the Incident Management Team for their outstanding work in the 2019/2020 fire season.**
2. **That the event be held before 30 June, 2020**
3. **That the event be funded under the joint NSW and Commonwealth Government Funded Bushfire Community Resilience and Economic Recovery Funds: Phase 1.**

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU3/2020

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU3/2020

SUBJECT: HUNTER JOINT ORGANISATION

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

1188

RESOLVED

That Council approves a budget allocation in the 2020/21 Operational Plan of \$47,200 for the membership fee for the Hunter Joint Organisation for financial year 2020/21.

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

Total (11)

Total (0)

CARRIED UNANIMOUSLY

PLANNING AND ENVIRONMENT NO. PE10/2020

SUBJECT: DEVELOPMENT APPLICATION 8/2019/235/1 - FOURTEEN (14) LOT RESIDENTIAL SUBDIVISION TO OCCUR IN TWO (2) PHASES

21 MAIN ROAD, CLIFTLEIGH

MOTION
1189
RESOLVED

Moved: Councillor Doherty **Seconded:** Councillor Suvaal

1. That:

- (i) Development Application No. 8/2019/235/1 proposing a fourteen (14) lot residential subdivision to occur in two (2) phases at 21 Main Road, Cliftleigh (Lot 104 DP 1254893 in a subdivision of Lot 1200 DP 1250232), be approved pursuant to Sections 4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979*, subject to the conditions contained in this report.
- (ii) The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:
 - The proposed subdivision is consistent with the Planning Proposal (Reference No. 18/2016/1) considered/endorsed by Council at its meeting of 19 April 2017 and Planning Gateway Determination (Reference No. 17/06073), to rezone the subject land from zone RE1 – Public Recreation to zone R2 – Low Density Residential, under the provisions of the Cessnock Local Environmental Plan 2011.
 - The proposal is a permitted land use in zone R2 under the Cessnock Local Environmental Plan 2011.
 - The proposal is consistent with the provisions of the Cessnock Development Control Plan, Part D Chapter 1 – Subdivision Guidelines.
 - The proposal incorporates measures to ensure that the development does not result in any adverse impacts on the natural and built environments.
 - The subject land is considered suitable for the proposed development as it is located within an established Urban Release Area (URA), and is subject to site specific planning controls with which it complies.
 - The proposal is considered to maintain the public interest.

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

- The development has been assessed as satisfactory with respect to likely impacts on local amenity and streetscape.
- The development will not have an adverse impact upon the availability of public open space within the Cliftleigh Precinct.
- Due consideration has been given to the impact of the development on the local traffic network and connections to Main Road 195, Cliftleigh, and it is considered that the proposed development will not result in adverse traffic impacts.
- Biodiversity impacts of the proposal have been assessed and satisfactory measures established to offset any likely impact.

(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. Phased Approval

This consent does not authorise the carrying out of development on any part of the site concerned unless conditions of consent to carry out development specific to each previous phase have been completed.

The phases of the proposed development are summarised as follows:

Phase	DEVELOPMENT WORKS
Phase 1	Subdivision of Lots 1 – 11 and Lot 13
Phase 2	Subdivision of Lot 12 and Lot 14 (the residual lot)

ALL PHASES

2. General Terms of Approval

All General Terms of Approval issued by Subsidence Advisory NSW and NSW RFS shall be complied with prior, during and at the completion of the development, as required.

The General Terms of Approval include the following:

- a) NSW RFS (Reference Number D19/1489, dated 4 June 2019).
- b) Subsidence Advisory NSW (Reference Number TSUB B19-00611).

A copy of the General Terms of Approval is attached to this determination notice.

3. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2019/235/1 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Reference	Drawn By	Dated
Proposed Phased Plan of Subdivision Ref 07/0174	Monteath & Powys	April 2019
Proposed Plan of Subdivision, Appendices Plans B – G ref 07/0174	As Above	April 2019

Document Title	Prepared By	Dated
Statement of Environmental Effects Ref 07/0174	Monteath & Powys	April 2019
Bushfire Threat Assessment Report	Bushfire Planning Australia	April 2019
Concept Civil Engineering Report Ref – NE190052.	Acor Consultants	April 2019
Hunter Water Corporation – Formal requirements ref 2019-388	Hunter Water	29 March 2019

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE (SWC)

4. Local Traffic Committee Approval

Any application involving the installation of, or amendment to, regulatory signage, linemarking and/or traffic control devices, will require approval of the Council Local Traffic Committee. Full details shall be submitted to, and approved by the Council Local Traffic Committee, prior to the issue of any SWC, and subsequent Section 138 Roads Act Approval.

5. 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 \$25,000 or more. The Long Service Levy is payable prior to the issue of a SWC.

6. Road – Fees

The applicant shall lodge payment of fees and contributions as follows:

Based on a road length of approximately 135 metres. Final fee amounts will be levied on accurate dimensions contained within the engineering plans.

- a) Road fees - engineering plan checking and supervision in accordance with Councils adopted fees and charges current at the time of payment.
- b) Road fees – PCA supervision in accordance with Councils adopted fees and charges current at the time of payment.

The fees shall be payable prior to the issue of a SWC / Section 138 for the Civil Works and shall be in accordance with Council's adopted fees and charges current at the time of payment.

7. Road – Road Widening Requirement (Tarrango Street)

The registered proprietor of the land shall construct the following in accordance with Council's 'Engineering Requirements for Development' and set out on a set of plans, four (4) copies of which are to be submitted to, and approved by, Council prior to issue of a SWC for the civil works.

- a) Construct 8m wide sealed pavement.
- b) Construct kerb and guttering along boundary.
- c) Construct a permanent turning circle with 8.5m radius at the end of Tarrango Street within the lot boundary.
- d) Place two (2) coat hot bitumen seal on new work.
- e) Construct drainage works as necessary.

8. Stormwater Drainage in Road Reserve

An engineering design of 1 in 100 year ARI, prepared by a qualified practising Civil Engineer, must be provided to the CA prior to the issue of a SWC. The detailed design must be prepared/ amended to make provision for the following:

- a) The design must include all proposed stormwater drainage works in the public road reserve
- b) The design must include all proposed stormwater drainage works in the public road reserve; generally in accordance with the stormwater drainage concept plan on prepared by Accor Consultants and dated 01/04/2019.
- c) Council's piped stormwater drainage system in Tarrango must be extended by an appropriately sized pipeline (minimum 375mm diameter) to the frontage of the site, where a kerb inlet pit must be installed. The pipeline must be designed to have the capacity to convey flows that would be collected at that section of street as generated by a 5 year Average Recurrence Interval storm event, and the inlet pit must have a lintel with a minimum length of 2400mm
- d) Stormwater design in accordance with the relevant requirements of Austroads and all AS's
- e) The design must include provision of suitable signposting and line marking.

The design must be certified by a suitably qualified Civil Engineer and be provided prior to the issue of a SWC.

The design must be submitted to, and approved by Council in writing in accordance with Section 138 of the Roads Act 1993 prior to the issue of a SWC. The applicant must consult with Council in relation to the design of all works in the public road reserve.

Note: For certain traffic and road works, the design may need to be approved by Council's Local Traffic Committee and/or the RMS prior to Council issuing an approval.

9. 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 SWC application are to demonstrate compliance with this requirement. The plans are to be approved by the CA as satisfying this requirement prior to the issue of a SWC.

10. Street Lighting Design

Prior to the issue of a SWC, submit to Council for approval plans and specifications for a proposed lighting design prepared by a Level 3 Ausgrid Accredited Service Provider which complies with the following design brief:-

Street lighting standards:

- Ausgrid's NS119 Street Lighting Design and Construction, and
- AS/NZS 60598.2.3 Particular requirements – Luminaries for road and street lighting.

Street lighting design requirements:

- Unpainted galvanised light poles and associated fittings;
- Minimum of 20 year design life for all lighting components and structures, and
- Best practice energy efficient LED luminaries to meet Council's participation in the IPART Energy Saving Scheme for Public Lighting.

Street lighting level standards for minor collector and local roads (residential):

- AS/NZ 1158 Lighting for roads and public spaces, and
- AS/NZ 1158 Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.

Street lighting level standards for arterial and major roads (Traffic Route Lighting):

- AS/NZ 1158 Lighting for roads and public spaces, and
- AS/NZ 1158 Part 1.1: Vehicular traffic (Category V) lighting – Performance and design requirements.

PRIOR TO THE COMMENCEMENT OF WORKS

11. Construction and Traffic Management Plan

The applicant must prepare a Construction Management and Traffic Management Plan incorporating the following matters. The plan must be submitted to and approved by the CA as satisfying these matters prior to the commencement of works.

- a) A plan view of the entire site and frontage roadways indicating:
- i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
 - ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
 - iii) The locations of proposed work zones in the frontage roadways.
 - iv) Location of any proposed crane, concrete pump, truck standing areas on and off the site.
 - v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
 - vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
 - vii) An onsite parking area for employees, tradespersons and construction vehicles as far as possible.
 - viii) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
 - ix) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
 - x) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a Chartered Civil Engineer.
- b) During excavation, demolition and construction phases, noise generated from the site must be controlled.
- c) All site works must comply with the work health and safety requirements of the New South Wales WorkCover Authority.
- d) During excavation, demolition and construction phases, toilet facilities are to be provided on site, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site.
- e) All traffic control plans must be in accordance with the RMS publication Traffic Control Worksite Manual and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of six (6) weeks prior to the proposed activity being undertaken.

12. Soil and Water Management Plan

The applicant must prepare a Soil and Water Management Plan, being compatible with the Construction Management and Traffic Management Plan referred to in this Development Consent and incorporating the following matters. The plan must be submitted to and approved by the CA as satisfying these matters prior to the commencement of works.

- a) Minimise the area of soils exposed at any one time
- b) Conservation of top soil
- c) Identify and protect proposed stockpile locations
- d) Preserve existing vegetation. Identify revegetation technique and materials
- e) Prevent soil, sand, sediments leaving the site in an uncontrolled manner
- f) Control surface water flows through the site in a manner that:
 - i) Diverts clean-runoff around disturbed areas
 - ii) Minimises slope gradient and flow distance within disturbed areas
 - iii) Ensures surface run-off occurs at non erodible velocities
 - iv) Ensures disturbed areas are promptly rehabilitated.
- g) Sediment and erosion control measures in place before work commences
- h) Materials are not tracked onto the road by vehicles entering or leaving the site
- i) Details of drainage to protect and drain the site during works.

13. 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.

14. S.138 Roads Act 1993 Approvals

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.

15. Soil and Water Management Plan Implemented

The requirements of the Soil and Water Management Plan shall be in place prior to the commencement of demolition works and/or construction works and shall be maintained throughout the demolition and/or construction process.

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. Road – Bonds

The applicant shall pay the following:-

- a) A performance and maintenance bond of a minimum of \$1000 or 5% of the contract construction costs, whichever is greater. To be held by council for a period of 12 months.

It will be necessary for the applicant to submit evidence of the contract price of all construction works in order for Council to assess accurate bond amounts.

The bond shall be payable prior to the issue of a *Section 138* approval.

The bond may be used to meet any costs referred to above, and on application being made to the Council by the person who provided the bond, any balance remaining is to be refunded to, or at the direction of, that person. If no application is made to the Council for a refund of any balance remaining of the bond within 6 years of the date of issue of practical completion for the development, the Council may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

During Works

18. Approved Plans Kept On Site

A copy of the approved plans must be kept on site for the duration of site works and be made available upon request

19. Location of Council Pipes

During all phases of demolition, excavation and construction, it is the full responsibility of the applicant and their contractors to:

- a) Ascertain the exact location of the Council stormwater drainage pipeline and associated pits traversing the site in the vicinity of the works
- b) Take measures to protect the in-ground Council stormwater drainage pipeline and associated pits
- c) Ensure dedicated overland flow paths are satisfactorily maintained through the site

Stormwater drainage pipes can be damaged through applying excessive loading (such as construction machinery, material storage, and the like). All proposed structures and construction activities must be sited fully clear of Council's stormwater drainage pipes, pits, easements, watercourses and overland flow paths on the site

If the Council pipeline is uncovered during construction, all work must cease, and the PCA and Council must be contacted immediately for advice. Any damage caused to the Council stormwater drainage system must be immediately repaired in full as directed, and at no cost to Council.

20. Construction Vehicles

Construction material and vehicles shall not be placed on public footpaths. The use of footpaths or roadways shall be undertaken in accordance with the prevailing kerbside restrictions, the Australian Road Rules and Council's Parking Code.

21. Virgin Fill to be Used

All fill used with the proposal shall be virgin excavated material (such as clay, gravel, sand, soil and rock) that is not mixed with any other type of waste, and which has been excavated from areas of land that are not contaminated with human made chemicals as a result of industrial, commercial, mining or agricultural activities, and which do not contain sulphate ores or soils.

22. Stormwater – Impact on Adjoining Land – Natural Drainage

Filling shall not be placed in such a manner that natural drainage from adjoining land will be obstructed.

23. Stormwater – Impact on Adjoining Land – Surface Water

Filling shall not be placed on land in such a manner that surface water will be diverted to adjoining land.

24. Implementation of Soil and Water Management Plan

The requirements of the Soil and Water Management Plan must be maintained at all times during the works, and any measures required by the Soil and Water Management Plan shall not be removed until the site has been stabilised.

Materials from the site are not to be tracked into the road by vehicles entering or leaving the site. At the end of each working day, any dust/dirt or other sediment shall be swept off the road and contained on the site, and not washed down any stormwater pit or gutter.

The sediment and erosion control measures are to be inspected daily, and defects or system failures are to be repaired as soon as they are detected.

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

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

25. Requirement for a Subdivision Certificate

Prior to the issue of a SC, the applicant shall submit an original plan of subdivision plus six (6) copies 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 plus six (6) copies
- d) All surveyor's and engineer's certification required by the Development Consent

- e) Evidence 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 Board (Corporation) Act 1991.
- f) Provide certification that all services (drainage, stormwater, water supply, gas, electricity, telephone) are contained within each lot, or within appropriate easements to accommodate such services.

26. Planning Agreement

In accordance with Section 93I(3) of the *EP&A Act 1979*, the Voluntary Planning Agreement signed by the developer in respect of the *DA* the subject of this consent, must be satisfied prior to the issue of a *SC*. The terms of the Voluntary Planning Agreement must thereafter, be adhered to.

A Bank Guarantee / Bond for the amount agreed by Council to cover the cost of the works involved in the Voluntary Planning Agreement shall be submitted to Council prior to the issue of a *SWC*. The Bank Guarantee shall be registered with Council and a stamped copy recording the receipt of the Guarantee by Council shall be produced for the *PCA* prior to the issue of a *SC*.

27. All Services Provided Within Lots

A registered surveyor shall provide certification that all services (eg drainage, stormwater, water supply, gas, electricity, telephone) as constructed are contained within each lot, or within appropriate easements to accommodate such services. The certification is to be provided to the *PCA*, prior to the issue of a Subdivision Certificate.

28. Works-As-Executed Plan

Two (2) copies of a WAE Plan prepared by a registered surveyor (both marked up in red), must be submitted to, and approved by, Council clearly showing all aspects of the constructed drainage and / or OSD. The plan must include:

- a) Sufficient levels and dimensions to verify the constructed storage volumes
- b) Location and surface levels of all pits
- c) Invert levels of the tanks, internal drainage line, orifice plates fitted, and levels within the outlet control pit
- d) Finished floor levels of all structures and driveways
- e) Verification that trash screens and/or GPTs have been installed
- f) Locations and levels of any overland flow paths
- g) The WAE plan information should be shown on a stamped copy of the approved civil works drawings
- h) Surface levels of pits and surrounding ground levels
- i) Levels of spillways and surrounding kerb
- j) Floor levels of buildings, including garages
- k) Top of kerb levels at the front of the lot

- l) Dimensions of stormwater basins and extent of inundation
- m) Calculation of actual detention storage volume provided

The plan shall be accompanied by a report from the designer stating the conformance, or otherwise, of the as-constructed basins in relation to the approved design.

The WAE plan and report shall be submitted to, and approved by, Council prior to the release of the Subdivision Certificate.

29. 88B Certificate Required

The Section 88B instrument will be submitted to Council with all relevant signatures and company seals (where applicable) prior to endorsement of the linen plan of subdivision and issue of the Subdivision Certificate. Alternatively, Council will accept, at their discretion, a copy of the Section 88B instrument with an accompanying letter from the acting solicitor or surveyor giving an undertaking that the Section 88B Instrument will be signed and submitted as presented to Council, unaltered, and registered with the linen plan of subdivision.

30. Public Road Dedication

Prior to the issue of the Subdivision Certificate, a dedication of the road widening on Tarrango Street must be made to Council as a public road.

A survey plan, prepared by a registered surveyor, of the proposed land to be dedicated and one of the remnant lands must be submitted to Council, prior to registration with NSW Land and Property Information.

Council will not accept the dedication of any land unless it is in a suitable state for its proposed use. A certificate from a registered auditor to this effect will need to be submitted to Council if the land has been used for any purposes that may lead to contamination.

31. Inter-allotment Drainage Easement

The applicant shall provide a 1.5m wide inter-allotment drainage easement to drain those lots that do not fall to the road. Construction of the drainage line, together with the necessary grated yard inlet pits, shall be carried out in accordance with Council's 'Engineering Requirements for Development' - full details shall be submitted to, and approved by, Council prior to release of the Subdivision Certificate.

Note:

A suitable 88B instrument creating the easement, in accordance with the requirements of the *Conveyancing Act 1919*, shall be submitted to Council, prior to endorsement of the surveyor's transparency.

Construction shall be completed prior to endorsement of the surveyor's transparency.

32. Section 50 – Hunter Water Board (Corporation) 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 Board (Corporation) Act 1991. Such evidence shall be submitted to Council prior to the release of the final plan of survey for the subdivision and the Subdivision Certificate

33. Telecommunications

Prior to the issue of SC the developer must provide documentary evidence to the CA that the telecommunications carrier is satisfied that the fibre ready facilities are fit for purpose and an agreement has been made with the carrier for the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all premises/individual lots.

34. Quality Assurance

Prior to issue of a SC, the applicant is to submit a digital copy of all test results confirming compliance with Council's development engineering requirements.

PHASE 2

35. 88B Certificate Required – Road Widening Main Road 195.

The Section 88B instrument will be submitted to Council with all relevant signatures and company seals (where applicable) prior to endorsement of the linen plan of subdivision and issue of the Subdivision Certificate.

The Section 88B is to adopt road widening over proposed lot 13 in accordance with the requirements of Transport for NSW.

Alternatively, Council will accept, at their discretion, a copy of the Section 88B instrument with an accompanying letter from the acting solicitor or surveyor giving an undertaking that the Section 88B Instrument will be signed and submitted as presented to Council, unaltered, and registered with the linen plan of subdivision.

ADVISORY NOTES

1. Responsibility for Other Consents/Agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC18/2020

SUBJECT: EXCLUSION OF ITEM FROM THE AGENDA

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal
1190
RESOLVED

That Council notes that, as assessed by the General Manager, the received notice of motion did not conform to the rules governing referrals of matter to the Regional Traffic Committee, and could therefore not be included on the agenda for the Council meeting held on 4 March 2020.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI16/2020

SUBJECT: PUBLIC EXHIBITION OF DRAFT 2020-25 WASTE AND RESOURCE RECOVERY STRATEGY

MOTION **Moved:** Councillor Suvaal **Seconded:** Councillor Gray
1191
RESOLVED

1. That the draft 2020-25 Waste and Resource Strategy be amended to remove the following points in the Section 6 Action plan:
 - 3.2;
 - 3.4, 3.4.a. & 3.4.b.; and
 - 6.1.
2. That Council places the amended draft 2020-25 Waste and Resource Recovery Strategy on public exhibition for a minimum of 28 days and invite public submissions.
3. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final 2020-25 Waste and Resource Recovery Strategy.
4. That a Councillor Workshop be held in early 2021 to consider the progress of the Strategy and a report be returned to Council to consider any changes that may be required to the Strategy prior to Council undertaking any community consultation.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI17/2020

**SUBJECT: PAYNES CROSSING ROAD, PAYNES CROSSING - EVALUATION OF
TENDER NO T1920-06 PAYNES CROSSING BRIDGE REPLACEMENT**

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal
1192

RESOLVED

1. That Council accepts the tender from Waeger Constructions Pty Ltd in the lump sum amount of \$2,117,406 (including GST) for T1920-06 – Paynes Crossing Bridge Replacement.
2. That Council allocates \$500,000 from the Bridge Replacement Reserve to allow acceptance of the tender.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI18/2020

SUBJECT: SCHOLEY & QUARRYBYLONG STREETS, CESSNOCK - NAMING OF LANE

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal
1193

RESOLVED

1. That Council notes the proposed name of Felicia Lane for the existing unnamed lane between Scholey and Quarrybylong Streets, Cessnock in accordance with Council's adopted *Policy No.S35.2 – Streets - Listing of Names for Use in Naming of Streets* and the provisions of Section 162 of the *Roads Act 1993*.
2. That Council authorises the General Manager to notify and advertise the proposed name in accordance with the provisions of Clause 7 of the *Roads Regulation 2018*.
3. That, provided no contrary submissions are received following notification and advertising of the proposed name, Council authorises the General Manager to proceed with the proposed name by seeking gazettal as required by the provisions of Clause 7 of the *Roads Regulation 2018*.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI19/2020

SUBJECT: MINUTES OF ROADS REVIEW COMMITTEE OF 14 FEBRUARY 2020

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

1194

RESOLVED

1. That the Minutes of the Roads Review Committee of 14 February 2020 be adopted as a resolution of the Ordinary Council.
2. That the committee reconsider the issue raised by Councillor Dunn at the next committee meeting.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI20/2020

SUBJECT: MINUTES OF LOCAL TRAFFIC COMMITTEE 17 FEBRUARY 2020

Councillor Burke declared a Non Pecuniary Less Than Significant Conflict for the reason that he is a Town Coordinator and Stomp Festival Organiser. Councillor Burke remained in the Chamber and participated in discussion and voting.

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal
1195

RESOLVED

That the Minutes of the Local Traffic Committee Meeting of 17 February 2020 be adopted as a resolution of the Ordinary Council.

1. **TC5/2020 - That Council notes consent from Transport for NSW for the temporary regulation of traffic for the Lovedale Long Lunch in accordance with Various Roads Lovedale _ Long Lunch Traffic Control Plans.**
2. **TC6/2020 - That Council authorises installation of regulatory parking signage on Rawson Street, Kurri Kurri in accordance with the Rawson Street Kurri Kurri _ Signage Diagram.**
3. **TC7/2020 - That Council authorises installation of signage and line marking at the intersection of Leconfield Road, Branxton Street and Hollingshed Street, Greta in accordance with the Leconfield Road Greta _ Signage & Line Marking Diagram.**
4. **TC8/2020 - That Council authorises installation of line marking at the intersection of Averys Lane and unnamed road, Heddon Greta in accordance with the Averys Lane Heddon Greta _ Line Marking Diagram.**
5. **TC9/2020 - That Council defers consideration of the installation of line marking on Buchanan Road, Buchanan, until a compliant design plan is provided and reviewed.**
6. **TC10/2020 - That Council notes the conditional consent from Transport for NSW for the temporary regulation of traffic for the Cessnock Stomp Festival.**

FOR**AGAINST**

Councillor Doherty

Councillor Dunn

Councillor Fagg

Councillor Stapleford

Councillor Suvaal

Councillor Fitzgibbon

Councillor Gray

Councillor Burke

Councillor Sander

Councillor Lyons

Councillor Pynsent

Total (11)**Total (0)*****CARRIED UNANIMOUSLY***

WORKS AND INFRASTRUCTURE NO. WI21/2020

SUBJECT: MINUTES OF EXTRAORDINARY FLOODPLAIN MANAGEMENT COMMITTEE 19 FEBRUARY 2020

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal
1196
RESOLVED

That the Minutes of the Extraordinary Floodplain Management Committee of 19 February 2020 be adopted as a resolution of the Ordinary Council.

FLOCLM4/2020 - That Council notes that preparation of the *Cessnock City Wide Flood Study* is in progress.

FLOCLM5/2020:

1. That Council notes the findings of the *Draft Heddon Greta Minor Study and Concept Design*.
2. That Council endorses a grant application under the NSW Floodplain Management Program to fund flood mitigation works in the upper catchment to address over floor flooding in Clift Street, Heddon Greta.
3. That Council defers the previously planned drainage works lower in the catchment, which sought to address yard inundation in Cooper Street, Heddon Greta.
4. That Council renegotiates the existing Deed of Agreement with the owner of 12 Cooper Street, Heddon Greta.
5. That Council lists investigation and augmentation of street drainage between Main Road and Bowden Street for inclusion in the Delivery Program 2021-25 to alleviate over floor flooding in Trenchard Street, Heddon Greta.
6. That Council considers updating s10.7 Planning Certificates once the final *Heddon Greta Minor Study and Concept Design* is adopted.

FOR

AGAINST

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

Total (0)

CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN6/2020

SUBJECT: COMMUNITY RESILIENCE FUNDING LAGUNA AND WOLLOMBI VILLAGE

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Suvaal
1197

MOTION

That the General Manager bring back a report on the possible placement of two large water tanks for protection of the Wollombi Village and one large tank at Laguna.

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

Total (11)

Total (0)

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN7/2020

**SUBJECT: ADDITIONAL INFORMATION IN QUARTERLY REVIEW OF THE
 DELIVERY PROGRAM**

MOTION **Moved:** Councillor Stapleford **Seconded:** Councillor Suvaal
1198

MOTION

That the General Manager add to the quarterly review of the Delivery Program the number of unsealed roads that have been serviced in that quarter and the percentage all up so that Councillors know where we are up to on our Delivery Program and whether adjustments need to be made to the budget the following year.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORRESPONDENCE

CORRESPONDENCE NO. CO2/2020

SUBJECT: WOLLOMBI COMMUNITY BUS SERVICE

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal

1199

RESOLVED

That the correspondence from the Parliamentary Secretary for Regional Transport on behalf of the Minister for Transport and Roads, regarding the provision of a regular bus service for the Wollombi community be noted, and that Transport for NSW currently does not support an extension to the existing school based service as Rover Motors does not consider such a service viable.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORRESPONDENCE NO. CO3/2020

SUBJECT: WESTON FIRE STATION LAND TRANSFER TO COUNCIL

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal

1200

RESOLVED

That the correspondence from the Minister for Police and Emergency Services, The Hon. David Elliott MP forwarded by Mr Clayton Barr MP State Member for Cessnock, in relation to transfer of the land and infrastructure from Weston Fire Station to Council be noted.

FOR	AGAINST
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Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

COUNCILLOR'S REPORTS

NIL

6.58PM

Confidential reports (closed session)

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Suvaal
1201

RESOLVED that the meeting move into closed session in order to consider confidential items.

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

7.00PM

Open Session

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

WORKS AND INFRASTRUCTURE NO. WI22/2020

SUBJECT: MINUTES OF THE CONFIDENTIAL EXTRAORDINARY FLOODPLAIN MANAGEMENT COMMITTEE 19 FEBRUARY 2020

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

MOTION

1202

Moved: Councillor Suvaal

Seconded: Councillor Gray

RESOLVED

That the Minutes of the Confidential Extraordinary Floodplain Management Committee of 19 February 2020 be adopted as a resolution of the Ordinary Council.

- 1. That Council notes that the joint community meeting with stakeholder agencies was held on the 25 November 2019 to engage with the South Cessnock community.**
- 2. That Council notes the advice from Subsidence Advisory NSW that it is prepared to contribute towards the cost of construction of a bund wall and diversion channel.**
- 3. That Council supports development of the Detailed Design for the bund wall and diversion channel, and subsequent submission in March 2020 of an application for funding under the NSW Floodplain Management Program.**
- 4. That Council pursues further liaison with Subsidence Advisory NSW to progress its offer, including details of implementation and coordination with any NSW Floodplain Management Program application.**

FOR	AGAINST
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Suvaal	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Burke	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

The Meeting Was Declared Closed at 7.01pm

CONFIRMED AND SIGNED at the meeting held on 18 March 2020

.....**CHAIRPERSON**

.....**GENERAL MANAGER**

Disclosures Of Interest

Report No. DI4/2020

Corporate and Community Services



SUBJECT: DISCLOSURES OF INTEREST

RESPONSIBLE OFFICER: Finance and Administration Manager - Andrew Glauser

RECOMMENDATION

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

SUMMARY

The provisions of Chapter 14 of the Local Government Act, 1993 regulate the way in which Councillors and nominated staff of council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

ENCLOSURES

There are no enclosures for this report.

Notice of Intention to Deal With Matters in Confidential Session

Report No. NI2/2020

Corporate and Community Services



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

*CC26/2020 - REQUEST FOR WAIVER OF COURT
AWARDED COSTS FOR FIRE SAFETY UPGRADE ORDERS*

RESPONSIBLE OFFICER: *Finance and Administration Manager - Andrew Glauser*

RECOMMENDATION

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

Report No. CC26/2020 - Request for Waiver of Court Awarded Costs for Fire Safety Upgrade Orders as it deals with discussion in relation to the personal hardship of a resident or ratepayer.
2. That Council requests the Mayor in accordance with Clause 14.21 of Councils Code of Meeting Practice to report on these matters to the meeting in Open Session following completion of the Confidential Session.

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

ENCLOSURES

There are no enclosures for this report.

Motions of Urgency

Report No. MOU4/2020

Corporate and Community Services



SUBJECT: *MOTIONS OF URGENCY*

RESPONSIBLE OFFICER: *Finance and Administration Manager - Andrew Glauser*

RECOMMENDATION

That Councillors now indicate if there are any matters of urgency which they believe should be conducted at this meeting of Council.

SUMMARY

Under Clause 10.5 of Council's Code of Meeting Practice, business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. This can only happen if a motion is passed to have the business transacted at the meeting, the Mayor rules that the business is of great urgency and the business notified in the agenda for the meeting has been disposed of.

Only the mover of such a motion can speak to the motion before it is put.

ENCLOSURES

There are no enclosures for this report.

General Manager's Unit
Report No. GMU4/2020
General Manager's Unit



SUBJECT: *MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING
HELD 11 FEBRUARY 2020*

RESPONSIBLE OFFICER: *Internal Auditor - Arun Varghese*

RECOMMENDATION

That the Minutes of the Audit and Risk Committee Meeting held 11 February 2020 be adopted as a resolution of the Ordinary Council.

**MINUTES OF AUDIT AND RISK COMMITTEE MEETING OF THE CESSNOCK CITY
COUNCIL HELD IN ANTE ROOM ON TUESDAY, 11 FEBRUARY 2020, COMMENCING
AT 9.29AM**

PRESENT: Mrs Jennifer Hayes – Independent Chair
Councillor Dunn
Mr Stephen Coates – Independent Member
Ms Sheridan Dudley – Independent Member

IN ATTENDANCE: Ms Lotta Jackson – General Manager
Mr Robert Maginnity – Director Corporate and Community Services
Mr Gareth Curtis – Director Planning and Environment
Ms Darrylen Allan – Human Resources Manager
Mr Andrew Glauser – Finance and Administration Manager
Mr Arun Varghese – Internal Auditor
Mrs Robyn Keegan – Minute Taker

INVITEES: Mr Paul Grosbernd – Management Accountant
Ms Catherine Bradley – Infrastructure Accountant
Mr Wayne Reid – Business Partner and Service Accountant
Mr Manav Sharma – Financial Accountant

APOLOGIES

APOLOGY: **MOTION** **Moved:** Councillor Dunn
Seconded: Jennifer Hayes

RESOLVED that the apologies tendered on behalf of Mayor Pynsent, Mr Wayne Russell – External Auditor – Pitcher Partners, Mr Furqan Yousuf – External Auditor – NSW Audit Officer and Mr Justin Fitzpatrick-Barr – Director Works and Infrastructure for unavoidable absence, be accepted.

CARRIED UNANIMOUSLY

ACKNOWLEDGEMENT OF COUNTRY

The Chair delivered an Acknowledgement of Country.

CONFIRMATION OF MINUTES

MINUTES:

MOTION

Moved: Councillor Dunn

Seconded: Jennifer Hayes

RESOLVED that the Minutes of the Audit and Risk Committee held on 12 November 2019, as circulated, be taken as read and confirmed as a correct record.

CARRIED UNANIMOUSLY

Action:

- Independent Members of the Committee requested further information and actions be included in future minutes. General Manager to discuss changes to Minutes with Directors and Internal Auditor.

DISCLOSURES OF INTEREST

COMMITTEE DISCLOSURE OF INTEREST NO. ACCDI1/2020

SUBJECT: DISCLOSURES OF INTEREST

Chair noted that she was mentioned in the "Internal Audit Report February 2020", however the item was for information only.

BUSINESS ARISING FROM THE MINUTES

Actions from previous meeting to be include in this section for future Minutes.

LISTED MATTERS

LISTED MATTERS - COMMITTEE NO. ACCLM1/2020

SUBJECT: QUARTERLY BUDGET REVIEW STATEMENTS - DECEMBER 2019

MOTION **Moved:** Sheridan Dudley **Seconded:** Jennifer Hayes

RESOLVED

1. That the Audit and Risk Committee receives and endorses the December 2019 Quarterly Budget Review Statements for presentation to Council in accordance with Clause 203 of the Local Government (General) Regulation 2005.
2. That the Audit and Risk Committee notes that the Quarterly Budget Review Statements reflects a cash surplus of \$81,392 and that due primarily to the delay in Councils residential development project (Vineyard Grove Stage 8) the Budget Operating Position will be revised to reflect a deficit of \$4,616,398.

CARRIED UNANIMOUSLY

Discussions held:

- The Management Accountant provided commentary on:
 - Impacts on the Profit and Loss statement.
 - Vineyard Grove and the risks associated with property subdivision as biodiversity regulation was changed. A Report has gone to Council of the issues associated with this change.
 - Expected year end result impacted by recognition of Financial Assistance Grant early payment (September review) and Vineyard Grove.
- Independent Members suggested changes:
 - Suggested change to how reports are presented, showing comparison from previous reports, benchmarking and suggested traffic lights or a table at the bottom of the report or a cover page showing a comparison or improvements.
 - A request was made for inclusion of a summary under the Road and Infrastructure Program, including changes made.
- Management suggested Independent Members may review Council's Website to familiarise themselves with the IP&R information.
- A summary of the spike in Miscellaneous debtor amounts was highlighted by the Director Corporate and Community Services which related to invoices raised for grant funding from Government departments.

General Manager's Unit
Report No. GMU4/2020
General Manager's Unit



Actions:

- Request for Traffic Light in benchmark KPI's to show movement since last review.
- Inclusion of Summary under the Road and Infrastructure Program.

Mr Paul Grosbernd, Ms Catherine Bradley, Mr Wayne Reid and Mr Manav Sharma left the meeting.

The Chair welcomed Arun Varghese (Internal Auditor) to his first Audit & Risk Committee meeting at Cessnock City Council. Arun provided a brief introduction of himself.

LISTED MATTERS - COMMITTEE NO. ACCLM2/2020

SUBJECT: INTERNAL AUDIT REPORT FEBRUARY 2020

MOTION **Moved:** Stephen Coates **Seconded:** Sheridan Dudley

RESOLVED

1. That the Audit and Risk Committee notes the Internal Audit Report for February 2020.
2. That the Audit and Risk Committee notes the status of outstanding management action plans with 36 of 45 actions complete, 5 actions overdue and 4 actions not yet due for completion.
3. That the Audit and Risk Committee notes that management actions to address the Internal Audit Program and Roads Audit will be progressed following the commencement of the Internal Auditor.
4. That the Audit and Risk Committee notes the finalisation of the recruitment process for the position of Independent Chair of the Audit and Risk Committee, with Jennifer Hayes being reappointed for another three year term.
5. That the Audit and Risk Committee notes the finalisation of the recruitment process the Internal Auditor commenced with Council in January 2020.

CARRIED UNANIMOUSLY

Discussions held:

- Overview of Outstanding Audits.
- Congratulations to Chair being appointed for a further three years.
- Advice that Stephen Coates (Independent Member) contract would be up at the end of this year.

General Manager's Unit

Report No. GMU4/2020

General Manager's Unit



- Cyber security and awareness training.
- Focus on strategic risks and not just compliance audit.

LISTED MATTERS - COMMITTEE NO. ACCLM3/2020

**SUBJECT: AUDIT AND RISK COMMITTEE RESOLUTION TRACKING REPORT -
COMPLETED & OUTSTANDING ACTIONS**

MOTION Moved: Stephen Coates **Seconded:** Jennifer Hayes

RESOLVED

That the Audit and Risk Committee notes the completed actions since the 12 November 2019 committee meeting and that there are two outstanding actions from previous Audit and Risk Committee meetings as at 28 January 2020.

CARRIED UNANIMOUSLY

Discussions held:

- Request to review the process of the attached tracking reports being included in the body of the report.

Actions:

- Investigate possible inclusion of Tracking Actions into the body of the report.

CORRESPONDENCE

Nil

PRESENTATION

Update by General Manager	General Manager – Lotta Jackson	Presentation only (10 minutes)
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The Meeting Was Declared Closed at 10.37am.

ENCLOSURES

There are no enclosures for this report.

General Manager's Unit
Report No. GMU5/2020
General Manager's Unit



SUBJECT: *NOTIFICATION OF VISITS OF FEDERAL AND STATE MINISTERS POLICY*

RESPONSIBLE OFFICER: *General Manager - Lotta Jackson*

SUMMARY

This report presents Council with the Notification of Visits of Federal and State Ministers Policy for revocation.

RECOMMENDATION

That Council revokes the Notification of Visits of Federal and State Ministers Policy.

BACKGROUND

A recent audit carried out on Council's Policy Register has identified that the Notification of Visits of Federal and State Ministers Policy, adopted by Council in 1997, is not necessary.

REPORT/PROPOSAL

The content of the policy is more of a procedure that Council's Executive Assistants can accommodate. The General Manager's Office will notify Councillors of any State or Federal Members when such visits have been confirmed.

OPTIONS

N/A

CONSULTATION

N/A

STRATEGIC LINKS

a. Delivery Program

N/A

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

N/A

General Manager's Unit

Report No. GMU5/2020

General Manager's Unit



b. Financial Implications

N/A

c. Legislative Implications

N/A

d. Risk Implications

N/A

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

Due to the Policy being outdated and not necessarily following, it is recommended that the policy be revoked.

ENCLOSURES



[1](#) Notification of Visits of Federal and State Ministers Policy



Cessnock City Council Notification of Visits of Federal and State Ministers Policy

Policy Owner:	General Manager
Relevant Legislation:	Not Applicable
Related Policy:	Not Applicable
Policy Adoption/Amended Date:	5 March 1997 (Suspension of Orders – 444)
Policy Reviewed/History:	March 1997

Policy Review Date:	Policy Number:	Document Number:
	C26.7	DOC2013/029226

1. Objective:

Visits by Federal or State Government Ministers to the area, Councillors be notified.

2. Policy Statement

When Federal or State Government Minister/s visit the area, Councillors be notified and as much notice as is possible be given.

General Manager's Unit
Report No. GMU6/2020
General Manager's Unit



SUBJECT: *CESSNOCK CORRECTIONAL CENTRE ACCESS*

RESPONSIBLE OFFICER: *General Manager - Lotta Jackson*

SUMMARY

The purpose of this report is for Council to consider the final option for the Correctional Centre Access being option 3A.

RECOMMENDATION

1. That Council notes the final option for the Correctional Centre Access is option 3A in the *Cessnock Correctional Complex Road Options Analysis report (December 2019)*.
2. That Council writes to the Department of Corrections stating their support or not for option 3A in the *Cessnock Correctional Complex Road Options Analysis report (December 2019)*.

BACKGROUND

Council resolved (1158) at the Council meeting held on 19 February 2020 as follows:

1. *That Council notes that the access to the Cessnock Correctional Centre is a decision for the State Government and the Department of Corrections;*
2. *That Council reaffirms that Council's position is that access to the Correctional Centre at Lindsay Street/Mavis Street be closed and that a new access is created via direct route from Wine Country Drive onto land owned by Hunter New England Health;*
3. *That Council notes that at a meeting on 12 November 2019 with Minister for Corrections Anthony Roberts and Member for Cessnock Clayton Barr, the Minister outlined concerns with the proposed route through Hunter New England Health land. Following this meeting the Member for Cessnock addressed a meeting of the Cessnock Correctional Centre Consultative Committee on 6 December 2019 and outlined the reasons why the Health Land Access Proposal would not progress.*
4. *That Council notes the letter from the Hon. Anthony Roberts MP 22 January 2020 regarding the Cessnock Correctional Centre access road which is part of the attachments to the report.*
5. *That Council requests the General Manager engage with the Department of Corrections to confirm their intention to establish an access to the Cessnock Correctional Centre via Wine Country Drive. Discussions include the option utilising the eastern end of Kerlew Street before passing through the wooded area bounded by the cemetery to the east, Occident to the west and not impinging on the Kerlew/Occident Street intersection.*

General Manager's Unit

Report No. GMU6/2020

General Manager's Unit



6. *That Council calls on the Department of Corrections to meet the following conditions when selecting their preferred access route:*
- *That access to the Correctional Centre is via a route that has minimal impact on private residences before it adjoins the State Road Network;*
 - *Sufficient security fencing and screening be installed along the route to prohibit vehicle and pedestrian access near private residences;*
 - *The route minimises traffic on Cessnock Council maintained roads; and*
 - *That safe access be maintained where the route joins the State Road Network.*
 - *That any route is isolated from the local road network.*
7. *That a report be presented to Council when the design is complete.*

This report deals with section 5 of the Council resolution:

That Council requests the General Manager engage with the Department of Corrections to confirm their intention to establish an access to the Cessnock Correctional Centre via Wine Country Drive. Discussions include the option utilising the eastern end of Kerlew Street before passing through the wooded area bounded by the cemetery to the east, Occident to the west and not impinging on the Kerlew /Occident Street intersection.

REPORT/PROPOSAL

A letter was sent to the Hon Anthony Roberts MP on 20 February 2020 informing of Council's resolution (1159) with a request for engagement with the Department of Corrective Services regarding their intention to establish an access to the Cessnock Correctional Centre via Wine Country Drive.

Subsequent to this letter, Corrective Services contacted council for arrangements of a meeting, and a meeting was held on 2 March 2020.

At this meeting, the Corrective Services confirmed their intention to establish an access to the Cessnock Correctional Centre via Occident Street to Wine Country Drive by confirming that the option is option 3A in the options report with an engineering solution to follow.

Discussions also included the option utilising the eastern end of Kerlew Street before passing through the wooded area bounded by the cemetery to the east, Occident to the west and not impinging on the Kerlew /Occident Street intersection. The Department of Corrective Services stated that this is not an option for the access road and reiterated the previous letter from the Minister.

OPTIONS

Council can support option 3A or not support option 3A.

CONSULTATION

Department of Corrective Services

STRATEGIC LINKS

a. Delivery Program

N/A

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

N/A

c. Legislative Implications

N/A

d. Risk Implications

N/A

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

The General Manager and Director Planning and Environment met with staff from the Department of Correctional Services in line with Council's resolution 1158:

5. *That Council requests the General Manager engage with the Department of Corrections to confirm their intention to establish an access to the Cessnock Correctional Centre via Wine Country Drive. Discussions include the option utilising the eastern end of Kerlew Street before passing through the wooded area bounded by the cemetery to the east, Occident to the west and not impinging on the Kerlew /Occident Street intersection.*

General Manager's Unit

Report No. GMU6/2020

General Manager's Unit



The Department of Corrective Services stated at the meeting that the only option available is option 3A and they are seeking Council's response as to Council's support for this option or not.

ENCLOSURES

There are no enclosures for this report.

General Manager's Unit
Report No. GMU7/2020
General Manager's Unit



SUBJECT: *NSW GOVERNMENT'S ECONOMIC RECOVERY AND
COMMUNITY RESILIENCE
FUNDING PROPOSAL*

RESPONSIBLE OFFICER: *Economic Development & Tourism Manager - Tony
Chadwick*

SUMMARY

The purpose of this report is to present Council with a proposed 'Program of Activities' to undertake by 30 June 2020, should Council receive funding from the [Bushfire Community Resilience and Economic Recovery Fund](#) (Fund).

RECOMMENDATION

1. That Council endorses the following 'Program of Activities' to be funded by the \$250,000 Bushfire Community Resilience and Economic Recovery Fund grant;
 - a) \$30,000 for the design and construction of a walking trail information point in Wollombi Village,
 - b) \$10,000 for the marketing and promotional of Wollombi and Laguna community events,
 - c) \$10,000 to establish a visitor information kiosk within the Wollombi Museum,
 - d) \$30,000 to plan and deliver an event to thank the Rural Fire fighter Brigades in the Cessnock LGA and all agencies within the incident Management Team in line with the Mayoral Minute MM2/2020, Resolution 1187,
 - e) \$40,000 for Tourist Drive 33 marketing and promotional activities,
 - f) \$40,000 for the creation of a Hunter Valley ONE ROAD Great Australian Road Trip episode,
 - g) \$20,000 for a Hunter Valley cooperative marketing campaign with Destination NSW that aligns with the 'Love NSW' and 'Holiday HERE' campaigns currently being promoted,
 - h) \$30,000 for the replacement of faded Hunter Valley Visitor Centre signage,
 - i) \$20,000 for the creation of a Hunter Valley tourism smart device application that promotes the regions beauty and experiences, and
 - j) \$20,000 for a 'Buy Local' campaign to encourage increased spending within the Cessnock City Council local government area.

General Manager's Unit

Report No. GMU7/2020

General Manager's Unit



2. That Council delegates authority to the General Manager to manage any variance in expenditure of the grant funding as per the intent of this Council Report.

BACKGROUND

This report outlines a response to the Council resolution of 19 February 2020 where Council resolved:

'That a further report come back to Council on the proposed use of \$250,000 from the NSW Government's Economic Recovery and Community Resilience funding, once community engagement with the Wollombi and Laguna communities has taken place'

The first phase of the Fund is focused on delivering immediate, small-scale funding to local councils that will start the community and economic recovery following the bushfires and will deliver locally-led recovery activities facilitated by councils in partnership with community organisations.

REPORT/PROPOSAL

The Australian and NSW Governments have developed the fund to support local business recovery and assist communities overcome the economic and social impacts of the bushfires.

On 3 March 2020, Council representatives met with the executive of the Wollombi Chamber of Commerce to discuss how the business community and residents have been directly and indirectly impacted by the bushfire disaster.

These impacts included road closures, damaged properties, mental health, evacuations, impact of smoke (including wine grape growing taint and respiratory issues) and lost trade (during what is usually peak season) as a result of reduced visitation and cancellations.

The discussions identified economic recovery activities and projects that would meet the fund guidelines (refer **Enclosure 1**) and would be delivered successfully by 30 June 2020.

The executive of the Wollombi Chamber of Commerce requested that the following activities and projects be considered for the funding;

- Design and construct a walking trail information point in Wollombi Village,
- Provide funding to promote Wollombi and Laguna community events,
- Provide funding to establishment a visitor information kiosk within the Wollombi Museum,
- Promote Wollombi and Laguna businesses in association with the Tourist Drive 33 marketing and promotional activities,
- Include Wollombi and Laguna locations are used during the creation of the Hunter Valley ONE ROAD Great Australian Road Trip episode, and

General Manager's Unit

Report No. GMU7/2020

General Manager's Unit



- Provide assistance to improve the Wollombi Valley tourism website.

All but the last project has been determined to align with the criteria for funding and are deliverable by the required time of 30 June 2020.

The following additional activities have been identified to assist with short term economic recovery and/or provide improved resilience for local businesses;

- Provide a community event aimed at recognising the sustained and exemplary efforts of the Rural Fire Service,
- Join a Hunter Valley cooperative marketing campaign with Destination NSW that aligns with the 'Love NSW' and 'Holiday HERE' campaigns,
- Upgrade Hunter Valley Visitor Centre signage to ensure it maintains its place as the premier Visitor Centre in the Hunter region,
- Create a Hunter Valley tourism smart device application to ensure digital customers are engaged and serviced, and
- Create a 'Buy Local' campaign to encourage increased spending within the Cessnock local government area.

Based on the information contained in this report the following 'Program of Activities' is proposed for Council's consideration;

- a) \$30,000 for the design and construction of a walking trail information point in Wollombi Village,
- b) \$10,000 for the marketing and promotional of Wollombi and Laguna community events,
- c) \$10,000 to establish a visitor information kiosk within the Wollombi Museum,
- d) \$30,000 to plan and deliver an event to thank the Rural Fire fighter Brigades in the Cessnock LGA and all agencies within the incident Management Team in line with the Mayoral Minute MM2/2020, Resolution 1187,
- e) \$40,000 for Tourist Drive 33 marketing and promotional activities,
- f) \$40,000 for the creation of a Hunter Valley ONE ROAD Great Australian Road Trip episode,
- g) \$20,000 for a Hunter Valley cooperative marketing campaign with Destination NSW that aligns with the 'Love NSW' and 'Holiday HERE' campaigns currently being promoted,
- h) \$30,000 for the replacement of faded Hunter Valley Visitor Centre signage,
- i) \$20,000 for the creation of a Hunter Valley tourism smart device application that promotes the regions beauty and experiences, and

General Manager's Unit

Report No. GMU7/2020

General Manager's Unit



- j) \$20,000 for a 'Buy Local' campaign to encourage increased spending within the Cessnock City Council local government area.

OPTIONS

The following options are available to Council;

1. Adopt the recommendation, or
2. Adopt the recommendation with an amended list of projects

Option one is recommended.

CONSULTATION

Mayor
General Manager
Director of Works and Infrastructure
Wollombi Valley Chamber of Commerce
NSW Department of Planning, Industry and Environment, Regional NSW Group
General Manager - Destination Sydney Surround North

STRATEGIC LINKS

a. Delivery Program

This report aligns with the following Council Delivery Program 2017 – 2021 actions:

- A Sustainable and Prosperous Economy;
 - 2.1.2 Identify opportunities and advocate for economic development and infrastructure funding,
 - 2.1.3 Implement a Business Investment Attraction Program,
 - 2.1.4 Provide support for activation of commercial centres, business engagement, promotion and support for business growth,
 - 2.3.1 Collaboratively identify markets and promote the local government area's tourism industry,
 - 2.3.2 Promote and grow the Hunter Valley Visitor Centre, and
 - 2.3.3 Support major community events and festivals.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

N/A

General Manager's Unit

Report No. GMU7/2020

General Manager's Unit



b. Financial Implications

The proposed Program of Activities are subject to a successful grant application under the Bushfire Community Resilience and Economic Recovery Fund.

The proposed Program of Activities will not impact the 2020/2021 Operating Budget.

c. Legislative Implications

N/A

d. Risk Implications

Risk	Risk Ranking	Proposed Treatment	Proposed Risk Ranking
There is a risk that the grant application is not submitted by the due date of 31 March 2020	Medium	Adopt the recommendation	Low
There is a risk of reputational damage if funded activities are not delivered successfully or don't align with community expectations	Medium	Adopt the recommendation	Low
There is a risk of financial loss if the activities are not delivered by 30 June 2020	Medium	Follow Council procurement and project management procedures	Low

e. Environmental Implications

N/A

f. Other Implications

A successful grant application under the \$250,000 Bushfire Community Resilience and Economic Recovery Fund, will result in additional but manageable workload for Council staff to deliver the above mentioned projects by 30 June 2020.

CONCLUSION

Business leaders within the Wollombi and Laguna communities were consulted to develop an economically sound and informed response to recovery projects for an application to the Fund.

The proposed 'Program of Activities' provides a robust, diverse and considered allocation of funding that meets the fund requirements and guidelines outlined in **Enclosure 1**.

The activities proposed in this report aim to support local business recovery and assist communities overcome the economic and social impacts of the bushfires.

General Manager's Unit

Report No. GMU7/2020

General Manager's Unit



ENCLOSURES

[1](#) ↓ Bushfire Community Resilience and Economic Recovery Fund Guidelines - Phase 1

Bushfire Community Resilience and Economic Recovery Fund

PHASE 1

GUIDELINES



Overview

The funding for the *Bushfire Community Resilience and Economic Recovery Fund* (BCRERF) is provided through the joint Commonwealth-State Disaster Recovery Funding Arrangements. Funding will be made available to bushfire affected Local Government Areas (LGAs) in New South Wales following unprecedented bushfires from August 2019 onwards.

Phase One of the BCRERF is focused on delivering immediate, small-scale funding to local councils that will start the community and economic recovery following the bushfires. The funds will deliver locally-led recovery activities led by councils in partnership with other organisations.

Phase Two of the BCRERF will be for larger-scale, regionally focused and more targeted projects that support the same objectives of Phase One. The design and delivery of the next Phase will be developed in consultation with councils and other key local stakeholders involved in the bushfire recovery process.

Funding will be administered by the NSW Department of Planning, Industry and Environment *Regional NSW Group* under an arrangement with NSW Office of Emergency Management, and in consultation with Emergency Management Australia.

Objective

The objective of Phase One of the BCRERF is to deliver quick, flexible, small-scale grants to local councils for immediate, locally led community and economic recovery activities. The purpose is to support local business recovery and assist communities overcome the economic and social impacts of the bushfires.

Funding

Phase One has immediate payments of a minimum \$100,000, up to a maximum \$250,000 available to eligible bushfire affected LGAs in NSW. Official Building Impact Assessment numbers (held by NSW Public Works Advisory) have been used to guide the funding amount offered to each council. This includes both damaged and destroyed residential and other properties.

Classification	Funding
> 100 damaged or destroyed buildings from official Building Impact Assessment	\$250,000
< 100 damaged or destroyed buildings from official Building Impact Assessment	\$100,000

Funding amounts for each council are subject to change pending further fire events; changes to Building Impact Assessment numbers; or in response to other clear and urgent community needs as they arise.

Funding will be available from late January 2020. Funding Deeds will be executed within 5 days and payments made shortly after. All required documentation needs to be complete and submitted before payment will be released.

Bushfire Community Resilience and Economic Recovery Fund

PHASE 1

GUIDELINES



Eligibility

Applicants

Local Government Areas in New South Wales that are natural disaster-declared relating to bushfires from 31 August 2019 onwards, and eligible for Category C funding assistance under the Commonwealth Disaster Recovery Funding Arrangements, will be offered funding. Local councils are the only organisation eligible for Phase One funding.

Projects and activities

Phase 1 funding is meant to be quick and flexible in order to meet the immediate recovery needs of local communities. Councils are asked to undertake activities in the two categories below:

- Economic Recovery – events or initiatives to support local business and industry recovery
- Community Resilience – events or initiatives to support community recovery and wellbeing

Projects will need to contribute to one or more of the following Disaster Recovery Outcomes:

- The needs of vulnerable groups are addressed in disaster recovery
- The community is aware of the disaster recovery processes
- The community can express its changing disaster recovery needs
- Community members are aware of the risks of future disasters
- The community has improved capacity and capability to respond to future disasters
- Business and not-for-profits have in place adequate mitigation practices for risks and threats
- Government, private sector and civil society and organisations are engaged in plans for mitigation and management of the recovery

Councils are encouraged to partner with Business Chambers and other local organisations to design and deliver local initiatives.

Where possible, the extension or leveraging of existing initiatives and events will be supported.

Example Projects

Ideas for funding could include, but are not limited to:

- Locally focused recovery support services for impacted small businesses such as business advice workshops
- Training and skills development for small business continuity/contingency planning to help individual businesses to survive in the short to medium term.
- Localised industry recovery events, planning and workshops
- Small projects that help with the recovery of the communities through capacity and resilience building to understand how to be better prepared for hazards into the future
- Neighbourhood and community strengthening activities that focus specifically on capacity building and planning for the future

Not eligible for funding

- Application that seek support for supplementing, increasing or continuing ongoing service delivery that is the core business of the council.
- Applications that request ongoing program funding

Bushfire Community Resilience and Economic Recovery Fund

PHASE 1

GUIDELINES



- Applications for projects and/or activities that are not related to the community or economic recovery attributed to the bushfire event.
- Covering existing debts or budget deficits.

How to Apply

Councils will be provided a link to fill in a simple [online application form](#) in SmartyGrants.

Information required includes:

- Basic Council details including Public Liability Insurance certificate
- Proposed activities and projects costs
- An invoice

Only one application is allowed per council. Multiple projects or activities may be included as part of an application.

Councils will need to enter into a simple legally binding grant agreement with the Department of Planning, Industry and Environment (NSW Government) to receive funding.

At the completion of the project(s), Councils will be asked to provide a brief summary of the activities that were funded and evidence of expenditure via the SmartyGrants portal.

Review Process and Timeframes

Applications will be reviewed to ensure:

- All required documentation is complete and submitted
- Proposed projects align with Fund objectives.

Funding Agreements will be executed with within 5 days and payments released soon after.

Councils can begin spending the funding allocation and be reimbursed for suitable activities.

Councils are asked to submit the online form as soon as possible. Phase One funding will be open for council applications until 31 March 2020. Extensions may be granted upon request to the Department of Planning, Industry and Environment.

Councils are asked to complete funded projects by 30 June 2020. Extensions may be granted upon request to the Department of Planning, Industry and Environment.

A short completion report and evidence of expenditure will be required to be submitted within 2-months of project completion.

Contact

General enquires: For more information, please contact Regional NSW on 1300 679 673 or email Regionalnsw.Business@dpc.nsw.gov.au

Public Acknowledgment

Under the Disaster Recovery Funding Arrangements, all initiatives under the BCRERF must appropriately acknowledge and recognise that it is jointly funded under the Commonwealth/State Disaster Recovery Funding Arrangements.

Councils must acknowledge the funding contributions of the Commonwealth and New South Wales Governments at any public events, in announcements, or any other promotional material or publicity relating to the projects or activities funded the BCRERF.

These publications must also include both the State and Commonwealth Government logos and the following disclaimer: 'Although funding for this product has been provided by both the Australian and

Bushfire Community Resilience and Economic Recovery Fund

PHASE 1

GUIDELINES



New South Wales Governments, the material contained herein does not necessarily represent the views of either Government'.

Governance

Record keeping

For expenditure under the BCRERF, eligible councils must keep an accurate audit trail for seven (7) years from the end of the financial year in which the expenditure is claimed, or until such time as the claim is acquitted by the Australian Government. This will require transaction listing of eligible expenditure that reconcile to the claimed amount, and support each transaction.

For assurance purposes, the Australian may at any time, through the NSW Office of Emergency Management request documentation from eligible councils to evidence the state's compliance under the Disaster Recovery Funding Agreements.

Assurance activities

The Australian Government may at any time undertake assurance activities to reconcile audited state claims either directly or via an independent advisor. Eligible councils may be required to provide documentation to support assurance activities.

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (January 2020). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.

General Manager's Unit
Report No. GMU8/2020
General Manager's Unit



SUBJECT: *MINUTES OF THE TOWN COORDINATORS REVIEW COMMITTEE - 26 FEBRUARY 2020*

RESPONSIBLE OFFICER: *Economic Development Officer - Rhiannon Stevens*

RECOMMENDATION

That the recommendations of the minutes of the Town Coordinators Review Committee of 26 February 2020, be adopted as a resolution of the Ordinary Council as follows:

1. That Council disbands the Town Co-ordinators Review Committee.
2. That the future management of the Economic Development & Sponsorship Program is undertaken by the General Manager.
3. That Council adopts the updated Economic Development Grants and Sponsorships Program Guidelines (Enclosure 1).

MINUTES OF TOWN COORDINATORS REVIEW COMMITTEE OF THE CESSNOCK CITY COUNCIL HELD IN THE GENERAL MANAGER'S MEETING ROOM ON WEDNESDAY, 26 FEBRUARY 2020, COMMENCING AT 4.00PM

PRESENT: The Mayor, Bob Pynsent
Councillor Doherty
Councillor Fitzgibbon
Councillor Dagg
Councillor Stapleford

IN ATTENDANCE: General Manager
Economic Development Officer
Acting Executive Assistant to General Manager

APOLOGIES

NIL

CONFIRMATION OF MINUTES

MINUTES: **RESOLVED** that the Minutes of the Town Coordinators Review Committee held on 7 November 2019, as circulated, be taken as read and confirmed as a correct record.

General Manager's Unit
Report No. GMU8/2020
General Manager's Unit



LISTED MATTERS

LISTED MATTERS - COMMITTEE NO. CLM1/2020

SUBJECT: DISCLOSURES OF INTEREST

NIL

LISTED MATTERS - COMMITTEE NO. CLM2/2020

SUBJECT: TOWN CO-ORDINATORS 2020-21 FUNDING ROUND

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Stapleford

RECOMMENDATION

That the Committee:

1. Recommend to Council that to improve the efficiency of the management of the Economic Development & Sponsorships Program, Council move to disband the Town Co-ordinators Review Committee.
2. Recommend to Council that the future management of the Economic Development & Sponsorship Program is undertaken by the Economic Development and Tourism Manager.
3. Recommend to Council that an updated Economic Development Grants and Sponsorships Program Guidelines (Enclosure 1), following removal of reference to the Town Co-ordinators Review Committee, be adopted.

CARRIED UNANIMOUSLY

CORRESPONDENCE

NIL

GENERAL BUSINESS

NIL

The Meeting Was Declared Closed at 4.05 pm

ENCLOSURES

- [1](#) Economic Development Grants and Sponsorships Program updated guidelines



ECONOMIC DEVELOPMENT
GRANTS & SPONSORSHIPS
PROGRAM
2020-21
GUIDELINES

Opening Date for applications: 20 March 2020
Closing Date and Time: 2pm, 24 April 2020



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The Economic Development – Grants and Sponsorships Program Guidelines were adopted by Council on 18 March 2020.

Economic Development – Cessnock City Council

Annual Grants and Sponsorship 2019-2020 Application Process Summary



Advance Cessnock City:

A Partnership for collaborative economic development.

Taking a strategic leadership role, Cessnock City Council's EDU has driven change through developing the Advance Cessnock City (ACC) platform. ACC is a partnership formed between Council, the local Chambers of Commerce and industry bodies, and it is a vehicle that enables a strategic and collaborative economic development approach.

ACC has provided the foundation blocks for solid and, an advanced understanding of the economic base for better decision making, and a tool enabling rapid action for government and business projects. The partnership stimulates enterprise, investment, job creation, and economic resilience, and it creates an environment conducive to business.



Through this Annual Grants and Sponsorships program, Council provides ACC partners the opportunity to collaborate with Council to better stimulate economic development and deliver projects which provide value for money and economic benefit to the Cessnock LGA.

Part A – Preliminary

The Grants and Sponsorships Program

1. About the Grants and Sponsorships Program

Council provides the opportunity for eligible stakeholders in the ACC partnership to apply for funding for grants and sponsorship.

The purpose of these Guidelines is to provide a framework for applying for Economic Development program funding for:

- A. **Economic Development Projects;**
- B. **Specific Major Events;**
- C. **Sponsorships; and**
- D. **Town Coordinator Funding (for existing participants only).**

The objectives of the funding is to support economic development for a sustainable and prosperous economy throughout the Cessnock Local Government Area (LGA), achieving long term economic security through a mix of diverse business and employment options.

The funding is to assist in the achievement of the community's aspiration of being a cohesive and welcoming community living in an attractive and sustainable rural environment with a diversity of business and employment opportunities supported by accessible infrastructure and services, which effectively meet community needs.

Economic development funding and sponsorships are assessed according to the following:

- How the project aligns to Council's Operational Plan and Economic Development Strategy
- The direct economic benefits that can be realised through measurable project outputs;
- How a broad number of businesses are supported and engaged throughout the project;
- Key Performance Indicators (KPIs) that have been provided according to the individual activities in the funding application;
- Value for money and self-sustainability and financial viability of the project;
- Acknowledgement opportunities for Council and ACC
- Capacity of the applicant; and
- All relevant and required attachments and information are supplied.

Council does not support any activities or entities that unnecessarily:

- * pollute land, air or water
- * destroy or waste non-recurring resources
- * market, promote or advertise products or services in a misleading or deceitful manner
- * produce, promote or distribute products or services likely to be harmful to the community
- * acquire land or commodities primarily for speculative gain
- * create, encourage, or perpetuate militarism or engage in the manufacture of armaments
- * entice people into financial over-commitment
- * exploit people through the payment of below-award wages or poor working conditions
- * unlawfully discriminate, or encourage unlawful discriminatory behaviour, including discrimination, on the basis of race, religion or sex in employment, marketing or advertising practices
- * contribute to the inhibition of human rights generally.

As a result, projects that directly contravene Council's ethical stance noted above, eligibility criteria or existing Council policies will be ineligible for grants and sponsorship funding.

2. Requirements for all applications

The following is required to be considered for Economic Development Projects, Specific Major Events, Sponsorships and Town Coordinator applications:

<input checked="" type="checkbox"/>	All funded activities are to be held within Cessnock LGA
<input checked="" type="checkbox"/>	All applicants will be required to draft appropriate project KPIs consistent with demonstrating a quantifiable and measurable outcomes in alignment with the program objectives and program streams.
<input checked="" type="checkbox"/>	Activities are to be co-branded by the applicant, Council and ACC (all logos feature on all promotional materials with acknowledgement)
<input checked="" type="checkbox"/>	Any media or promotions make mention of Council and ACC
<input checked="" type="checkbox"/>	ACC to be offered opportunity to promote suitable activities to businesses as well as leveraging the support of other chambers to cross promote (applicant to provide quotes and photos for the story)
<input checked="" type="checkbox"/>	That any business participation in the activities be open for all businesses to attend for free, or on a reasonable cost recovery basis
<input checked="" type="checkbox"/>	That option be provided to the Mayor or delegate to support opening of any major activities included within the funding program

3. Types of Funding Available

There are four streams of funding available within the Grants and Sponsorship Program:

- A. Economic Development Projects;
- B. Specific Major Events;
- C. Sponsorships; and
- D. Town Coordinator Funding (for existing participants only).

A. Economic Development Projects

These are specific, planned, collaborative activities that occur on a defined time frame. Tangible outcomes related to economic development objectives are to be definite and measurable.

Project objectives should aim to:

- improve the business environment in Cessnock LGA;
- build capacity and capabilities of local businesses in the Cessnock LGA;
- stimulate investment, enterprise and job creation;
- enhance our City's image;
- provide opportunities to collaborate with ACC partners across the Cessnock LGA where possible;
- realise considerable benefit to supporting longer term economic development outcomes e.g. jobs, economic wellbeing, business retention/attraction, training opportunities.

Applicants will be required to draft appropriate project KPIs consistent with demonstrating a quantifiable and measurable outcomes in alignment with the objectives set above.

The types of projects that can be funded include:

<input checked="" type="checkbox"/>	Workforce Development: Developing skills and capabilities for business and their current or future employees
<input checked="" type="checkbox"/>	Prime for Growth: Enhancing productivity or efficiency of existing businesses
<input checked="" type="checkbox"/>	Civic Leadership: Projects that position both Council and the applicant as business leaders and advocates
<input checked="" type="checkbox"/>	Value adding: Expanding or diversifying options for industry to grow or establish in the city
<input checked="" type="checkbox"/>	Collaboration & networking: Leveraging more for businesses through collective partnerships
<input checked="" type="checkbox"/>	Jobs in the community: Sustainable jobs growth and employment outcomes
<input checked="" type="checkbox"/>	Managing change: Enhancing the resilience of communities to manage and respond to challenges or change

Project Example: Professional development for business owners and operators within the LGA specifically covering digital competence and utilisation of social media. The cost of the project would include the costs of the speaker, suitable venue and equipment, promotion, follow up. KPIs could include attendance numbers, and satisfaction surveys. The event is co-branded Advance Cessnock City, and cross promoted by all partners (chambers and associations). Case studies are provided to Council's EDU to be profiled on ACC website.

B. Specific Major Events

A major event is one which will significantly raise the profile of the Cessnock LGA to visitors from outside the region and expected to draw at least 3,000 to 5,000 visitors to the event site during the duration of the event. The purpose of this stream is to engage businesses in major tourism events, and leverage overnight stays in the Cessnock region.

There are existing streams of funding through Destination NSW (DNSW) to fund new events, expand existing events or market events of flagship status. Applications to this stream who have lodged a prior application to DNSW for Event Funding and received a response/feedback (regardless of successful/unsuccessful outcome), will be deemed more competitive than applications who have only applied to Council. Any prior submissions to DNSW should be attached as a key attachment to the application.

Council will consider funding for appropriate events based on a range of merit criteria below. Whilst not all are essential to apply for this funding, the applications who meet the merit criteria will be deemed more competitive for this funding.

Merit is gauged on the detail and inclusion of optional merit based attachments:

<input checked="" type="checkbox"/> Detailed event management plan.
<input checked="" type="checkbox"/> Marketing plan which outlines target markets and strategies to attract them.
<input checked="" type="checkbox"/> Media and communications opportunities are identified to co-promote Council and Advance Cessnock City's involvement in the event.
<input checked="" type="checkbox"/> Required approvals were sought prior to the application being lodged with Council.
<input checked="" type="checkbox"/> Any previous DNSW submissions and feedback.
<input checked="" type="checkbox"/> A business plan approved by the applicant's executive committee / board detailing the event.
<input checked="" type="checkbox"/> KPIs which include the proposed measures to capture the outcomes, visitor numbers, and visitor satisfaction.
<input checked="" type="checkbox"/> The capacity of the event to significantly raise the profile of our region as a visitor destination;
<input checked="" type="checkbox"/> The event's ability to generate significant overnight stays for the region.

The Economic Development Grants and Sponsorships funding program will not provide funding for local community level events or civic events who primarily target local residents, unless there can be demonstrable benefit to a large number of businesses and considerable tourism outcomes. Evidence and a marketing plan should be provided on this basis.

C. Sponsorships

Sponsorship funding is for other economic development activities besides projects and major events. A sponsorship prospectus or proposal should be attached to the submission outlining the activity and includes a pitch of the sponsorship opportunity, describes further opportunities and benefits to Council and Advance Cessnock City.

The approximate amount per application will be assessed on the merit of the activity, its relationship to enhancing economic development outcomes, and the positive exposure to Council and Advance Cessnock City. It should also be considered that business engagement should be a primary focus of the activity.

Example: A request from Cessnock Chamber of Commerce for sponsorship of its annual Customer Service Awards is a good example for an application for sponsorship funding. These events are LGA wide initiative involving nominations from individual members of the community in seven distinct categories, with judging being completed and an Awards Night being held. KPIs relevant to the application could be estimated nomination numbers, numbers of businesses nominated, numbers of attendees at the gala. The Mayor is invited to open the event and a combined media release is distributed and approved by Council.

D. Town Coordinator Funding (for existing participants only)

The Town Coordinators cover Central Business Districts (CBDs) that have been identified as the LGA's only major strategic centres for employment in the NSW Hunter Regional Plan, Cessnock and Kurri Kurri. Town Coordinators organise projects and events covering a specific and defined CBD which has a significant concentration of businesses and business activity occurring in the defined area.

Council's economic development studies and access to business data affirms the volumes of businesses in these centres justifies this approach. The need for this type of funding has also been affirmed by the size of the CBD and the number of businesses represented.

Town Co-ordinator funding is currently available for two ACC partners only. These are the Cessnock Chamber of Commerce (covering Cessnock) and Towns with Heart (covering Kurri Kurri and district). It is expected that applications for this stream of funding will not be accepted for any other organisations.

The Town Coordinator funding enables the applicant entity to complete a series of projects and at least one large scaled event (15,000 plus attendees), together with additional economic development activities over the application period. There are economies of scale achieved through funding a Town Coordinator position. This role manages a broad range of expected outcomes associated with the individual projects and events.

Council has a view towards promoting opportunities for self-sustainability and long term independent financial viability of the Town Coordinator positions into the future.

The same assessment criteria that applies for the funding of Economic Development Projects and Major Events also apply to Town Coordinator applications. KPIs are expected to be determined and drafted on a project to project basis, on top of specific mandatory pre-set KPIs for Town Coordinators prescribed on page 16. **Error! Reference source not found.** There are also additional requirements including regular recording, monitoring and reporting on business premise vacancies and movement within their catchment area.

Objectives for Town Coordinator applications:

✓	Support for activation of commercial centre, business engagement, growth and retention
✓	Promotion of the towns as part of the greater visitor economy
✓	Support and cross promotion of other major events and festivals in the Cessnock LGA
✓	Opportunities for all ACC partners and businesses city wide.

4. Amount of Funding Available

Council's EDU has an annual budget, some of which may be made available for allocation for annual grants and sponsorship. The total amount available under the Annual Grants and Sponsorship Program will be determined annually by the elected Council in line with the Operational Plan and Delivery Plan.

The maximum amount of funding available in a competitive round under the Program will be apportioned and set on an annual basis by Council's Economic Development & Tourism Manager.

Funding outside this pool can be recommended for allocation by the Economic Development & Tourism Manager by resolution of Council, and sources of budgetary allocation will need to be included within the recommendation.

The following should also be noted:

✓	The final decision could result in an offer a lesser amount or a different combination of funding between cash and/or in-kind to that which was applied for.
✓	Funding will not be recurring. Only single year commitments may be approved.
✓	Council's Economic Development & Tourism Manager may also determine to allocate or award budget (along with any unexpended or returned funds) to ad hoc opportunities within their delegated authority.

5. Funding Period

The grant period is by financial year, during which time the project or event needs to be completed in full. No funding will be considered for projects to be delivered outside the grant period or for projects that have already been completed at the time of application.

Each year the main round of applications are accepted according to advertised dates (usually in the final months of the current financial year), for projects which are expected to occur in the following financial year – known as the Funding Period. No approved funding is to be requested to be paid prior to the Funding Period.

Ad-hoc applications may be accepted which require separate assessment process.

The advertised open and closing dates will be finalised and displayed clearly on the cover of these guidelines.

Part B – Application Details

Applicant and Project Eligibility

6. About the program application process

ACC partners and applicants that are incorporated, not for profit, financially solvent, and have an economic development focus are invited to submit applications for funding under this program.

An application for funding can also be submitted on behalf of another entity by an above ACC partner or the application can be endorsed by the Economic Development & Tourism Manager. The acceptance of such applications will be assessed on merit under a case by case basis.

Grants and sponsorships do not cover:

- general donations to charities, but Council may provide grants to specific charity projects
- activities that could be perceived as benefiting a political party or party political campaign
- overtly religious activities that could be perceived as divisive within the community
- waiver of fees of development applications, health inspection fees, health approvals, street closures and other approvals and other similar statutory charges
- financial assistance under section 377(1A) of the Local Government Act is not covered by this program
- ineligible activities.

Project and event applications deemed eligible for funding from other sources should pursue these opportunities in the first instance before submitting application to this program (e.g. Council's Dollar for Dollar, Destination NSW Event incubator or flagship, any recreation or cultural grants, or for sporting or cultural, Saluting their Service Commemorative grants etc.). The application form requests the details on other submissions for funding.

If awarded funding under the Grants and Sponsorship Program, applicants are prohibited from seeking additional support from other Council business units, services or committee(s) of Council for the same economic development activity or activities.

7. Applicant Eligibility Criteria

Council will accept applications from applicants that meet all of the criteria noted in the table below.

The applicant:

✓	is a legally constituted organisation, which has been created by law, such as an incorporated association or a company, limited by guarantee
✓	is an ACC partner or has endorsement by the Economic Development & Tourism Manager to apply
✓	has an Australian Business Number (ABN)
✓	is acting on their own behalf or on behalf of an ACC partner and not fundraising for another unnamed party (i.e. it is not devolved, such as fundraising for charities or outside entities) Acceptance of applications on behalf of ACC partners will be assessed on a case by case basis.
✓	has provided, as part of their application, full details of the company structure, management and office bearers, where the applicant is acting for financial gain
✓	is financially viable and solvent.

✓	has complied, to Council's satisfaction, with all terms and condition of any previous grant, support or sponsorship received from Council.
✓	agrees to comply with all the terms set within the funding offer and/or agreement should the submission be successful.
✓	is capable of obtaining all regulatory approvals for the activities proposed.

8. Application Information

The accurate completion of the application and attachments is the sole responsibility of the applicant. Council can only accept applications completed in full by the advertised closing date, on the prescribed application form.

Funding applications should make clear the requests for cash and/or in-kind, with an actual value attributed to each of these components. Projects which have a co-contribution may be perceived as more competitive than projects asking for the whole project budget in the grant

Each individual project or event will have its own budget, which will itemise the level of funding requested under the grant and sponsorship within this funding program. Where possible quotations should be appended to substantiate the costs.

The application needs to:

- Relate to projects/events located in the Cessnock LGA.
- Provide measurable economic development outcomes and economic benefit to the Cessnock LGA in line with the Economic Development Strategy and Council's objective set in Council's Community Strategic Plan and current Operational Plan.
- Incorporate activities which have not already started or commenced and will be completed within the financial year. The activity must be scheduled to occur within the same financial year,
- Involve activities above and beyond the core business of the applicant entity. Operational activities, routine deliverables or what would be normally expected to be provided by the entity are not eligible projects
- Demonstrate, with evidence, the cost component being covered by the applicant, if any. Projects that could be self-funded or are viable to proceed without the funding are considered ineligible.
- Include full details of all funding requirements from Council both direct cash grants and all "in kind" contributions that will be required (in kind contribution refers to goods, services and labour provided to deliver your project that have a monetary value, but do not involve payment).

Applicants may be required to submit a preliminary risk assessment for any activities with potential high risk. Applicants will be notified of the requirement prior to the assessment process commencing.

9. Summary of Eligible and Ineligible Project Activities

Eligible	Ineligible
Projects that provide economic benefit to the Cessnock LGA, and involve extra-curricular activities that are delivered in addition to the day to day activities of the entity.	Operational activities, routine deliverables or what would be normally expected by the entity. Wages for permanent staff except in the case of Town Coordinator streams.
Aligns to Council's Operational Plan and Economic Development Strategy. Projects must be located within the Cessnock LGA.	Capital equipment, furniture, assets and fittings.
Projects that have a clear start and an end date, delivered within the funding period. (The start and end date of the project occur within the same financial year).	Projects which cover multiple financial years.
Suitable KPIs are developed by the applicant for the project, with key measures and metrics linked to project outputs, and the objectives of the funding.	Activities of a political or religious nature.
Projects that could not proceed without funding and/or offer value for money, acknowledge Council for the funding, create regional opportunities beyond the host community and leverage partnerships (e.g. ACC).	Activities which predominantly realise community, social or charitable outcomes. Activities which are not primarily for economic development, businesses or workforce.
Projects that provide evidence for the demand or need for the project (linkages to strategies/plans, demonstrated need in official data, linked to demands shown by Economic Development's studies).	Expenses that would be eligible to receive funding from other sources or grants.
Revenue or surplus funds are treated as grant monies to be reinvested in the following year's project, subject to approval by Council.	Projects where grant monies, surplus or revenue raised as result of the grant project are not held in trust.
Projects which are established or 'seeded' as a result of the grant. The application itemises how financial sustainability will be realised for future years. 'Sponsorships' may reapply annually but with no guarantee of funding.	Activities that should be viable or self-funded without the grant, or have reapplied for the same project or activity in subsequent years without a view towards self-sustainability.
Applications must itemise all associated expenses, have all relative approvals in place or itemise timeline and procedure to rectify, and itemise any required in kind from Council.	Projects which have already received grant funding in a single year for the same expenses, or recurring annual projects without sustainability consideration e.g. taper the funding allocation down each year as the project becomes self-funded.
Capacity building projects which support businesses, offer measurable outcomes that enhance the economic wellbeing of the Cessnock City, and are worthy of a Council media release or official launch.	Projects where the beneficiary is not identified in the application form and/or not approved by Council (i.e. devolvement of funds where the applicant pays a grant to another entity using the same funds).

Part C – Assessment

Assessment of Applications

10. Overall Assessment Criteria

Applications will be assessed against the following merit assessment criteria:

✓	Strategic Alignment: Alignment to Council's adopted Community Strategic Plan, annual Operational Plan, and Council's Economic Development Strategy
✓	Economic Development Outcomes: The direct economic benefits that can be realised through measurable project outputs including how the project will stimulate enterprise, investment, job creation, economic resilience, educational opportunities, and creates an environment conducive to business.
✓	Business Engagement and Participation: Economic development outcomes are clear and demonstrable, businesses are supported and engaged.
✓	Measures and KPIs: Suitable KPIs are provided by the applicant are appropriate and relevant to assess the project's performance.
✓	Value for Money: Applications will be assessed in terms of value for money received in return for Council's investment. Projects which have a co-contribution may be perceived as more competitive than projects asking for the whole project budget in the grant. There is no perceived duplication of similar projects or services.
✓	Financial Sustainability: Adequacy of proposed budget, viability of project, and financial self-sustainability of project.
✓	Acknowledgement: Provision for Council and where possible / appropriate, ACC support to be recognised as part of the project.
✓	Capacity: Applicant's experience and previous track record in delivery and successful acquittal of previous grant funded projects or projects of similar scale.
✓	Attachments: all appropriate and required attachments are provided.

11. Assessment of Applications

There is a formal assessment process for applications:

1.	All applications must be received by the due date Economic Development & Tourism Manager via email by the advertised date and time (detailed on the cover of these guidelines).
2.	Council's EDU will conduct a preliminary assessment of the applications and check against the minimum eligibility requirements: <ul style="list-style-type: none">a. Applicant Eligibility Criteria in Section 7b. Overall eligibility of applicant and project (see section B)c. The application form is satisfactory with all required questions completed.d. Required and optional Attachments outlined on page 17.
3.	Eligible applications will then be assessed by the Economic Development & Tourism Manager as per delegated authority against the Overall Assessment Criteria in section 10. The Economic Development & Tourism Manager may choose to seek further information or clarification on aspects of an application before it is endorsed for funding.

Important to note:

- Council Officers involved in the assessment and approval of applications under this section must comply with Council's Code of Conduct, particularly the provisions covering Conflicts of Interest.
- Requests for grants and/or sponsorship falling within the financial / delegated authority Council's Economic Development & Tourism Manager may be approved in accordance with such financial / delegated authority.

12. Key Merit Criteria Requirements

A. Strategic Alignment

Council is committed to continuing achieving the aspirations of our community members. The Cessnock Community Strategic Plan sets clear objective which are a reflection of these aspirations. The community strategic plan is mandated to address social, environmental, economic and civic leadership issues in an integrated manner.

The community's vision adopted in the Cessnock 2027 Community Strategic Plan is:

Cessnock will be a cohesive and welcoming community living in an attractive and sustainable rural environment with a diversity of sustainable business and employment opportunities supported by accessible infrastructure and services which effectively meet community needs. Cessnock – thriving, attractive and welcoming.

In order to achieve the community's vision, a four year Delivery Program is adopted, along with an annual Operational Plan. The Operational Plan is a one year plan developed to implement the operational activities that will achieve the strategic directions set out in the four year delivery program and longer term vision of the community strategic plan.

The Council's Operational Plan also lists other integrated plans and strategic studies associated with each of the community's desired outcomes.

The Economic Development Grants and Sponsorships Program is connected to the community's desired outcome of a sustainable and prosperous economy. This desired outcome identifies the need to attract a diverse range of businesses, industries and services together with improved access to education, training and employment opportunities to ensure we have a sustainable and prosperous economy in Cessnock.

In order to access funding, applicants must also explain how activities within their project application have strategic alignment to adopted plans and strategies.

Plans to which applicants need to provide reference to specific actions are:

- i) Council's current
- ii) Operational Plan ([online](#));
- iii) Council's Cessnock Economic Development Strategy ([online](#)).

Plans to which applicants might optionally refer to in their applications:

- iv) Business plans of the applicant endorsed by the executive/board of the applicant entity
- v) Any other state, regional, local or other plans that relate to the proposed project.

B. Development of KPI's

All applicants must identify suitable KPIs in their application to funding. There are some KPI criteria set according to stream of funding outlined in section 3. It is also recommended that KPIs be personalised and individualised to each application.

What is a KPI?

A KPI is a measurable value that demonstrates how effectively the applicant has achieved the objectives of their project. KPIs must be tailored to the project and are established for targeted reporting and acquittal of the project.

KPIs are not an assessment of what can be delivered but how well it could be delivered, and need to directly relate to the performance on a project by project basis.

Setting SMART KPIs

KPIs should be set in line with 'SMART principles' where possible. That is, KPIs should be specific, measurable, attainable, relevant and time-bound (SMART).

Examples:

KPI -	Attract 2 new sponsors of \$2500 or more to the event
KPI -	Maintain/exceed the previous or expected visitor numbers.
KPI -	Refer 2 new businesses each month to EDU.
KPI -	Host 2 workshops for business development with attendance goals of 60 in total, and an above average satisfaction rating based on surveys.
KPI -	Source and verify 2 investment leads, in collaboration with Council's EDU and NSW Investment Concierge in the funding period.
KPI -	Number of local businesses engaged in activities in the funding period.
KPI -	Efficiencies achieved or dollars saved for businesses through enhancing X, Y and Z in the funding period.

Specific KPIs for Town Coordinators:

There are four foundation KPIs required to be addressed in Town Coordinator applications:

KPI 1:	Report to EDU twice per year on: Number of business vacancies/ expansions/ renovations/ relocations within the CBD of an area
KPI 2:	Numbers of cross promotion of ACC partnership activities reported
KPI 3:	Number of contributions to ACC's website "News from Chambers" in the funding period
KPI 4:	Number of letters of support for Council and ACC partnership provided in the funding period

In addition to the above four specific KPIs, it is recommended that further KPIs also accompany the application to ensure all the benefits of the different Town Coordinator activities are captured.

C. Application Attachments

The following specific documentation needs to be attached to the application form (this checklist is also provided on each application form):

Application Attachment:	Economic Development Projects	Specific Major Events	Sponsorships	Town Coordinator
Applicant's Certificate of Incorporation	✓	✓	✓	✓
Copies of current insurance policy confirming public liability cover and naming Cessnock City Council as an interested party	✓	✓	✓	✓
Directors' and Officers' indemnity cover	✓	✓	✓	✓
Past two years audited financial statements	✓	✓	✓	✓
Last two banks statements	✓	✓	✓	✓
Business Plan for 2019-2020, approved by their Board and which justify the direction of the project / event	✓	✓	✓	✓
Detailed costings and quotations	✓	✓	✓	✓
Evidence of matching co-contribution	✓	✓	✓	✓
Detailed project management plan	optional	N/A	N/A	✓
Detailed event management plan	N/A	✓	optional	✓
Marketing plan which outlines target markets and strategies	optional	✓	optional	✓
Media and communications plan outlining opportunities to co-promote Council's and ACC's involvement in the proposed project	optional	✓	optional	✓
Copies of pre-sought necessary approvals	If required	✓	If required	✓
Working with children's check or the company's child protection policy	If required	If required	If required	If required
Any previous DNSW submissions and feedback	optional	If applicable	N/A	If applicable
Sponsorship proposal	optional	optional	✓	optional
Risk management plan	strongly encouraged	strongly encouraged	strongly encouraged	strongly encouraged

Part D – Grants Approval Agreements and Payments

13. Successful Applications

The project assessment will follow all steps in Section 11.

- ✓ Successful projects will result in a written formal offer issued by Council's Economic Development & Tourism Manager.
- ✗ Unsuccessful applicants will be notified in writing and be given the opportunity to discuss the outcome with Council's Economic Development & Tourism Manager. The outcome is deemed final.

14. Agreements or Letters of Offer

Prior to the release of any funding, commencement of any in-kind or other actions, successful applicants may be required to enter into a grant or sponsorship agreement with Council. Alternatively, terms of the funding may be set out in a letter of offer.

The agreement or letter of offer will itemise the approved amount, approved expenses, reporting milestones and a purchase order number for the successful applicant to raise an invoice which is to be made out to Council.

It may also include any specific conditions determined in the assessment process and other considerations made by the Economic Development & Tourism Manager.

The agreement may:

- Cover details of all in-kind work to be undertaken by Council.
- Have details on payment schedule and reporting milestones.
- Provide that Council is able to withhold the final payment under the agreement, pending receipt of a satisfactory Acquittal Report.
- Require the applicant to comply with Council's policies including but not limited to Code of Conduct.
- Contain requirements for the marketing and publicity of the project, event or sponsorship.
- Specify the need for applicants to obtain all necessary approvals for their activity.
- Need to be executed by the applicants within 60 days of the date of the written offer.
- Include details of the maximum grant that will be paid and the break up between financial and in-kind components, applicant contributions and those of any third party.

Important to note:

Council may recover grant funds if there is a breach of the agreement.

Council may terminate the agreement at any time but will pay for commitments made, subject to milestones being met, to the date of termination.

Council is not responsible for any expenditure incurred by the applicant before the agreement is executed.

Council will not exceed the approved grant amount under any circumstances.

Funding is applied in the current financial year, to be paid in the next financial year.

15. Payments

Payments will be made to applicants in accordance with the milestones agreed with the applicant as documented in the agreement or letter of offer.

- A purchase order number will be provided by Council to the successful applicant, which will need to be quoted on any correspondence or enquiries in regard to payments.
- Invoices must feature the purchase order number issued to the applicant or cannot be processed.
- Any payments under the agreement must be invoiced to Council in accordance with achievement of the milestones documented in the agreement.
- All invoices must be received before the end of the financial year in which the Grant/Sponsorship was awarded and the approved activity completed.
- Council will not be liable for any amounts over and above the approved grant/sponsorship amount as set out in the agreement.

Part E – Grantee Obligations

Terms and Conditions

16. Grant Acknowledgement

Any public statements about a project/event/sponsorship funded under the program, must acknowledge the grant by using the following:

'This project is proudly funded by Cessnock City Council under the Advance Cessnock City partnership.'

Where applicable, the organisation must hold an official opening in relation to the project. Council's Economic Development & Tourism Manager and the Mayor's Office must be provided 10 days prior notice of events and openings.

All media or public function mentioning the event must contain an acknowledgement of Council's contribution of the grant.

Cessnock City Council and ACC logos are available on request. Approval of their use must be provided.

17. Keeping Council Informed

Cessnock City Council needs to be advised if anything is likely to affect your project, event, sponsorship or organisation.

This includes any key changes to the organisation or its business activities, particularly if they affect the ability to complete the project, carry on business and pay debts due.

Council requires to be informed of any changes to:

- Project scope
- Name
- Addresses
- Nominated contact details
- Bank account details

Should the organisation become aware of a breach of terms and conditions under the grant agreement then immediate contact needs to be made.

A funding agreement variation is required to be submitted to the Economic Development & Tourism Manager if the project waivers 10% from approved scope.

18. Acquittal Report

Successful applicants must provide a final acquittal report to Council within the timeframe specified in the agreement or letter of offer.

The information required will be specified in the Agreement and may include:

- Final accounts (audited, if appropriate)
- Evidence of how Council was acknowledged for the project/event/sponsorship
- Assessment of the benefits realised against the benefits anticipated or estimated in the application form
- Evidence of compliance with the terms and conditions of the agreement
- Measures against KPIs, performance of the activities, collection of relevant data, and required reporting
- Formal confirmation on the final expenses

Acquittal forms can be provided to successful applicants as requested, or prompted in the second half of the financial year.

19. Notes on Fund Allocation, Unspent Funds, Profits or Surplus

If awarded funding under the Annual Grants and Sponsorship Program, an applicant is prohibited from seeking additional support from other business units and services of Council for the same expenses within the project. This includes both cash and in-kind contributions.

Funding will not be provided for the purchase of capital equipment, furniture and fittings, travel, salaries or coverage for out of pocket expenses (with the exception of approved Town Co-ordinator arrangements).

Approved funding cannot be provided to third parties to conduct projects unless approved by the council. (e.g. Grant within the grant is considered devolved funding and ineligible).

Profits or surplus funds are to be treated as grant monies to be invested into the following year's project (as a line of income in that year's budget) or to other eligible projects within the same funding approval, subject to the approval of the Economic Development & Tourism Manager as part of the reporting and acquittal process. Unspent funds can also be returned to Council under negotiation.

20. Tax Obligations

For organisations registered for the Goods and Services Tax (GST), Cessnock City Council will add GST to the payment amount where applicable and provide a recipient created tax invoice. Council needs to be notified of any GST registration status changes during the project period.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. Council recommends the seeking of independent professional advice on the taxation obligations of the organisation or seek assistance from the Australian Taxation Office. Council does not provide advice on tax.

21. Conflicts of Interest

Applicant Responsibilities:

A conflict of interest will occur if your private interests conflict with your obligations under the grant. Conflicts of interest could affect the awarding or performance of the grant. A conflict of interest can be:

- real (or actual)
- apparent (or perceived)
- potential

Applicants will be asked to declare, as part of every application, any perceived or existing conflicts of interests or that, to the best of their knowledge, there is no conflict of interest.

If the applicant later identifies that there is an actual, apparent, or potential conflict of interest or that one might arise in relation to the grant, then the applicant must inform Council in writing immediately.

Council Conflict of Interest Responsibilities:

Council recognises that conflicts of interest may arise with their staff, technical experts, and others delivering the program between:

- their program duties, roles and responsibilities and
- their private interests

Such conflicts if and when arise will be handled with in accordance with Council's Code of Conduct.

22. Personal Information Use

Council is committed to protecting the privacy of individuals. Council takes reasonable steps to comply with relevant legislation and Council's Privacy Management Plan. Any personal information collected, or received, by Council in the course of Economic Development Program will be handled as follows:

Purpose:

Council will use the information for the purposes of economic development and administering the grant program.

Intended recipients:

Cessnock City Council's General Manager's unit, Applicant and project details may be made public through the minutes of a council meeting.

Supply:

Voluntary.

Consequence of non-provision:

Council will not be able to accept your application for funding.

Storage and security:

Information will be stored in accordance with Council's Record Management Policy.

Access:

To update your details or contact information, please email economic.development@cessnock.nsw.gov.au.

23. Enquiries and Feedback

For further information or clarification, you can contact Cessnock City Council on:

Applications should also be submitted by the closing date and time to: economic.development@cessnock.nsw.gov.au

Appendix:

Definitions of Key Terms

Term	Definition
Acquittal Report	The document issued by Council that applicants use to report on the outcome of the project/event on completion.
Auspice	An organisation who manages grant funding on another entities behalf. The auspice effectively is the applicant for the project funding.
Council	Refers to Cessnock City Council and its geographic area known as the Local Government Area.
Event	A planned public occasion, which is deemed to be important for the LGA and for the attraction of visitors. These are expected to be major events drawing at least 5,000 people.
Grant agreement	A legally binding contract between the Council and a grantee for the grant funding. The grantee will be a specific Chamber of Commerce or Business Support Group who is a partner involved in Advance Cessnock City.
Grant funding or grant funds	The funding made available by the Council to grantees under the program.
Grantee	The recipient of grant funding under a grant agreement.
Guidelines	These guidelines providing the framework for the administration of the program, as in force from time to time.
In-kind contributions	In-kind contribution refers to goods, services and labour provided to deliver your project that have a monetary value, but do not involve a payment.
Non-income-tax-exempt	Not exempt from income tax under Division 50 of the <i>Income Tax Assessment Act 1997</i> (Cth) or under Division 1AB of Part III of the <i>Income Tax Assessment Act 1936</i> (Cth).
Not for profit (NFP)	An organisation that does not operate for the purpose of profit, personal gain or other benefit of particular people, when it is in operation or when it is wound up. Whilst a NFP is allowed to generate profits, the profits must be used to carry out its purpose (e.g. charitable purpose) and cannot be distributed to owners, members or private people.
Payment in arrears	Payments made progressively based on actual expenditure.
Personal information	Has the same meaning as in the <i>Privacy Act 1988</i> (Cth) which is: a. whether the information or opinion is true or not; and b. whether the information or opinion is recorded in a material form or not.
Program funding or Program funds	The funding made available by the Council for the program.
Project	A project described in an application for grant funding under the program.
Project period	The time between the project start date and project end date as detailed in the grant agreement.
Town Co-ordinator	Organises planned projects and events covering a specific and defined primary geographic area together with a secondary spread in close proximity.



Address:
62-78 Vincent Street
Cessnock, NSW



Contact:
economic.development@cessnock.nsw.gov.au



Online:
www.cessnock.nsw.gov.au
www.advancesnock.com.au

Planning and Environment

Report No. PE11/2020

Planning and Environment



SUBJECT: ***ADOPTION OF CESSNOCK FLYING-FOX CAMP MANAGEMENT PLAN***

RESPONSIBLE OFFICER: ***Strategic Planning Manager - Martin Johnson***

SUMMARY

The purpose of this Report is to seek Council adoption of the revised Cessnock Flying-Fox Camp Management Plan. The revised Cessnock Flying-Fox Camp Management Plan (CMP) was placed on public exhibition for a period of fifty days. During the public exhibition period, Council received one agency submission on the draft CMP. Council staff have made a minor amendments to address the agency submission.

RECOMMENDATION

That Council adopts the revised Cessnock Flying-Fox Camp Management Plan and repeal the existing East Cessnock Camp Management Plan.

BACKGROUND

The East Cessnock Camp Management Plan was originally adopted by Council in September 2017. Since the adoption of the plan there have been a number of legislative changes which have required the plan to be updated. In 2019 Council received a grant of \$15,000 under Planning Stream 2 of the Flying-Fox Grant Program facilitated by Local Government NSW. The purpose of this funding was to allow Council to review and update the existing CMP.

At the Ordinary Council meeting of 11 December 2019, Council resolved under resolution 1104:

That Council places the draft Cessnock Flying Fox Camp Management Plan on public exhibition for a minimum period of fifty (50) days.

The draft revised Plan was subsequently placed on public exhibition from the 8 January 2020 until the 27 February 2020 and one agency submission was received.

REPORT/PROPOSAL

As a result of the public exhibition of the revised CMP, Council received no community submissions and one (1) agency submission. The agency submission was submitted by NSW Department of Planning Industry and Environment – Crown Lands (DPIE-Crown Lands). The DPIE-Crown Lands submission raised some very minor comments for consideration, these included:

- References to the Public Reserves Management Fund (PRMF) should now be referred to as the Crown Reserves Improvement Fund (CRIF);
- Action ID 3.4 – there were some issues with the action and responsibilities in this action;
- Action ID 6.1 – requested that in the responsibility column the wording be amended to “Works are to be authorised by DPIE – Crown Lands”; and

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- Action ID 6.2 – asked that we remove the wording “(including Asset Protection Zones)” as they are covered in action 6.4.

Council has updated the draft CMP to address the comments received from DPIE – Crown Lands.

OPTIONS

NIL

CONSULTATION

At the Council meeting on the 11 December 2019, Council resolved to place ‘the draft Cessnock Flying Fox Camp Management Plan on public exhibition for a minimum period of fifty (50) days’. The CMP was subsequently placed on public exhibition from the 8 January 2020 until the 27 February 2020. The CMP was available for viewing on Council’s website and at the Cessnock and Kurri Kurri Libraries during the exhibition period.

No public submissions were received. One agency submission was received from DPIE-Crown Lands.

STRATEGIC LINKS

a. Delivery Program

This Report aligns with Objective 3.1 of Council’s 2017-2021 Delivery Program – Protecting and Enhancing the Natural Environment and the Rural Character of the area. Specifically, the Draft CMP satisfies action 3.1.7a of the 2017-2021 Delivery Program.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

Implementation actions arising from the CMP are subject to grant funding. In-kind staff resources (i.e. from the existing operational salary budget) are utilised to seek grant funds and implement the actions as those grant opportunities arise.

c. Legislative Implications

The revised CMP conforms to the updated legislative changes as outlined in the report.

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d. Risk Implications

The revised CMP now addresses updated legislation and guidelines and therefore adequately addresses the risks involved in managing flying-fox camps across the LGA.

e. Environmental Implications

NIL

f. Other Implications

NIL

CONCLUSION

In order to allow Land Managers to continue with the management of the East Cessnock Flying-Fox Camp or any new camps that become established on public land, the revised CMP is recommended for adoption by Council.

ENCLOSURES

- 1 [!\[\]\(f6ec0429e2f15dbd4a39b612501b6fa4_img.jpg\)](#) Cessnock Flying-Fox Camp Management Plan - provided under separate cover.

Placeholder for Enclosure 1

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Cessnock Flying-Fox Camp Management Plan -
provided under separate cover.

Corporate and Community

Report No. CC19/2020

Corporate and Community Services



SUBJECT: *CLASSIFICATION OF LAND - 2-4 ALLANDALE ROAD, CESSNOCK*

RESPONSIBLE OFFICER: *Finance and Administration Manager - Andrew Glauser*

SUMMARY

Settlement for the purchase of the property known as 2 – 4 Allandale Road, Cessnock occurred on 23 December 2019. In accordance with the *Local Government Act 1993* (the Act) and as reminded in the settlement advice land purchased must be classified as either “Community” land or “Operational” land, either prior to acquisition, or within 3 months from the settlement date.

RECOMMENDATION

That Council classify 2-4 Allandale Road, Cessnock, being Lot 1 DP 359456 and Lot 1 DP 657198 as Operational Land.

BACKGROUND

At the meeting of 3 July 2019 Council considered Report PE54/2019 Minutes of the Confidential Strategic Property and Community Facilities Committee meeting of 26 June 2019 and resolved (inter alia):

That Council authorise the General Manager be delegated authority to negotiate on the purchase of the 2-4 Allandale Road, Cessnock up to the value identified in the confidential report.

Following negotiations, the property was subsequently purchased with settlement occurring on 23 December 2019. All public land must be classified by Council as either “Community” or “Operational” land under the Act (ss.25 – 26), and if no classification is made by Council the land automatically is classified as Community.

In accordance with this a notice of intention to classify the land as Operational was advertised and this report seeks a Council resolution to classify the land following the public notice period.

REPORT/PROPOSAL

Settlement for the purchase of the property occurred in December 2019. In accordance with the Act, all public land must be classified by Council as either “Community” or “Operational” land (ss.25 – 26), with this requirement also highlighted in the settlement advice received from Councils legal representatives, stating that:

We note that before a council acquires land, or within 3 months after it acquires land, a council may resolve (in accordance with Chapter 6, Part 2 of the *Local Government Act 1993*) that the land be classified as community or operational land.

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Any land acquired by a council that is not classified is, at the end of the period of 3 months, taken to have been classified under a local environment plan as community land.

Community land generally includes parks, reserves or sports grounds. Operational land is not generally open to the public but may be used for public purposes such as Council offices, works depots, investment land or future development land. It may also be held as a temporary asset by the Council whilst more detailed dealings or investigations are undertaken. However, there is no restriction on Operational land being used for community purposes.

The main effect of classification is to restrict the alienation and use of the land. "Operational" land has no special restrictions other than those that may apply to any piece of land.

Community land is different. Classification as Community land reflects the importance of the land to the community because of its use or special features. Generally, it is land intended for public access and use, or where other restrictions applying to the land create some obligation to maintain public access (such as a trust deed, or dedication under section 94 of the Environmental Planning and Assessment Act 1979).

Community land:

- cannot be sold
- cannot be leased, licensed or any other estate granted over the land for more than 21 years and
- must have a Plan of Management prepared for it.

Public land is initially classified by one of the following means:

1. by resolution of council, prior to or when the land is acquired; or
2. by a Local Environmental Plan ("LEP") prepared under the EP&A Act 1979; or
3. by operation of the Local Government Act –
 - a. applies to certain land controlled by council at 1 July 1993, or
 - b. where council has since acquired land and there is no resolution to classify the land;

The most common way in which to classify land is by resolution of Council.

If the land is classified as Community Land there are several restrictions and as such limits the highest and best use evaluations of the future use of the land. The use of Community land is limited to the scope of the Plan of Management over the site which is developed in consultation with the community in general.

If the land is classified as Operational Land Council has much more scope to do detailed analysis of future uses of the site. At any point in the future it is easy to reclassify the land, or part thereof, to Community land however it is a much more difficult, and a longer process with unknown success, reclassifying from Community land back to Operational land. Classifying the land as Operational land will allow Council to fully explore future uses on the site.

Council must give public notice of a proposed resolution to classify public land as either Operational or Community land. A period of at least 28 days for public submissions must be given (s.34) and an advertisement was placed in the Cessnock Advertiser entitled "Proposal to Classify Land acquired by Council as Operational Land" commencing on 22 January 2020

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and ending on 19 February 2020. An invitation was extended to the members of the public to make a written or verbal submission on the proposal. No submissions were received and with the land being acquired on 23 December 2019; Council is within the 3 month timeframe and may now resolve to classify the Land as Operational land.

OPTIONS

N/A

CONSULTATION

Local Government Legal
Strategic Asset Planning Manager
Director Corporate & Community Services
The Community through the public notification process

STRATEGIC LINKS

a. Delivery Program

This report is linked to the Operational Plan, Objective 5.3 “Making Council More Responsive to the Community” and specifically cl 5.3.5, to carry out governance functions to comply with legislation and best practice.

b. Other Plans

Cessnock Local Environmental Plan 2011- noted on the planning instrument as B4 Zoning.

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

The cost to notify and advertise the proposal to classify the land was approximately \$400 and funded from operational Budgets.

c. Legislative Implications

Council may classify public land in accordance with the Act. Section 25 of the Act requires that “all public land must be classified in accordance with this Part”. Section 26 provides that public land is classified as either “Community” or “Operational”. Section 27 (2) provides that the classification of public land may also be made by a resolution of the Council under s31, s32 or s33. Section 31 of the Act provides for the classification of land acquired after 1 July 1993. Section 34 provides that Council must give public notice of a proposed resolution to classify public land.

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d. Risk Implications

If Council does not resolve to classify the land as Operational land within three months of acquisition, the land will be classified as Community land.

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

Land classified as “Community” is required to have a Plan of Management and restrictions apply to the day to day management. Further, land classified as “Community” cannot be sold unless it is added to a Crown Reserve or National Park. The proposal to classify the land as “Operational” will allow Council greater flexibility in the management of the land and its highest and best outcome for the community in general.

ENCLOSURES

- 1 [↓](#) Aerial photos of land

2- 4 Allandale road, Cessnock.

Lot 1 DP 359456



Lot 1 DP 657198



Corporate and Community

Report No. CC20/2020

Corporate and Community Services



SUBJECT: *2020 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - UPDATE ON COUNCILLOR REQUESTS TO ATTEND AND MOTIONS SUBMITTED*

RESPONSIBLE OFFICER: *Director Corporate and Community Services - Robert Maginnity*

SUMMARY

The 2020 National General Assembly of Local Government is to be held in Canberra 14-17 June 2020. The Australian Local Government Association (ALGA) has called for motions under the theme “*Working Together for Our Communities*”.

The purpose of this report is to enable Council to determine delegates and to consider motions to be submitted to the conference.

RECOMMENDATION

1. That Council endorses the request to attend the 2020 National General Assembly of Local Government from Mayor Pynsent and that Mayor Pynsent be determined as the voting delegate.
2. That Council notes that no motions for the conference were received.

BACKGROUND

ALGA has extended an invitation to Councils to participate in the National General Assembly (NGA) of Local Government to be held in Canberra from 14 to 17 June 2020. Calls for motions for the conference are required to be submitted by 27 March 2020 to the ALGA Board and Councillors requests to attend were required to be submitted to the General Manager by 6 March 2020, so as to allow Council to determine both items at this meeting.

REPORT/PROPOSAL

Details on the Conference can be found at the ALGA website:

<https://conferenceco.eventsair.com/nga2020/>

Call for Motions

The ALGA Board is calling for motions for the 2020 NGA under this year’s theme “*Working Together for Our Communities*” with motions needed to be submitted by 27 March 2020.

Councillors were asked to consider and submit motions in line with the theme for the conference to allow Council to consider referring the motions to the ALGA, with motions required to be submitted to the General Manager by Friday 6 March 2020 for inclusion in the Agenda for the 18 March 2020 meeting. If endorsed by Council, the motion can then be submitted to ALGA.

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To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of Local Government nationally
2. not be focused on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic importance and should be discussed at a national conference
3. be consistent with the themes of the NGA
4. complement or build on the policy objectives of your State and Territory Local Government Association
5. be submitted by a Council which is a financial member of their State or Territory Local Government Association
6. propose a clear action and outcome, i.e. call on the Australian Government to do something
7. not be advanced on behalf of external third parties which may seek to use the NGA to apply pressure to Board members or to gain National political exposure for positions that are not directly relevant to the work of, or in the National interests of Local Government.

Council endorsed motions are to be lodged online and are required to be received by ALGA no later than 11.59pm on Friday 27 March 2020.

At the date of preparing this report no motions for consideration had been received from Councillors.

Councillor Attendance

In accordance with *Councillors Expenses and Facilities Policy*, a Council resolution is required to approve Interstate conferences and related travel expenditure. Councillors were requested to submit applications to attend by 6 March 2020 to allow Council to consider delegates at the Council meeting of the 18 March 2020. Dependent on the number of Councillors interested in attending, Council may have to consider nominating a voting delegate, as each Council is allocated one vote at the Assembly.

At the date of preparing this report nominations to attend had been received from Mayor Pynsent. The request to attend from Mayor Pynsent is provided at **Enclosure 1**.

OPTIONS

N/A

CONSULTATION

General Manager
Executive Assistant to General Manager

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STRATEGIC LINKS

Delivery Program

This report aligns with Objective 5.1 *Fostering and Supporting Community Leadership*, with professional development for Councillors intrinsically linked to Civic Leadership and Effective Governance.

IMPLICATIONS

a. Policy and Procedural Implications

Application for attendance to the 2020 National General Assembly of Local Government is in accordance with *Councillors Expenses and Facilities Policy*.

b. Financial Implications

It is estimated the costs will be approximately \$2,000 per delegate (registration, accommodation and travel), with funding currently available from the 2019-20 budget for Councillor conferences, with \$20,612 expended from a budget allocation of \$27,100.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Other Implications

N/A

CONCLUSION

This report provides information regarding the 2020 National General Assembly of Local Government, including Councillor request to attend the conference.

ENCLOSURES

[1](#) ↓ Mayor Pynsent - Request to Attend



COUNCILLOR REQUEST TO ATTEND CONFERENCE, SEMINAR OR TRAINING

COUNCILLOR DETAILS					
Name:	Bob Pynsent				
Mobile Phone Number:	0408 267 532	Dietary Requirements:	NIL		
CONFERENCE/SEMINAR/TRAINING DETAILS					
Course Name:	2020 National General Assembly				
Organiser:	Australian Local Government Association	Location:	Canberra		
Date:	14-17 June 2020	Cost:	TBA	Job Number:	0018-690-116
Detail benefits to you and your role in Council					
As Mayor of the City, I see great benefits in attendance. In particular:					
<ul style="list-style-type: none"> Innovation and directions in community leadership Networking with recognized Local Government leaders from across NSW 					
Details of conferences / seminars / training already attended in this term of Council					
LGNSW Annual Conference – 16-18 October 2016 NGA Conference – 18-21 June 2017 LGNSW Annual Conference - 3-6 December 2018 LGNSW Tourism Conference - 12-14 March 2018 Audit & Risk Committee Forum – 21 May 2018 ALGA Conference – 17-20 June 2018 LGNSW Annual Conference – 21-23 October 2018 LGNSW Tourism Conference - 17-19 March 2019 National General Assembly – 16-19 June 2019 LGNSW Annual Conference – 14-16 October 2019					
TRAVEL & ACCOMMODATION					
Accommodation					
Is Accommodation Required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (if Yes please complete details below)				
Name:		Phone:			
Check in Date:	13 June 2020	Check out Date:	18 June 2020		
Travel					
Airfare Required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if Yes please complete details below)				
Other Transport Require?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Transport requirement:	Self drive		
Special Requirements?					
AUTHORISATION					
Mayor / Councillor					
Name:	Bob Pynsent	Signature:	R. J. Pynsent	Date:	19/2/20
General Manager					
Full Name:	LORRA OAKESON	Signature:		Date:	10/2/20
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Not Approved					
OFFICE USE ONLY					
	Date	Signature		Date	Reference / Reservation Number
Received by EA:			Registered in RM:		
TRIM link to HR:			Registration Booked:		
Clr Advised:			Accommodation Booked:		
			Travel Booked:		

Corporate and Community

Report No. CC21/2020

Corporate and Community Services



SUBJECT: ***ERECTION OF NEIGHBOURHOOD WATCH AND SAFETY HOUSE SIGNS POLICY - RECOMMENDATION FOR REVOCATION***

RESPONSIBLE OFFICER: ***Community & Cultural Engagement Manager - Natalie Drage***

SUMMARY

The Erection of Neighbourhood Watch and Safety House Signs Policy (Policy Number S18.1) established by Council in 1986 has been reviewed in line with Council's Controlled Documents Protocol and Review Procedure. The review has found that the policy is obsolete with the Safety House Program disbanded in New South Wales (NSW) and the Neighbourhood Watch Program not operational in the Cessnock Local Government Area (LGA) for some time. This report seeks Council's endorsement to revoke the Policy.

RECOMMENDATION

That Council revokes Erection of Neighbourhood Watch and Safety House Signs Policy (Policy Number S18.1).

BACKGROUND

At its meeting on 5 November 1986, Council considered report 119/4 – Neighbour Watch Signs and resolved:

That Council adopt and implement the “Neighbourhood Watch” and “Safety House” Programmes uniform signs policy.

The enclosed Erection of Neighbourhood Watch and Safety House Signs Policy presents guidelines for Neighbourhood Watch and Safety House committees seeking to erect program related street signs. The policy was last updated on 20 January 2005 and summarises the application process for committees and outlines Council's commitment to carry out works in kind to install signage, once materials are supplied.

REPORT/PROPOSAL

The Neighbourhood Watch Program introduced in 1984 was a community based initiative that aims to reduce localised crime and fear of crime by promoting and coordinating multi-faceted approaches to crime prevention. NSW Police Force endorsed Neighbourhood Watch Program committees are run by voluntary members of the community, supported by NSW Police and resourced externally through fundraising, sponsorship and grants. In the development of this report Council Officers engaged with Hunter Valley Police District who confirmed that there are no current operational Neighbourhood Watch Program committees in the Cessnock LGA and has not been for some time.

It is recommended that Council revoke the Erection of Neighbourhood Watch and Safety House Signs Policy, as the policy is obsolete with the Safety House Program disbanded in NSW and the Neighbourhood Watch Program not operational in the Cessnock LGA for some

Corporate and Community

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Corporate and Community Services



time. If there were to be any future requests for the erection of Neighbourhood Watch signage Council has in place an existing application and assessment process that reflects current procedures and legislation.

OPTIONS

N/A

CONSULTATION

Principal Engineer Traffic and Transport
Acting Development Services Manager
Duty Planner
Recreation & Community Facilities Planner
Hunter Valley Police District Youth and Community Officer, NSW Police Force

STRATEGIC LINKS

a. Delivery Program

The 2017-21 Delivery Program includes Objective 1.3 Promoting safe communities and Action 1.3.1 Participate in collaborative partnerships to prevent crime.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

N/A

c. Legislative Implications

Nil

d. Risk Implications

If the Erection of Neighbourhood Watch and Safety House Signs Policy is not revoked Council could be seen to have a policy in place that is obsolete.

e. Environmental Implications

N/A

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f. Other Implications

N/A

CONCLUSION

It is recommended that Council revokes the Erection of Neighbourhood Watch and Safety House Signs Policy. The review has found that the policy is obsolete with the Safety House Program disbanded in NSW and the Neighbourhood Watch Program not operational in the Cessnock LGA for some time. If there were to be any future requests for the erection of Neighbourhood Watch signage Council has in place an existing application and assessment process that reflects current procedures and legislation.

ENCLOSURES

[1](#) Erection of Neighbourhood Watch and Safety House Signs Policy (S18.1)

Signage-Neighbourhood Watch



Policy Status: Approved

Document Type: ☐ Policy
Primary Keyword: ☐ Information Management
Secondary Keyword: ☐ Council Policies
Tertiary Keyword: ☐ Policy register update

Created by Rebecca Crossley

Last Updated 20/01/2005

Precis: Signage-Neighbourhood Watch

Responsible Officer: Policy Coordinator

Document:

TITLE:	Erection of Neighbourhood Watch and Safety House Signs
AUTHORITY:	Council
DATE OF ADOPTION/AMENDMENT:	5 November 1986
REPORT NO:	W&S Correspondence
MINUTE NO:	1471
POLICY NO:	S18.1
POSITION RESPONSIBLE:	
RELEVANT LEGISLATION:	
PREVIOUS POLICY NO:	
DATE LAST REVIEWED:	

OBJECTIVE

Establish guidelines for the erection of "Neighbourhood Watch" and "Safety House" signs.

POLICY

1. All "Neighbourhood Watch" and "Safety House" Scheme Committees shall submit written applications for permission to erect street signs to the General Manager. In the event of a dispute arising, the matter shall be referred to the General Manager whose decision will be final.
2. The erection of all street signs shall be undertaken by Council.
3. Council agrees to erect four (4) street signs per Scheme free of charge. Further signs

Signage-Neighbourhood Watch

shall be the subject of negotiation between the individual Scheme Committee and Council.

4. Each Scheme Committee shall supply the four (4) street signs at no cost to Council.
5. In the case of free standing street signs, the Scheme Committee shall supply the material required for the erection of the signs (eg appropriate gauge water pipe and bracket).
6. All material for affixing street signs to Statutory Authority property shall be supplied by the Scheme Committee at no cost to Council.
7. In the event of damaged signs being replaced, this work will be carried out free of charge to the Scheme Committee, under the conditions outlined above, ie Scheme Committee to supply sign and materials required to erect the sign.

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SUBJECT: *MINUTES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE HELD ON FRIDAY 28 FEBRUARY 2020*

RESPONSIBLE OFFICER: *Community & Cultural Engagement Manager - Natalie Drage*

RECOMMENDATION

1. That the Minutes of the Aboriginal and Torres Strait Islander Committee held on 28 February 2020 be adopted as a resolution of the Ordinary Council.
2. That the General Manager investigate Cessnock Performing Arts Centre screening all three films being “In my blood it runs”, “Occupation Native” and “Teach a man to fish” presented at the Committee meeting as part of Council’s National Reconciliation Week and NAIDOC Week activities for 2020.

MINUTES OF ABORIGINAL AND TORRES STRAIT ISLANDER COMMITTEE MEETING OF CESSNOCK CITY COUNCIL HELD IN ANTE ROOM ON FRIDAY, 28 FEBRUARY 2020, COMMENCING AT 9.00AM

PRESENT: The Mayor, Councillor Pynsent (Arrived 9:10am)
Councillor Doherty
Councillor Gray
Mr Craig Layer (Community Representative)
Ms Sonia Sharpe (Community Representative)
Ms Tara Dever (Community Representative)

IN ATTENDANCE: Ms Natalie Drage – Community & Cultural Engagement Manager
Ms Johanna Dennis – Principal Community Planner
Ms Jo Miller – Community & Cultural Development Officer

INVITEES: Mr Gareth Curtis – Director Planning and Environment
Ms Emma McDermott – Senior Environment Planner (Left 9:15am)
Mr Matthew Gordon – Team Leader Urban Parks Maintenance (Left 9:45am)

The meeting was chaired by Mr Craig Layer (Community Representative).

APOLOGIES

Ms Tracey Skene (Community Representative)
Ms Susan Mulyk (Community Representative)

ACKNOWLEDGEMENT OF COUNTRY

Acknowledgement of Country delivered by Ms Tara Dever (Community Representative).

CONFIRMATION OF MINUTES

MINUTES:

MOTION

Moved: Councillor Gray **Seconded:** Ms Sharpe

RECOMMENDED that the Minutes of the Aboriginal and Torres Strait Islander Committee held on 15 November 2019, as circulated, be taken as read and confirmed as a correct record.

CARRIED UNANIMOUSLY

DISCLOSURES OF INTEREST

Nil

LISTED MATTERS

LISTED MATTERS - COMMITTEE NO. AACLM1/2020

SUBJECT: ABORIGINAL CULTURAL HERITAGE STUDY - PHASE 2 -
CONSULTANT EVALUATION (COMMERCIAL IN CONFIDENCE)

MOTION **Moved:** Ms Dever **Seconded:** Councillor Gray

RECOMMENDATION

That the Committee notes the information contained within this report.

CARRIED UNANIMOUSLY

Discussion:

The Committee discussed holding a stakeholder meeting (including Committee members) in mid to late March to commence the consultation process with Virtus Heritage.

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LISTED MATTERS - COMMITTEE NO. AACLM2/2020

SUBJECT: COUNCIL ACTIVITIES FOR NATIONAL RECONCILIATION WEEK AND NAIDOC WEEK 2020

MOTION **Moved:** Mayor Pynsent **Seconded:** Councillor Gray

RECOMMENDATION

That the General Manager investigate Cessnock Performing Arts Centre screening all three films being “In my blood it runs”, “Occupation Native” and “Teach a man to fish” presented at the Committee meeting as part of Council’s National Reconciliation Week and NAIDOC Week activities for 2020.

CARRIED UNANIMOUSLY

Discussion:

Details of the schools and organisations invited to attend the screenings will be circulated amongst the Committee prior to the events being held.

LISTED MATTERS - COMMITTEE NO. AACLM3/2020

SUBJECT: BRIDGES HILL PARK PLAYGROUND - ART INSTALLATION

MOTION **Moved:** Mr Layer **Seconded:** Ms Dever

RECOMMENDATION

That the Aboriginal and Torres Strait Islander Committee:

1. Provide feedback to Council Officers regarding the content of the submissions, ensuring the artworks tell Wonnarua stories and engage visitors with Wonnarua culture.
2. Support the proposed submissions from Catholic Care Social Services Hunter Manning and Saretta Art and Design Pty.

CARRIED UNANIMOUSLY

Discussion:

The proposals included engagement with young people and were well supported by the Committee.

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LISTED MATTERS - COMMITTEE NO. AACLM4/2020

SUBJECT: INNOVATE RECONCILIATION ACTION PLAN (2018 - 2020) ACTIONS

MOTION ***Moved:*** Councillor Doherty ***Seconded:*** Ms Dever

RECOMMENDATION

1. The Committee notes the progress for implementation of the Innovate Reconciliation Action Plan.
2. The Committee reviewed and supports the draft Acknowledgement of Country wording and design for the plaque to be placed in the Council Administration building foyer.

CARRIED UNANIMOUSLY

Discussion:

The Committee discussed the following items:

- NSW Aboriginal Tour Operators Council (NATOC) membership and Hunter Valley Visitor Information Centre.
- The local New Careers for Aboriginal People (NCAP) Officer and opportunities for Aboriginal and Torres Strait Islander recruitment.
- The local Aboriginal Enterprise Development Officer (AEDO) and opportunities for procurement and supplier diversity.
- Changes to the Elsa Dixon Aboriginal Employment Grant.

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CORRESPONDENCE

CORRESPONDENCE - COMMITTEE NO. AACCO1/2020

**SUBJECT: FEDERAL GOVERNMENT PURCHASE OF ABORIGINAL FLAG
COPYRIGHT - RESPONSE FROM THE MINISTER FOR INDIGENOUS
AUSTRALIANS**

MOTION Moved: Councillor Doherty **Seconded:** Mayor Pynsent

RECOMMENDATION

The Committee notes the correspondence received from The Hon Ken Wyatt AM, MP, Minister for Indigenous Australians.

CARRIED UNANIMOUSLY

Discussion:

The Committee thanked The Mayor, Councillor Pynsent for submitting the letter to the Minister for Indigenous Australians advocating that the Federal Government purchase the Aboriginal Flag copyright.

GENERAL BUSINESS

It was recommended that at the next meeting there be a report tabled for the previous investigation of the inclusion of a Wedge-tailed Eagle design on the Gateway signage.

The Meeting Was Declared Closed at 10.20am

ENCLOSURES

There are no enclosures for this report

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SUBJECT: *INVESTMENT REPORT - FEBRUARY 2020*

RESPONSIBLE OFFICER: *Finance and Administration Manager - Andrew Glauser*

SUMMARY

Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy require a monthly report to Council detailing all money invested.

RECOMMENDATION

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

- Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order
- Council's month end balance was \$43,039,913, year to date interest earned to 29 February was \$480,999 and the interest earned for February 2020 was \$48,269.

BACKGROUND

The *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Investment Policy requires a monthly report to Council detailing all money invested.

REPORT

Statement by the Responsible Accounting Officer

I, Robert Maginnity, as Responsible Accounting Officer, hereby certify that this report is produced in accordance with Clause 212 of the *Local Government (General) Regulation 2005* and that all investments have been made in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Council's Investment Policy.

General Investment Commentary

Following assessment of projected cash flow requirements, surplus funds are invested in accordance with Council's Investment Policy. Investment revenues to the end of February 2020 exceeded the benchmark in the Investment Policy with an actual level of return at 109.32 % of the year to date budget.

The Reserve Bank of Australia (RBA) official cash rate as at 29 February 2020 was 0.75%. Scheduled RBA Board meetings are held on the first Tuesday of each month (excluding January) at which the official cash rate is one of the matters considered. The meeting held on 03 March 2020 reduced the official cash rate by 25bps to 0.50%.

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Investment Portfolio Information

Table 1 Total cash and investments held by Council as at 29 February 2020

Invest No	Financial Institution Investment Held With	Invest Type	Interest Coupon Term	Maturity / Next Coupon Date	Current Coupon Rate	Par Value \$'000
	Commonwealth Bank	CASH			0.40%	5,299
	Commonwealth Bank	At Call			0.10%	41
1243	AMP Bank	At Call			1.05%	500
1281j	National Bank	TD	245	31-Mar-20	1.81%	700
1298r	Newcastle Permanent Building Society	VRD	91	03-Apr-20	2.32%	800
1306h	Suncorp Bank	TD	214	14-Jul-20	1.50%	900
1325c	Members Equity Bank	TD	272	19-May-20	1.68%	900
1330c	National Bank	TD	160	29-Jun-20	1.57%	900
1332d	Suncorp Bank	TD	210	22-Sep-20	1.45%	1,000
1341b	AMP Bank	TD	280	12-May-20	2.00%	1,000
1345c	National Bank	TD	217	05-May-20	1.65%	800
1347b	Suncorp Bank	TD	210	26-May-20	1.58%	800
1358b	National Bank	TD	230	07-Jul-20	1.48%	1,000
1360a	National Bank	TD	210	24-Mar-20	1.63%	1,000
1361a	AMP Bank	TD	339	05-Jun-20	2.20%	1,000
1362a	AMP Bank	TD	337	10-Jun-20	2.20%	1,000
1366a	Bankwest	TD	210	10-Mar-20	1.62%	1,000
1368a	Suncorp Bank	TD	222	14-Apr-20	1.61%	1,000
1369a	National Bank	TD	231	30-Jun-20	1.52%	1,000
1370a	IMB Bank	TD	217	25-Jun-20	1.52%	1,000
1371a	Members Equity Bank	TD	270	08-Sep-20	1.58%	1,000
1373	Bank of QLD	TD	270	17-Mar-20	2.08%	1,000
1374a	National Bank	TD	272	27-Oct-20	1.50%	1,000
1375a	National Bank	TD	259	20-Oct-20	1.48%	1,000
1380b	Commonwealth Bank	TD	196	28-Jul-20	1.44%	600
1381	Macquarie bank	TD	215	07-Apr-20	1.75%	1,000
1383	Macquarie bank	TD	224	21-Apr-20	1.75%	1,000
1384	Macquarie bank	TD	224	28-Apr-20	1.75%	1,000
1385	Commonwealth Bank	TD	273	23-Jun-20	1.52%	900
1387	Suncorp Bank	TD	221	16-Jun-20	1.55%	1,000
1388	Suncorp Bank	TD	257	11-Aug-20	1.50%	1,000
1389	Suncorp Bank	TD	131	08-Apr-20	1.48%	600
1390	Suncorp Bank	TD	151	28-Apr-20	1.52%	600
1391	Macquarie bank	TD	222	13-Jul-20	1.55%	1,000
1392	Commonwealth Bank	TD	105	17-Mar-20	1.33%	600
1393	Commonwealth Bank	TD	209	29-Jun-20	1.32%	600
1394	National Bank	TD	220	13-Jul-20	1.47%	600
1395	ANZ Bank	TD	237	04-Aug-20	1.40%	700
1396	ANZ Bank	TD	251	18-Aug-20	1.40%	700
1397	ANZ Bank	TD	216	21-Jul-20	1.40%	1,000
1398	National Bank	TD	239	06-Oct-20	1.53%	1,500
1399	Suncorp Bank	TD	210	15-Sep-20	1.46%	1,000
1400	Macquarie bank	TD	290	14-Dec-20	1.55%	1,000
1401	Macquarie bank	TD	284	08-Dec-20	1.55%	1,000
TOTAL						43,040

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**Table 2** Level of funds held and the percentage invested with financial institutions

Financial Institution	Rating	Maximum Counterparty	Amount \$'000	% of Portfolio
Commonwealth Bank	A1+	25%	8,040	18.69%
Bankwest	A1+	25%	1,000	2.32%
IMB Bank	A2-	10%	1,000	2.32%
National Bank	A1+	25%	9,500	22.07%
Suncorp Bank	A1	25%	7,900	18.36%
Members Equity Bank	A2	10%	1,900	4.41%
Newcastle Permanent Building Society	A2	10%	800	1.86%
AMP Bank	A2-	10%	3,500	8.13%
Bank of QLD	A2	10%	1,000	2.32%
Macquarie Bank	A1	25%	6,000	13.94%
ANZ Bank	A1+	25%	2,400	5.58%
TOTAL			43,040	100.00%

Table 3 Investment types, risk assessment, amount and percentage invested compared to the total

Investment Type	Risk Assessment		Amount	% of
	Capital	Interest	\$'000	Portfolio
Term Deposits	Low	Low	36,400	84.57%
Cash/At Call Deposits	Low	Low	5,840	13.57%
Variable Rate Notes	Low	Low	800	1.86%
Floating Rate Deposit	Low	Low	0	0.00%
TOTAL			43,040	100.00%

Table 4 Comparison of interest rates, earnings and balances this year to last year

Performance Measures	This Year	Last Year
Portfolio Average Interest Rate (year to date)	1.82%	2.56%
BBSW Average Interest Rate (year to date) *	0.94%	1.98%
Actual Investment Interest Earned February	\$48,269	\$74,315
Actual Investment Interest Earned (year to date)	\$480,999	\$683,163
Budget Investment Interest (year to date)	\$440,000	\$556,680
Original Budget Investment Interest (Annual)	\$860,000	\$825,000
Revised Budget Investment Interest (Annual)	\$660,000	\$835,000

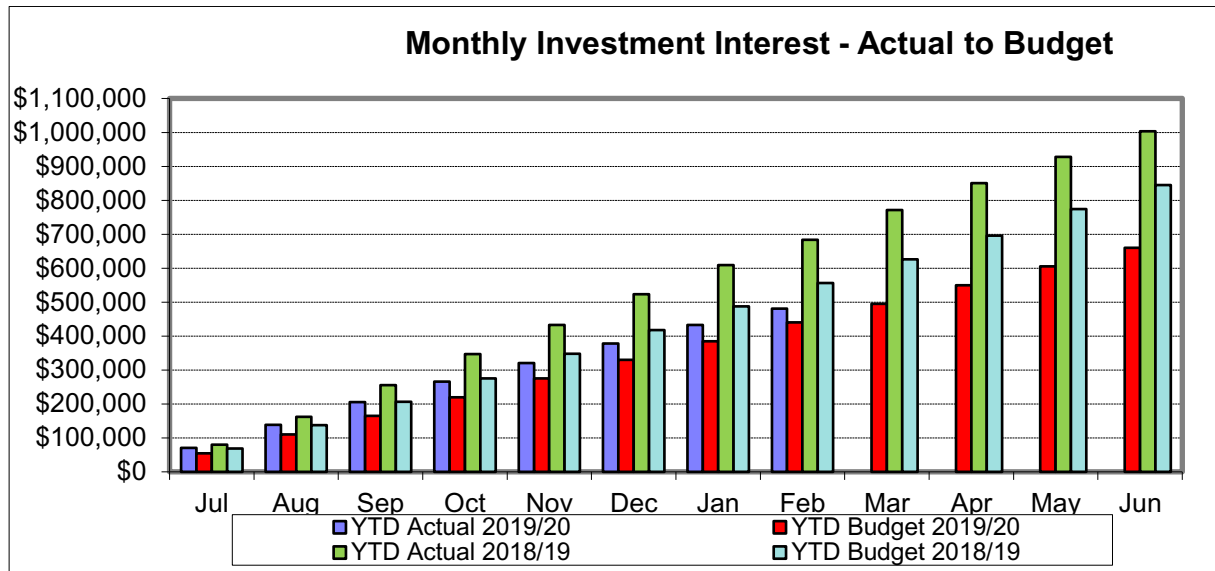
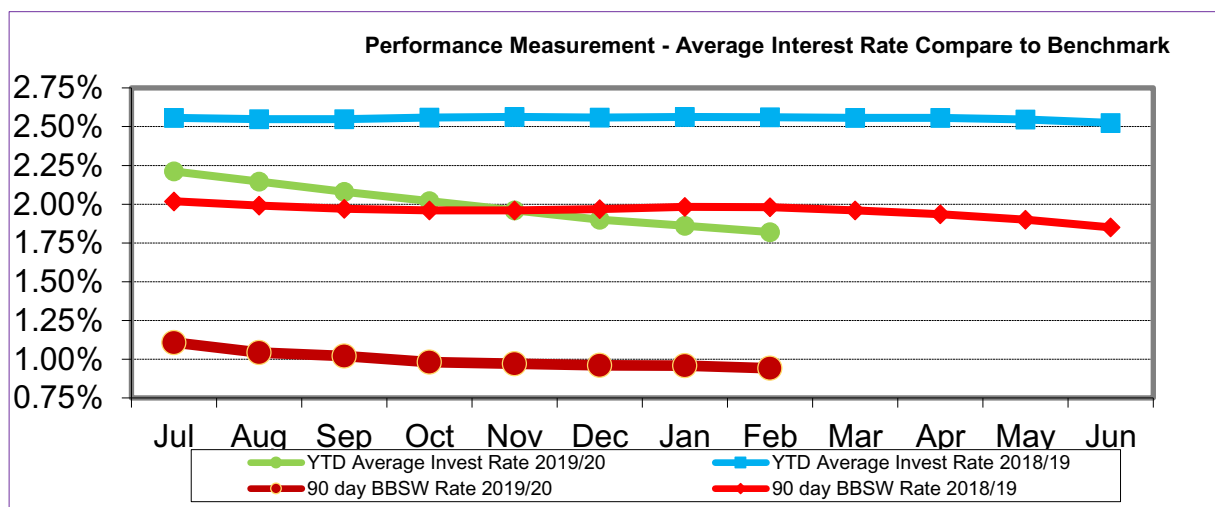
Investment Balances (Par Value)	This Year	Last Year
Opening Balance as at 1 July	\$39,874,176	\$38,760,390
Month End Current Balance	\$43,039,913	\$40,644,669

- BBSW 90 day Bank Bill Reference Rate (performance measure as per Council's Investment Policy)

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**Graph 1** Actual interest earned to budget for this year and last year**Graph 2** Current year portfolio performance to prior year performance**Table 5** Internal and external restrictions over cash and investments held

Month End Totals \$'000	Feb 2020	Jan 2020	Dec 2019	Nov 2019	Oct 2019	Sep 2019
Developer contributions *	14,302	14,157	13,677	13,423	13,361	12,831
RMS contributions	2,083	2,083	2,083	2,083	2,083	2,083
Specific purpose unexpended grants	1,843	1,860	871	773	902	928
Domestic waste management reserve	430	430	430	430	430	430
Stormwater management	62	75	75	55	87	112

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External Restrictions	18,720	18,605	17,136	16,764	16,863	16,384
Month End Totals \$'000	Feb 2020	Jan 2020	Dec 2019	Nov 2019	Oct 2019	Sep 2019
Plant and vehicle replacement	1,466	1,648	1,712	1,775	1,718	1,484
Employees leave entitlement	3,076	3,076	3,076	3,076	3,076	3,076
Carry over works	705	753	757	795	816	928
Bridge replacement	910	939	1,232	1,081	1,039	1,103
Lawn cemeteries	69	69	69	69	69	69
Computer services	366	366	366	453	485	485
Energy efficiency	101	101	101	38	38	38
Insurance provisions	1,420	1,420	1,420	1,349	1,349	1,308
Miscellaneous and property	1,642	1,668	1,647	1,141	1,141	1,299
Grant Fund Leverage	774	774	795	795	795	795
Operations and programs	604	604	604	604	612	612
Property investment fund	781	792	833	828	742	906
Rezoning fees	85	85	85	85	85	85
Civil Works	605	642	680	780	762	786
Waste depot and rehabilitation	3,998	3,998	3,998	3,998	3,998	3,998
Unexpended loan funds	143	143	143	131	147	185
Committed projects(SRV)	1,279	1,343	1,433	1,565	1,575	1,575
Internal Restrictions	18,024	18,421	18,951	18,563	18,447	18,732
Unrestricted - Balance of funds	6,296	2,677	4,447	6,510	2,746	6,154
Total Cash & Investments	43,040	39,703	40,534	41,837	38,056	41,270

* Developer Contributions - The revised 2019-20 Operational Plan includes a \$1.583m allocation of developer contributions to projects with commitments registered against the reserve.

The level of Unrestricted funds has increased from the January reported figure by \$3.61m (refer to table above). This variation primarily relates to rate payments received in the month of February.

The overall level of cash and investments remains relatively stable with increases during months when rate installments are due (August, November, February and May each year). There are usually moderate decreases for other months.

Other variations in income, which creates exceptions to this general trend, will occur when grant funding is received which is not directly related to expenditure incurred in that month for the grant purpose. The Financial Assistance Grant forms a large part of Council revenue and is received in equal instalments in August, November, February and May each year, with the exception of any early prepayment made which is received in June. This creates a mismatch due to associated expenditure occurring more evenly throughout the year.

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Monthly expenditure remains relatively static throughout the year, with the exception of months where major payments are made for such things as contracts, insurances or other significant payments.

OPTIONS

N/A

CONSULTATION

Director Corporate and Community Services
Management Accountant

STRATEGIC LINKS

a. Delivery Program

Investment returns are an integral part of funding sources for future services and community expectations within the Delivery Program and Operational Plan.

This report is a part of the organisation's governance framework – providing feedback on the progress against the investment policy and budget adopted by Council. This is in line with the community's desired outcome of: "*Civic Leadership and Effective Governance*" and more specifically links to strategic direction:

5.3.7: Continue to educate staff on statutory compliance obligations.

5.3.8: Carry out governance functions to comply with legislation and best practice.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Investments are held in accordance with Council's Investment Policy which accords with the Ministerial Investment Order.

b. Financial Implications

Investment returns are included in Council's Delivery Program and Operational Plan. Amendments are effected through the Quarterly Budget Review process. Investment portfolio performance is detailed within the report with comparisons to prior year and budget.

A portion of the portfolio and its associated investment income is restricted as it relates to funds held from Developer Contributions, Domestic Waste Management and Property Investment Reserve and is not available for operational projects.

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c. Legislative Implications

This report meets Council's statutory obligations under the *Local Government (General) Regulation 2005* and the *Local Government Act 1993*.

d. Risk Implications

Investment risks are detailed within this report.

e. Other Implications

There are no environmental, community, consultative or other implications to this report.

CONCLUSION

The report details investments held and meets statutory and policy reporting obligations.

ENCLOSURES

There are no enclosures for this report.

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Report No. CC24/2020

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SUBJECT: *RESOLUTIONS TRACKING REPORT*

RESPONSIBLE OFFICER: *Finance and Administration Manager - Andrew Glauser*

SUMMARY

The enclosure contains pending actions from previous meetings as well as completed actions for period 7 February 2020 to 11 March 2020.

RECOMMENDATION

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

ENCLOSURES

- [1](#) Outstanding Actions
- [2](#) Completed Actions

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN1/2020	Ordinary Council 5/02/2020	Benson, Nicole	Business With Notice	Millfield RFS Premises	17/04/2020	
1152 MOTION 1152 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dunn	Seconded:	Councillor Stapleford		
<p>That the General Manager bring back a report and recommendation to Council within three months outlining:</p> <p>a) Councils current position relating to the location of new premises for the Millfield RFS brigade;</p> <p>b) How Council intends to further progress our current position;</p> <p>c) The costs and funding sources, internal and external to deliver the required infrastructure, as appropriate, in conjunction with external bodies;</p> <p>d) A timeline for delivery that takes in to account all stakeholders.</p> <p>2 Mar 2020 - 11:50 AM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 4 Mar 2020 To: 17 Apr 2020 Reason: Report being drafted to meet 3 month timeframe.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN19/2019	Ordinary Council 21/08/2019	Alexander, Michael	Business With Notice	Bee Friendly Tree Giveaway	29/04/2020	
943 MOTION 943 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Fitzgibbon		
<p>That Council ask the General Manager to request a briefing with National Parks to discuss ways Council can improve the local ecology and biodiversity including threatened species such as Bees and Regent Honey Eaters.</p> <p>3 Sep 2019 - 12:20 PM - Michael Alexander Sustainability Officer to make contact with National Parks to determine availability or seek advice that provides response to the question/request 5 Sep 2019 - 9:47 AM - Michael Alexander Revised Target Date changed by: Alexander, Michael From: 18 Sep 2019 To: 31 Dec 2019 Reason: Request for response forwarded to National Parks - key personnel on extended leave and response not anticipated for approx. 2 months 6 Dec 2019 - 12:58 PM - Carly Thompson National Parks have been contacted a number of time and response is they can do nothing until the fire season is over 3 Mar 2020 - 2:13 PM - Debbie Kellehear Revised Target Date changed by: Kellehear, Debbie From: 18 Mar 2020 To: 29 Apr 2020 Reason: National Parks and Wildlife Services are still unavailable and will be available for comment after the fire season.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN2/2019	Ordinary Council 20/02/2019	Jeffery, Warren	Business With Notice	Bus Shelters	20/05/2020	
772 MOTION 772 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Burke		
<ol style="list-style-type: none"> That Council provides adequate footpaths in and around any newly installed bus shelters within the LGA to provide unhindered access to and from these shelters for all residents. That Council develops a suitable capital works program to retrospectively address similar concerns at existing bus shelter sites which are currently not fully accessible. That a report come back to Council regarding the impact of the resolution within the Capital Works Program. <p>17 Apr 2019 - 11:17 AM - Tracey Cocking Item 1 - Preparing program of footpaths to newly installed bus shelters. Item 2 - Preparing program of footpaths to existing bus shelters. Item 3 - Preparing Report to Council.</p> <p>6 May 2019 - 4:05 PM - Tracey Cocking Item 1 - Provided condition of consent relating to bus shelters to Development Services Unit and included in draft Engineering Guidelines for Design and Construction. Item 2 - Developing a Capital Works Program for Pathways to existing bus shelters. Item 3 - Preparing Report to Council due 2020.</p> <p>29 May 2019 - 2:26 PM - Tracey Cocking Item 3 - Preparing Report to Council due 2020.</p> <p>4 Jul 2019 - 2:07 PM - Rachael O'Hara Item 2 - Developed CPTIGs Grant application for bus shelters requiring new footpath access. Item 3 - Progressed Report to Council.</p> <p>9 Sep 2019 - 3:23 PM - Warren Jeffery Item 2 - Investigating LGA bus stop infrastructure in conjunction with the delivery of approved projects under the Country Passenger Transport Infrastructure Scheme (CPTIGS) and drafting grant funding applications for the current CPTIGS which closes on 30 September 2019. Item 3 - Listed matter for reporting to Council by June 2020.</p> <p>10 Oct 2019 - 10:44 AM - Tracey Cocking Item 1 - Pending Report to Council.</p> <p>4 Feb 2020 - 10:48 AM - Warren Jeffery Item 2 - Investigating LGA bus stop infrastructure to assist with the development of a suitable capital works program. Item 3 - Listed matter for reporting to Council by June 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN22/2019	Ordinary Council 21/08/2019	Goodbun, Nathan	Business With Notice	Multi-Level Parking Station Cessnock Central	15/04/2020	
946 MOTION 946 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
<p>1. Council recognises the importance of improving car parking in the Cessnock CBD as a high priority.</p> <p>2. Council promote the number of free and untimed council parking spaces available within the Cessnock CBD.</p> <p>3. Council in consultation with the Business chamber investigate signage publicising locations of car parks and the number of spaces within the Cessnock CBD.</p> <p>4. The General Manager undertake an audit of Cessnock CBD street parking to identify any possible multiple use of zones to increase the number of parking spaces available.</p> <p>5. That Council note the cost estimates for building a multi-level parking station outlined in the adopted 2017 Cessnock Precinct Public Domain Plan with the Keene Street carpark estimated at \$6.65 million and Charlton Street carpark estimated at \$16.56 million.</p> <p>9 Sep 2019 - 4:39 PM - Warren Jeffery Item 1 - Noted Item 2 - Developing promotional package for inclusion on CCC website and social media platform. Item 3 - Liaising with the Cessnock Chamber of Commerce regarding promotion of the abundant car parking spaces within the Cessnock CBD. Item 4 - Investigating the amenability and feasibility of introducing standards compliant multiple use CBD street parking spaces Item 5 - Noted 18 Sep 2019 - 9:18 AM - Tracey Cocking Item 3 - Arranging stakeholder meeting with Cessnock Chamber of Commerce regarding promotion of the abundant car parking spaces within the Cessnock CBD. 10 Oct 2019 - 11:24 AM - Santosh Deo Item 2 - Working with Media & Communication on developing promotional material for inclusion on CCC website and social media platform. Item 3 - Arranging stakeholder meeting with Cessnock Chamber of Commerce regarding promotion of the abundant car parking spaces within the Cessnock CBD. 15 Oct 2019 - 9:32 AM - Santosh Deo Item 3 - Arranged meeting with Business chamber to investigate signage publishing locations of car parks and the number of spaces within the Cessnock CBD. Item 4 - Investigating the amenability and feasibility of introducing standards compliant multiple use CBD street parking spaces. 8 Nov 2019 - 2:22 PM - Santosh Deo Item 2 - Submitted Communication Brief to CCC Media and Communication Unit to promote the number of free and un-timed Council parking spaces available within the Cessnock CBD. Item 3 - Liaised with the Cessnock Chamber of Commerce regarding promotion of the abundant car parking spaces within the Cessnock CBD. Item 4 - Created one additional car parking space on the eastern side of the southern end of the Vincent Street, opposite Rover Motors by reconfiguring regulatory parking arrangements. 27 Nov 2019 - 12:28 PM - Tracey Cocking Item 2 - Publication of Media release approved. Item 3 - Attended meeting with Business Chamber and follow-up communication sent. Item 4 - Progressed audit. 18 Feb 2020 - 4:23 PM - Tracey Cocking Item 2 - Published media release 2/12/2019. Item 3 - Consultation with Cessnock Chamber of Commerce complete and feedback received. Item 4 - Awaiting quotation. 4 Mar 2020 - 8:17 AM - Tracey Cocking Item 4 - Received quotation for audit of CBD street parking.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN25/2019	Ordinary Council 4/09/2019	Jeffery, Warren	Business With Notice	Timed Parking in Charlton Street Car Park	1/04/2020	
<p>PROCEDURAL MOTION</p> <p>Moved: Fitzpatrick-Barr, Justin</p> <p>Seconded: Councillor Suvaal</p> <p>978 Councillor Fagg</p> <p>RESOLVED that the Motion be deferred until after Council staff have returned the report in regard to BN22/2019 – Multi-Level Parking Station Cessnock Central which was dealt with at the Council meeting of 21 August 2019.</p> <p>5 Sep 2019 - 4:14 PM - Kelly Paterson</p> <p>RESOLVED that the Motion be deferred until after Council staff have returned the report in regard to BN22/2019 – Multi-Level Parking Station Cessnock Central which was dealt with at the Council meeting of 21 August 2019.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN28/2019	Ordinary Council 6/11/2019	Harris, Kate	Business With Notice	Fenced Off Leash Dog Area	30/06/2020	
<p>1056</p> <p>MOTION</p> <p>Moved: Fitzpatrick-Barr, Justin</p> <p>Seconded: Councillor Fitzgibbon</p> <p>1056 Councillor Dagg</p> <p>RESOLVED</p> <p>1. That Council wait for the delivery of the off leash dog exercise area strategy as identified in the 2019/20 Operational Plan.</p> <p>2. That the Carmichael Park Masterplan be considered in the Off Leash Dog Exercise Area Strategy.</p> <p>23 Jan 2020 - 3:22 PM - Nicole Benson</p> <p>Development of Off Leash Dog Exercise Strategy underway.</p> <p>Off Leash Dog Exercise area included in draft Carmichael Park Masterplan</p> <p>23 Jan 2020 - 3:25 PM - Nicole Benson</p> <p>Revised Target Date changed by: Benson, Nicole From: 4 Dec 2019 To: 30 Jun 2020</p> <p>Reason: To align with Operational Plan.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN30/2019	Ordinary Council 6/11/2019	Benson, Nicole	Business With Notice	Water Tank on Council Land - Wollombi	17/04/2020	
<p>1058</p> <p>MOTION</p> <p>Moved: Fitzpatrick-Barr, Justin</p> <p>Seconded: Councillor Stapleford</p> <p>1058 Councillor Lyons</p> <p>RESOLVED</p> <p>That the General Manager investigate the possibility of granting permission for the Wollombi Community to place a water tank on Cessnock City Council land (parcel number 24965) – title PT85Ec, 6 DP759103. The old Wollombi bushfire shed. The slimline tanks will be used as a water supply for fighting fires in the village.</p> <p>The community will fundraise and provide the money. However, will need plans and specifications because of tight fit and the heritage of the village.</p> <p>4 Dec 2019 - 7:24 AM - Nicole Benson</p> <p>Revised Target Date changed by: Benson, Nicole From: 4 Dec 2019 To: 31 Jan 2020</p> <p>Reason: Investigations underway</p> <p>23 Jan 2020 - 3:25 PM - Nicole Benson</p>						

Site meeting with stakeholders to occur in February 2020.
 23 Jan 2020 - 3:26 PM - Nicole Benson
 Revised Target Date changed by: Benson, Nicole From: 31 Jan 2020 To: 28 Feb 2020
 Reason: To enable site meeting and report preparation.
 5 Feb 2020 - 9:03 AM - Vickie Stovell
 Revised Target Date changed by: Stovell, Vickie From: 28 Feb 2020 To: 28 Feb 2020
 Reason: Officers have investigated the land zoning and permissible usage. Meeting with key stakeholders 5/2/2020.
 2 Mar 2020 - 11:48 AM - Nicole Benson
 Revised Target Date changed by: Benson, Nicole From: 28 Feb 2020 To: 17 Apr 2020
 Reason: Report with answers being drafted.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN32/2019	Ordinary Council 11/12/2019	Jeffery, Warren	Business With Notice	Nulkaba School Safety	3/06/2020	
1125 MOTION 1125 MOTION	Moved:	Fitzpatrick-Barr, Justin Councillor Olsen	Seconded:	Councillor Dunn		
<p>That the General Manager investigates the safety around the Nulkaba Public School at times of drop off and pick up of children and design a plan that can improve the safety for all students and pedestrians, and that the General Manager bring this back to Council within 6 months for ratification and finding funds to complete any improvements recommended.</p> <p>4 Feb 2020 - 12:15 PM - Warren Jeffery Item 1 - Completed investigation, commenced Report to Council.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN5/2020	Ordinary Council 19/02/2020	Fitzpatrick-Barr, Justin	Business With Notice	Establishing a Rural Fire Station in the Community of Weston	15/04/2020	
1182 MOTION 1182 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Burke		
<p>That the General Manager bring back a report and recommendations to Council as soon as possible outlining :</p> <p>A) Council investigate whether the property at Swanson Street is suitable to the Rural Fire Service.</p> <p>B) Council investigate the acquisition of property from Property NSW located on Swanson Street Weston that is due to be vacated by NSW Fire and Rescue for the purpose of establishing a NSW Rural Fire Station at this current site.</p> <p>C) The costs and funding sources internal and external to establish a Rural Fire Station in Weston on the current site.</p> <p>6 Mar 2020 - 8:30 AM - Kelly Paterson Report currently being drafted</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN6/2020	Ordinary Council 4/03/2020	Benson, Nicole	Business With Notice	Community Resilience Funding Laguna and Wollombi Village	1/04/2020	
1197 MOTION 1197 MOTION	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Suvaal		
That the General Manager bring back a report on the possible placement of two large water tanks for protection of the Wollombi Village and one large tank at Laguna.						
9 Mar 2020 - 11:19 AM - Kelly Paterson 1. Report being drafted						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC30/2019	Ordinary Council 1/05/2019	Rathborne, Michael	Corporate and Community	Acquisition of land for road widening - Sandy Creek Road, Mt Vincent	31/03/2020	
893 MOTION 893 RESOLVED	Moved:	Maginnity, Robert Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
<ol style="list-style-type: none"> That Council acquire the land part Lot 120 and part Lot 122 of DP 755244 being land currently comprised in Conveyance Book 3144 No 987 and Conveyance Book 3333 No 5 for road purposes and dedicate the land to the public as public road; That Council authorise the General Manager to negotiate compensation with the property owners by private agreement for acquisition of the Land subject to an independent valuation report and in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>; That in the event that negotiations with the property owners cannot be satisfactorily finalised, that Council make application to the Office of Local Government for approval of the Minister and the Governor to proceed with compulsory acquisition of the Land being part Lot 120 and Part Lot 122 DP 755244; That Council authorise the Common Seal of Cessnock City Council to be affixed to the plan of subdivision dedicating the land to be acquired as public road and Deed of Agreement for the acquisition of the Land between Cessnock City Council and the Estate of Amy Augusta Lewis and Thomas William Lewis and if necessary to the application to the Minister and the Governor for the compulsory acquisition of the Land part Lot 120 and part Lot 122 DP 755244; That Council authorise the General Manager and Mayor/Councillor to execute the Plan of subdivision dedicating the land to be acquired as public road and Deed of Agreement for the acquisition of the Land between Cessnock City Council and the Estate of Amy Augusta Lewis and Thomas William Lewis and if necessary to the application to the Minister and the Governor for the compulsory acquisition of the Land part Lot 120 and part Lot 122 DP 755244. 						
4 Jun 2019 - 11:44 AM - Susanne Brinkworth Revised Target Date changed by: Brinkworth, Susanne From: 29 May 2019 To: 28 Jun 2019 Reason: Awaiting advice from landowner 9 Aug 2019 - 9:04 AM - Susanne Brinkworth Revised Target Date changed by: Brinkworth, Susanne From: 31 Jul 2019 To: 30 Aug 2019 Reason: Owner has agreed to compensation. Deed of agreement prepared and surveyor engaged to prepare plan of subdivision 3 Sep 2019 - 9:23 AM - Susanne Brinkworth Revised Target Date changed by: Brinkworth, Susanne From: 30 Aug 2019 To: 21 Sep 2019 Reason: Awaiting owner to execute agreement to lodge plan of subdivision 9 Mar 2020 - 3:41 PM - Michael Rathborne Revised Target Date changed by: Rathborne, Michael From: 31 Oct 2019 To: 31 Mar 2020 Reason: waiting on amendments to plans						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC4/2020	Ordinary Council 5/02/2020	Rathborne, Michael	Corporate and Community	Acquisition of land by boundary adjustment to add to Turner Park and granting an easement for stormwater within Turner Park Lot 501 DP 1108309	31/03/2020	
1139 MOTION 1139 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council consents to the boundary adjustment and gaining that additional land marked on the attached plans:</p> <p>a) That Council authorises the General Manager to negotiate the agreement between the adjoining owners on Aberdare Road, Cessnock;</p> <p>b) That Council authorises for the Common Seal of Cessnock City Council to be affixed to the related documents between Cessnock City Council and the owner of Lot 3 Section 50 DP 758002, Aberdare Road, Cessnock</p> <p>c) That Council authorises the Mayor and the General Manager to execute all documents relating to the land transfer.</p> <p>2. That Council consents to the granting of an easement benefiting Lot 3 Section 50 DP 758002 burdening Council land being Lot 501 DP 1108309 for stormwater purposes subject to the following:</p> <p>a) The easement, of no greater than 1.5m wide to be located on the eastern boundary of Cessnock Tennis Courts Lot 501 DP 1108309 and in accordance with approved plans;</p> <p>b) That the stormwater drainage infrastructure be constructed underground within the easement;</p> <p>c) That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement;</p> <p>d) That Council advises the applicant that all costs associated with the granting of the easement including survey, registration costs, Council's reasonable legal and valuation costs be borne by the benefiting property owner;</p> <p>e) That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and</p> <p>f) That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.</p> <p>9 Mar 2020 - 3:43 PM - Michael Rathborne Revised Target Date changed by: Rathborne, Michael From: 4 Mar 2020 To: 31 Mar 2020 Reason: Almost completed.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC6/2018	Ordinary Council 7/03/2018	Drage, Natalie	Deferred Business	Richmond Main Colliery - Remediation Plan	29/05/2020	
433 MOTION 433 RESOLVED	Moved:	Maginnity, Robert Councillor Fitzgibbon	Seconded:	Councillor Gray		
<p>1. That Council allocate funding of \$50,500 from the Miscellaneous and Property Reserve, for the preparation of a Remediation Action Plan, development application and continuation of temporary fencing at Richmond Main Colliery.</p> <p>2. That a further report be prepared for Council detailing the estimated costs of implementing the Remediation Action Plan once they are known.</p> <p>3. That any future Richmond Main Colliery reports include the cumulative total of expenditure since the September 2017 fire.</p> <p>4. That the General Manager prepare a report in consultation with the site users, including an inventory of equipment, and removal of non essential items from the historic site, with the view to improving visual site amenity, safety and security.</p> <p>13 Mar 2018 - 10:40 AM - Katrina Patch Request for Quote Documentation being prepared in order to engage consultancy to prepare the RAP. 13 Mar 2018 - 10:43 AM - Katrina Patch Revised Target Date changed by: Patch, Katrina From: 4 Apr 2018 To: 04 Aug 2018 Reason: Engagement of vendor and preparation of RAP estimated to take 5 months. 4 Apr 2018 - 12:09 PM - Katrina Patch</p>						

The Request For Quote for the preparation of the Remediation Action Plan closes on Tuesday 10 April.

7 May 2018 - 2:48 PM - Robyn Keegan

GHD was the successful quote and has been engaged. Inception meeting occurred 2 May 2018, and the project has commenced.

23 May 2018 - 5:25 PM - Natalie Drage

A request for quote has been distributed for the appointment of an external site auditor and is a requirement in accordance with the Contaminated Land Management Guidelines (NSW EPA) and closes 28 May 2018.

5 Jul 2018 - 12:17 PM - Robyn Keegan

Revised Target Date changed by: Keegan, Robyn From: 4 Aug 2018 To: 31 Oct 2018

Reason: Engagement of vendor and preparation of RAP estimated to take 5 months.

5 Jul 2018 - 12:17 PM - Robyn Keegan

External site Auditor has been appointed with a site visit to occur with the Auditor during mid July.

24 Jul 2018 - 3:10 PM - Natalie Drage

The report to Council tabled 4 July 2018, included the cumulative total of expenditure since the September 2017 fire.

Resolution 4 - the report to Council on the 4 July 2018 provided an update on the outcome of discussions to date with the Society regarding preparation of an inventory. The Society have been encouraged to commence the removal of non-museum items from the second floor of the museum building. This item will be incorporated into the Site Management Action Plan.

6 Aug 2018 - 9:38 AM - Natalie Drage

Site visit to Richmond Main occurred with the external auditor and consultant preparing the RAP on 1 August 2018. Consultation to occur with the Preservation Society to assist with understanding current and potential future land uses within Precinct C. This consultation process will be an agenda item for the next meeting with Council staff and the Society Board.

29 Aug 2018 - 2:43 PM - Natalie Drage

Consultant preparing the Remediation Action Plan met with Council staff and the Board of the Richmond Main Preservation Society on 22 August 2018. The consultation session considered Precinct C, its future uses and identification of priority locations.

5 Oct 2018 - 12:50 PM - Natalie Drage

Meeting held with GHD and Council staff to discuss the Remediation Action Plan and confirming the high priority areas at the site.

26 Oct 2018 - 11:44 AM - Natalie Drage

The Richmond Main Preservation Society at the meeting held with Council officers on 23 October 2018 tabled a report advising of site clean up activities undertaken to date within Precinct B.

21 Jan 2019 - 12:28 PM - Natalie Drage

The report to Council on 21 November 2018 included an update for clean up activities undertaken by the Richmond Main Preservation Society in improving the visual amenity of the site.

7 Feb 2019 - 3:59 PM - Natalie Drage

Costing options for soil sampling has occurred to inform the development of the Remediation Action Plan in consultation with GHD (consultant).

4 Mar 2019 - 10:52 AM - Natalie Drage

Soil sampling for Precinct C (Stage 1) to occur and will inform the actions of the RAP.

3 Apr 2019 - 11:48 AM - Natalie Drage

Awaiting outcome of soil sampling from consultant preparing the RAP.

2 May 2019 - 12:10 PM - Natalie Drage

Meeting held at Richmond Main Colliery with consultant preparing the RAP to confirm locations for soil sampling. Stage 1 Area Assessment Sampling, Analysis and Quality Plan (developed by Consultant) provided to external auditor for review and upon the completion of the review soil sampling will commence.

1 Jul 2019 - 4:08 PM - Natalie Drage

External auditor has reviewed and provided comments for Stage 1 Area Assessment Sampling, Analysis and Quality Plan. Consultant to commence soil sampling July 2019.

7 Aug 2019 - 2:46 PM - Natalie Drage

Soil sampling process commenced.

3 Sep 2019 - 2:30 PM - Natalie Drage

Soil sampling process completed.

2 Oct 2019 - 2:39 PM - Natalie Drage

With the soil sampling analysis now complete, the consultant is finalising the Remediation Action Plan.

23 Oct 2019 - 2:51 PM - Natalie Drage

Meeting held on 21 October 2019 with consultant preparing the Remediation Action Plan for overview of soil sampling findings.

23 Oct 2019 - 2:55 PM - Natalie Drage

Revised Target Date changed by: Drage, Natalie From: 31 Oct 2019 To: 20 Dec 2019

Reason: Soil sampling findings will inform the Remediation Action Plan.

3 Dec 2019 - 9:17 AM - Natalie Drage

Draft Preliminary Contamination Assessment of Stage 1 Area received by Consultant and forwarded to external site auditor for review.

4 Feb 2020 - 10:34 AM - Natalie Drage

External Auditor has reviewed the Draft Preliminary Contamination Assessment of Stage 1 Area and feedback is being incorporated into the document by the Consultant.

6 Mar 2020 - 11:14 AM - Natalie Drage

Amended Contamination Assessment of Stage 1 Area Report received and will be forwarded to External Auditor upon completion of staff review.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC63/2019	Ordinary Council 7/08/2019	Holliday, Jennifer	Corporate and Community	Tender Evaluation Report for T1819-16 - Website Development and Implementation	3/07/2020	
939 MOTION 939 RESOLVED	Moved:	Maginnity, Robert Councillor Dagg	Seconded:	Councillor Gray		
<p>1. That Council accept the tender from OpenCities Pty Ltd for a lump sum of \$308,000 (including GST) for a period of up to five years, to develop, implement and provide ongoing maintenance for the following Council websites:</p> <ul style="list-style-type: none"> * Cessnock City Council corporate website; and * Three smaller satellite websites: <ul style="list-style-type: none"> <input type="checkbox"/> Building Certifiers <input type="checkbox"/> Cessnock Performing Arts Centre <input type="checkbox"/> Cessnock City Council Libraries <p>2. That the General Manager investigate the development and cost of a mobile device app to integrate into the updated Council website.</p> <p>14 Aug 2019 - 2:44 PM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 7 Aug 2019 To: 03 Jul 2020 Reason: 1. Tender advice sent; Vendor Panel Registration completed; Engagement of Contractor starting end August 2019.</p> <p>14 Aug 2019 - 2:45 PM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 3 Jul 2020 To: 03 Jul 2020 Reason: 1. Tender advice sent; Vendor Panel Registration completed; Engagement of Contractor starting end August 2019. 2. Request for Quotations to be address for mobile device app.</p> <p>7 Nov 2019 - 3:14 PM - Robyn Keegan OpenCities are developing the new Website. Quotations are being researched.</p> <p>6 Feb 2020 - 2:09 PM - Robyn Keegan Website being developed.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC69/2017	Ordinary Council 4/10/2017	Conner, Martin	Corporate and Community	Easement for Drainage of Water within 10 and 12 Cooper Street, Heddon Greta	17/06/2020	
277 MOTION 277 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dagg	Seconded:	Councillor Stapleford		
<p>1. That Council acquires an easement for the drainage of water being 7m wide and variable on the south eastern boundary of Lot 15 Section 20 DP 3816 and the northern boundary of Lot 16 Section 20 DP 3816 being 10 and 12 Cooper Street, Heddon Greta.</p> <p>2. That Council authorise the General Manager to negotiate the terms of the easement and prepare the necessary documents for registration at Land and Property Information (LPI) NSW.</p> <p>3. That Council authorise the Common Seal of Cessnock City Council to be affixed to the documents relating to the granting of the easement over Lots 15 and 16 Section 20 DP 3816.</p> <p>4. That Council authorise the Mayor and/or General Manager to execute the documents relating to the granting of the easement over Lots 15 and 16 Section 20 DP 3816.</p>						

4 Nov 2017 - 11:32 AM - Robyn Keegan

Updated by Sue Brinkworth - Surveyor engaged to prepare plan of easement.

5 Sep 2018 - 11:55 AM - Joanne Walpole

Action reassigned to Kerr, Katrina by: Walpole, Joanne for the reason: Easement for Cooper Street within Master's property. Matter referred back to Infrastructure Manager for review.

13 Sep 2018 - 10:47 AM - Katrina Kerr

Reviewing scale of easement due to outcome of negotiation re value with owner.

7 Nov 2018 - 11:36 AM - Rachael O'Hara

Item 1 - Reviewing scale of easement to reduce cost to Council due to the position of negotiations with owner.

13 Feb 2019 - 8:55 AM - Rachael O'Hara

Item 2 - Noted.

Item 3 - Awaiting finalisation of negotiations.

Item 4 - Noted.

7 May 2019 - 9:44 AM - Rachael O'Hara

Item 1 - Undertaking upstream catchment analysis and drainage review.

Item 3 - Awaiting finalisation of design.

4 Jul 2019 - 1:22 PM - Rachael O'Hara

Item 1 - Easement has been acquired for 12 Cooper Street. Negotiations have stalled for creation of easement at 10 Cooper Street due to acquisition price and Council is currently undertaking a drainage investigation, expected to be completed by end December 2019 that may lead to a change in strategy.

Item 3 - Easement has been granted for 12 Cooper Street. Awaiting outcome of drainage investigation for 10 Cooper Street.

Item 4 - Complete for 12 Cooper Street. Awaiting outcome of drainage investigation for 10 Cooper Street.

11 Sep 2019 - 3:42 PM - Kelly Bates

Item 1 - Easement has been acquired for 12 Cooper Street. Negotiations have stalled for creation of easement at 10 Cooper Street due to acquisition price and Council is currently undertaking a drainage investigation, expected to be completed by end December 2019 that may lead to a change in strategy.

Item 4 - Complete for 12 Cooper Street. Awaiting outcome of drainage investigation for 10 Cooper Street, expected to be completed by end December 2019

11 Nov 2019 - 8:29 AM - Vivian Waugh

Item 1 - Acquired easement over 12, corresponded with 10 Cooper Street.

Item 3 - Completed for 12, on hold for 10 Cooper Street.

Item 4 - Completed 12, on hold for 10 Cooper Street.

3 Feb 2020 - 2:13 PM - Rachael O'Hara

Item 1 - Acquired easement over 12 and progressed flood study to determine full effect on number 10.

Item 3 - Acquired easement over 12 and progressed flood study to determine full effect on number 10.

Item 4 - Acquired easement over 12 and progressed flood study to determine full effect on number 10.

9 Mar 2020 - 11:23 AM - Katrina Kerr

Item 1 - Completed Minor Heddon Greta Flood Study and Concept Design, 2019, deferred works as per WI21/2020.

Item 3 - Completed Minor Heddon Greta Flood Study and Concept Design, 2019, differed works as per WI21/2020.

Item 4 - Completed Minor Heddon Greta Flood Study and Concept Design, 2019, deferred works as per WI21/2020.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC88/2019	Ordinary Council 23/10/2019	Rathborne, Michael	Corporate and Community	Request for Easement over Council land Jeffery Park, 24 Congewai Street Kearsley Lot 2882 DP 1158212	31/03/2020	
1028 MOTION 1028 RESOLVED	Moved:	Maginnity, Robert Councillor Suvaal	Seconded:	Councillor Stapleford		
<p>That Council consents to the granting of an easement benefiting Lot 156 DP 755215 burdening Council land being Lot 2882 DP 1158212 for connection to Hunter Water sewer infrastructure subject to the following:</p> <p>a) That Council gives landowners consent for the lodgement of a development application that includes a proposed easement for sewer main over the Council land;</p> <p>b) The easement to be located generally on the western boundary of Lot 2882 DP 1158212 and in accordance with the proposed sewer easement plan;</p>						

- c) That the sewer main infrastructure be constructed underground within the easement that also benefits Cessnock City Council;
- d) That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement including the location and compensation that is subject to an independent valuation;
- e) That Council advises the Applicant that all costs associated with the granting of the easement including survey, registration costs, Council's reasonable legal and valuation costs be borne by the benefiting property owner;
- f) That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and
- g) That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.

9 Mar 2020 - 3:42 PM - Michael Rathborne

Revised Target Date changed by: Rathborne, Michael From: 23 Oct 2019 To: 31 Mar 2020

Reason: meeting with owner 12.3.2020 to appoint valuer

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC89/2019	Ordinary Council 23/10/2019	Rathborne, Michael	Corporate and Community	Request for Easement for stormwater over Council land part of Branxton Park 4 John Rose Avenue, Branxton Lot 2 DP 1049557	31/03/2020	
1029 MOTION 1029 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Suvaal		
That Council consents to the granting of an easement benefiting the Owner's Land (Folio identifiers 672/1003593, 1/1094098, 2/1094098, 3/1094098 and 34/70289 burdening Council land being Lot 2 DP 1049557 for storm water purposes subject to the following:						
a)	That Council provides landowners consent for the lodgment of a s4.55 application to amend an existing development approval for DA8/2011/400/2 regarding the proposed easement for storm water.					
b)	The easement to be 4m wide, located on the northern boundary of Lot 2 DP 1049557 in accordance with plan of proposed easement and the storm water drainage infrastructure be constructed underground within the easement connecting to the existing waterway in accordance with the development consent ;					
c)	That Council delegates to the General Manager the power to negotiate the terms for the granting of an easement including compensation that is subject to an independent valuation;					
d)	That Council advises the Owners that all costs associated with the granting of the easement including survey, registration costs, Council's reasonable legal and valuation costs be borne by the benefiting property owner;					
e)	That Council authorises the Common Seal of Cessnock City Council to be affixed to documents relating to the granting of the easement, and					
f)	That Council authorises the Mayor and General Manager to execute the documents relating to the granting of the easement.					
6 Nov 2019 - 4:55 PM - Robyn Keegan Revised Target Date changed by: Keegan, Robyn From: 20 Nov 2019 To: 28 Nov 2019 Reason: Awaiting for applicant to forward the application for S4.55 to Council for execution. 9 Mar 2020 - 3:43 PM - Michael Rathborne Revised Target Date changed by: Rathborne, Michael From: 28 Nov 2019 To: 31 Mar 2020 Reason: easement documentation supplied by developer is not correct						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC9/2020	Ordinary Council 19/02/2020	Rathborne, Michael	Corporate and Community	Transfer of Land and Dedication as Public Road - Heaton Road, Quorrobolong	17/04/2020	
1167 MOTION 1167 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Fitzgibbon		
<p>1. That Council agrees to the transfer of the land being Lot 1 DP 844195 and dedicate the land as public road;</p> <p>2. That Council authorises the Common Seal of Cessnock City Council to be affixed to the transfer deed;</p> <p>3. That Council authorises the General Manager and Mayor to execute the transfer deed.</p> <p>9 Mar 2020 - 3:44 PM - Michael Rathborne Revised Target Date changed by: Rathborne, Michael From: 18 Mar 2020 To: 17 Apr 2020 Reason: Resolved by council to acquire and legal have documentation underway</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CO23/2019	Ordinary Council 2/10/2019	Jeffery, Warren	Correspondence	Wine Country Drive - Traffic and Safety	3/06/2020	
1013 MOTION 1013 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Fitzgibbon	Seconded:	Councillor Sander		
<p>1. That Council note the correspondence received.</p> <p>2. That Council be briefed on the corridor plan.</p> <p>3. That Council obtain feedback from the police regarding targeted enforcement at the school drop and pick up times.</p> <p>9 Oct 2019 - 4:09 PM - Tracey Cocking Item 1 - Noted Item 2 - Sourcing Transport for NSW Draft Wine Country Drive Corridor Plan. Item 3 - Conversation between Council Officers and Highway Patrol Cluster Supervisor, no infringement data is available, Police intend to liaise directly with School to provide information for school community alerting them to upcoming targeted enforcement. 27 Nov 2019 - 4:22 PM - Tracey Cocking Item 2 - Discussed availability of MR220 Corridor Plan with RMS Project Manager on 5 November 2019 - Plan is in draft form only and is not yet released to external parties. 4 Feb 2020 - 11:16 AM - Warren Jeffery Item 2 - Confirmed that draft Transport for NSW MR220 Corridor Plan has not yet been released to external parties. 9 Mar 2020 - 10:46 AM - Katrina Kerr Item 2 - Sent request for briefing to Transport for New South Wales DOC2020/034554.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM1/2020	Ordinary Council 19/02/2020	Allan, Darrylen	Mayoral Minutes	General Managers Performance Agreement	18/03/2020	
1160 MOTION 1160 RESOLVED	Moved:	Jackson, Lotta Councillor Doherty	Seconded:	Councillor Fitzgibbon		
That Council note the amendments to the General Managers Performance Agreement for the period of November 2019 - November 2020.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM2/2020	Ordinary Council 4/03/2020	Jackson, Lotta	Mayoral Minutes	Volunteer Firefighters Thank You Event	1/04/2020	
1187 MOTION 1187 RESOLVED	Moved:	Jackson, Lotta Councillor Pynsent				
<ol style="list-style-type: none"> That the General Manager organise an event to thank the Rural Fire Fighter Brigades in the Cessnock LGA and all agencies within the Incident Management Team for their outstanding work in the 2019/2020 fire season. That the event be held before 30 June, 2020 That the event be funded under the joint NSW and Commonwealth Government Funded Bushfire Community Resilience and Economic Recovery Funds: Phase 1. 						
6 Mar 2020 - 12:26 PM - Linda Lewis The CPAC will be hosting this event. Date and time of event yet to be determined.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE1/2020	Ordinary Council 5/02/2020	Petersen, Leanne	Planning and Environment	Draft Cessnock City Wide Local Infrastructure Contributions Plan	30/04/2020	
1132 MOTION 1132 RESOLVED	Moved:	Curtis, Gareth Councillor Suvaal	Seconded:	Councillor Burke		
<ol style="list-style-type: none"> That Council place the draft Cessnock City Wide Local Infrastructure Contribution Plan on public exhibition for a minimum period of 28 days. That in accordance with Clause 32 of the <i>Environmental Planning and Assessment Regulations 2000</i>, Council publish a notice of intent to repeal the following Plans: <ul style="list-style-type: none"> <input type="checkbox"/> Residential Section 94 Contributions Plan <input type="checkbox"/> Bellbird North Section 94 Contribution Plan 2010 <input type="checkbox"/> Mount View Road, Millfield Precinct Section 94 Contribution Plan 2011 <input type="checkbox"/> Government Road Precinct, Cessnock Section 94 Contribution Plan 2010 <input type="checkbox"/> Averys Village, Heddon Greta Section 94 Contribution Plan 2013 <input type="checkbox"/> Section 94 Contributions Plan Extension of Operations at Black Hill Quarry, Parish of Stockrington 1995 						

☐ Nulkaba Section 94 Contributions Plan.

3. That following public exhibition, Council receive a further report on the outcomes of the public exhibition of the Draft Cessnock City Wide Local Infrastructure Plan, including details on the allocation of the repealed funds collected under those Plans proposed to be repealed.
4. That a further review of the Works Schedule and cost estimates contained within the Draft Cessnock City Wide Contribution Plan be undertaken within a period of 12 months from the date of adoption of the draft Plan.
5. That a second briefing to Councillors be scheduled at the conclusion of the exhibition period and include a comparison table of contributions covered in this plan by neighbouring Councils.

9 Mar 2020 - 4:23 PM - Martin Johnson

On public exhibition until 19 March

10 Mar 2020 - 2:09 PM - Yvonne Blake

Revised Target Date changed by: Blake, Yvonne From: 4 Mar 2020 To: 30 Apr 2020

Reason: Briefing to be conducted in March, with report to go to Council in April 2020

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE10/2020	Ordinary Council 4/03/2020	Forbes, Richard	Planning and Environment	Development Application 8/2019/235/1 - Fourteen (14) lot residential subdivision to occur in two (2) phases 21 Main Road, Cliftleigh	1/04/2020	
1189 MOTION 1189 RESOLVED	Moved:	Curtis, Gareth Councillor Doherty	Seconded:	Councillor Suvaal		
1. That:						
(i)	Development Application No. 8/2019/235/1 proposing a fourteen (14) lot residential subdivision to occur in two (2) phases at 21 Main Road, Cliftleigh (Lot 104 DP 1254893 in a subdivision of Lot 1200 DP 1250232), be approved pursuant to Sections 4.16 and 4.17 of the <i>Environmental Planning and Assessment Act 1979</i> , subject to the conditions contained in this report.					
(ii)	The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:					
	<input type="checkbox"/> The proposed subdivision is consistent with the Planning Proposal (Reference No. 18/2016/1) considered/endorsed by Council at its meeting of 19 April 2017 and Planning Gateway Determination (Reference No. 17/06073), to rezone the subject land from zone RE1 – Public Recreation to zone R2 – Low Density Residential, under the provisions of the Cessnock Local Environmental Plan 2011.					
	<input type="checkbox"/> The proposal is a permitted land use in zone R2 under the Cessnock Local Environmental Plan 2011.					
	<input type="checkbox"/> The proposal is consistent with the provisions of the Cessnock Development Control Plan, Part D Chapter 1 – Subdivision Guidelines.					
	<input type="checkbox"/> The proposal incorporates measures to ensure that the development does not result in any adverse impacts on the natural and built environments.					
	<input type="checkbox"/> The subject land is considered suitable for the proposed development as it is located within an established Urban Release Area (URA), and is subject to site specific planning controls with which it complies.					
	<input type="checkbox"/> The proposal is considered to maintain the public interest.					
(iii)	In considering community views, the following is relevant:					

<input type="checkbox"/> The development has been assessed as satisfactory with respect to likely impacts on local amenity and streetscape. <input type="checkbox"/> The development will not have an adverse impact upon the availability of public open space within the Cliftleigh Precinct. <input type="checkbox"/> Due consideration has been given to the impact of the development on the local traffic network and connections to Main Road 195, Cliftleigh, and it is considered that the proposed development will not result in adverse traffic impacts. <input type="checkbox"/> Biodiversity impacts of the proposal have been assessed and satisfactory measures established to offset any likely impact.	
(iv)	The details contained above be publicly notified pursuant to Section 2.22 and Clause 20(2) of Schedule 1 of the <i>Environmental Planning and Assessment Act 1979</i> .
2.	That Council notify in writing the persons who made a submission with regard to the proposed development, of Council's decision.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE29/2018	Ordinary Council 16/05/2018	Fitzpatrick-Barr, Justin	Planning and Environment	Development Application No. 8/2017/282/1 proposing construction of a roundabout to facilitate access to St Philip's Christian College Wine Country Drive, Nulkaba	15/04/2020	
MOTION 475 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Burke		
1.	That Council determine Development Application No. 8/2017/282/1 proposing the construction of a roundabout to facilitate access to St Philip's Christian College at Wine Country Drive (Lot 1 DP 744377) Nulkaba, pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, by refusing to grant consent for the reasons detailed in this report.					
2.	That Council supports the concept of a roundabout entrance to St Philips Christian College off Wine Country Drive, Nulkaba for school and community access to the site, subject to an approved design by, and satisfactory arrangements with, the Roads and Maritime Services.					
3.	That the General Manager request the Parliamentary Secretary for the Hunter and Central Coast to coordinate an urgent meeting between Cessnock City Council, the Roads and Maritime Services, State Member for Cessnock and St Philips Christian College to address the traffic and safety concerns at Wine Country Drive and Lomas Lane, Nulkaba.					
4.	That the General Manager continue to work with the Roads and Maritime Services and St Philips Christian College with a view to encourage the submission of a Development Application, as a matter of urgency, by St Philips Christian College, to ensure the necessary upgrade works can be carried out to address serious traffic and safety concerns at Wine Country Drive and Lomas Lane, Nulkaba. The development application must be supported by the necessary documentation and arrangements with the Roads and Maritime Services and be designed in accordance with the requirements of Cessnock City Council and the Roads and Maritime Services.					
5.	That the General Manager investigate any immediate measures that could improve pedestrian and vehicular safety adjacent to the College in Wine Country Drive and Lomas Lane, Nulkaba.					
5 Jun 2018 - 3:45 PM - Robyn Larsen Item 1 - Determination Issued Item 2 - Noted 6 Jul 2018 - 11:13 AM - Robyn Larsen Item 3 - Acting General Manager spoken to Mr Stephen Wills at the Department of Premier and Cabinet who advised that he would liaise with St Philips and the RMS to seek a meeting to try and resolve the matter. 6 Jul 2018 - 11:53 AM - Joanne Walpole Item 4 - This issue is being dealt with. The Department of Premier and Cabinet are attempting to bring all parties together. Item 5 - Prepared Concept Option for signalised roundabout. Prepared Concept Option for use of internal road network. Attended meeting between RMS and CCC 23/05/18. Arranged drone to film intersection performance 03/08/18. 7 Sep 2018 - 4:03 PM - Kristy Meyers Item 3 - Mr Stephen Wills chaired a meeting on 6 August 2018. Attendees included GM, DW&I, Infrastructure Manager, Development Services Manager and RMS. A teleconference was held with RMS and St Philips School on 4 September 2018.						

8 Feb 2019 - 11:44 AM - Kristy Meyers

Item 3 - Mr Stephen Wills chaired a meeting on 11 January 2019.

8 Mar 2019 - 10:26 AM - Tracey Cocking

Item 5 - Design complete see document DOC2019/022793.

10 Jul 2019 - 5:07 PM - Tracey Cocking

Item 1 - Complete

Item 2 - Complete

Item 3 - Meeting held 11 January 2019, chaired by Stephen Wills

Item 4 - A number of meetings have been held since May 2018. Most recently, a meeting was held at Council with the applicant and representatives of the school on 24 June 2019 in attendance Development Services Manager & Infrastructure Manager. At that meeting, the applicant provided an overview of the current status of the matter and advised that they were meeting with the RMS the following day (25 June 2019). Exact timing for submission of a development application is unknown at this stage.

Item 5 - Provided outcome of investigation to St Phillips and RMS, received updated plan from St Phillips encompassing advice.

9 Sep 2019 - 11:09 AM - Kristy Meyers

The matter will be resolved once St Phillips lodges its revised development application, which will provide RMS with an opportunity to comment on the proposal and potential road upgrades on Wine Country Drive.

5 Feb 2020 - 10:39 AM - Kelly Paterson

Ongoing discussions with RMS, no DA has been lodged to date

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE4/2020	Ordinary Council 5/02/2020	Waghorn, Peter	Planning and Environment	Vineyard Grove Development - Stage 8 Update	1/04/2020	
1135 MOTION 1135 RESOLVED	Moved:	Maginnity, Robert Councillor Suvaal	Seconded:	Councillor Burke		
<p>1. That Council notes that the Residential Development (Vineyard Grove Stage 8) has been impacted by the redesign of the subdivision to support road widening, and legislative implications relating to the <i>Biodiversity Conservation Act 2016</i> may require a higher standard of review relating to environmental factors associated with the revised development plan which have delayed the progress of the project.</p> <p>2. That as a consequence of the resourcing and legislative impacts the project is not likely to substantially commence until the 2020/21 financial year, and the 2019/20 Operational plan will be revised to remove both estimated revenue from the proposed sale of lots and associated expenditure, with an adverse impact on Council's forecast operating result for 2019/20.</p> <p>3. That the proposed adjustments to the 2019/20 Operational plan will be reported for approval to Council as part of the December 2019 Quarterly Budget Review Statements on 19 February 2020.</p> <p>4. That a detailed report be provided to the next Strategic Property & Community Facilities Committee meeting outlining the impacts of the planning legislative requirements; potential impacts on the project relating to the delay, including any additional costs or reduced returns and an updated expected timeline for finalisation for the project.</p>						
<p>7 Feb 2020 - 3:14 PM - Yvonne Blake Detailed report to be provided to the next Strategic Property & Community Facilities Committee meeting as per the resolution.</p> <p>9 Mar 2020 - 3:36 PM - Peter Waghorn Revised Target Date changed by: Waghorn, Peter From: 4 Mar 2020 To: 01 Apr 2020 Reason: New date scheduled for SPCF Committee meeting</p> <p>11 Mar 2020 - 12:05 PM - Peter Waghorn Revised Target Date changed by: Waghorn, Peter From: 1 Apr 2020 To: 01 Apr 2020 Reason: An update report is scheduled for submission to SPCFC 1 April 2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE5/2019	Ordinary Council 20/02/2019	Petersen, Leanne	Planning and Environment	Amendment to Clifftleigh Urban Precinct Planning Agreement	10/03/2021	
759 MOTION 759 RESOLVED	Moved:	Curtis, Gareth Councillor Lyons	Seconded:	Councillor Fitzgibbon		
<p>1. That Council prepare a draft Deed of Variation for the Clifftleigh Urban Precinct Planning Agreement in accordance with the offer from Winten Property Group.</p> <p>2. That Council publicly notify the draft Deed of Variation for a minimum period of 28 days in accordance with the provisions of the Environmental Planning and Assessment Act 1979.</p> <p>3. That Council delegate authority to the General Manager to execute the Planning Agreement unless unresolved written objections are received during the exhibition period.</p> <p>4. That Council develop a Master Plan that fits the 2031: A Vision for the Future Community Infrastructure Community Plan, within 6 months, for a staged development of a multi purpose community centre, to enable Council to apply for grant funding, identify funding sources and a funding model.</p> <p>4 Mar 2019 - 3:17 PM - Keren Brown 1. Deed of variation currently being prepared. 2. Awaiting deed of variation 3. Awaiting deed of variation 4. Masterplan to be prepared by Open Space and Community Facilities and Community Planning 2 May 2019 - 11:34 AM - Keren Brown Deed of variation currently being prepared and reviewed 1 Jul 2019 - 5:07 PM - Keren Brown Revised Target Date changed by: Brown, Keren From: 20 Sep 2019 To: 02 Sep 2020 Reason: Initial draft deed of variation prepared and being discussed with proponent. 11 Jul 2019 - 4:27 PM - Martin Johnson Recommendation 1: Draft Deed of Variation received and ongoing negotiations underway. Recommendation 4 to be incorporated into broader corridor masterplan for Clifftleigh / Heddon Greta. Recommendation 4 completed. 7 Aug 2019 - 3:16 PM - Keren Brown Revised Target Date changed by: Brown, Keren From: 2 Sep 2020 To: 02 Dec 2020 Reason: Initial draft deed of variation prepared and being discussed with proponent. 2 Oct 2019 - 4:52 PM - Keren Brown Revised Target Date changed by: Brown, Keren From: 2 Dec 2020 To: 10 Mar 2021 Reason: Negotiations continuing with proponent on the draft deed of variation. 9 Mar 2020 - 4:27 PM - Martin Johnson Revised Target Date changed by: Johnson, Martin From: 10 Mar 2021 To: 10 Mar 2021 Reason: 30 June 2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE56/2019	Ordinary Council 7/08/2019	Taylor, Holly	Planning and Environment	Strategic Land Use Plan - Heddton Greta, Clifftleigh	30/06/2020	
934 MOTION 934 RESOLVED	Moved:	Curtis, Gareth Councillor Gray	Seconded:	Councillor Burke		
<p>1. That Council note the information contained within this report.</p> <p>2. That Council progress the development of the Heddton Greta-Clifftleigh Strategic Land use Plan, noting that the project will require the engagement of a consultant to prepare the Plan.</p> <p>3. That the Heddton Greta-Clifftleigh Strategic Land use Plan be funded from the Rezoning reserve and section 7.11 where appropriate.</p> <p>4. That a further report on the progress of the development of the Strategic Land Use Plan be provided to Council within 6 months.</p> <p>15 Aug 2019 - 9:14 AM - Martin Johnson Revised Target Date changed by: Johnson, Martin From: 4 Sep 2019 To: 05 Feb 2020 Reason: Project status report due February 2020. Consultant and project brief to be prepared. Meeting with RMS arranged to discuss project.</p> <p>4 Feb 2020 - 11:05 AM - Hannah McCauley Draft Corridor Strategy being prepared, draft anticipated to be available in mid 2020.</p> <p>4 Feb 2020 - 11:07 AM - Hannah McCauley Revised Target Date changed by: McCauley, Hannah From: 5 Feb 2020 To: 30 Jun 2020 Reason: Working on drafting document.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE7/2020	Ordinary Council 19/02/2020	Taylor, Holly	Planning and Environment	Heddton Greta and Clifftleigh Urban Corridor Masterplan Project Update	1/06/2020	
1164 MOTION 1164 RESOLVED	Moved:	Curtis, Gareth Councillor Gray	Seconded:	Councillor Burke		
<p>1. That Council notes the update regarding the Heddton Greta Clifftleigh Urban Corridor Masterplan Project.</p> <p>2. That the General Manager bring back a report at the end of August updating Councillors on the RMS traffic study and timeline for the completion of the Heddton Greta Clifftleigh Urban Corridor Masterplan Project.</p> <p>6 Mar 2020 - 3:11 PM - Holly Taylor Revised Target Date changed by: Taylor, Holly From: 18 Mar 2020 To: 01 Jun 2020 6 Mar 2020 - 3:11 PM - Holly Taylor Movement and Place Workshop scheduled. Exhibition anticipated to occur mid year</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE76/2019	Ordinary Council 20/11/2019	Rush, Iain	Planning and Environment	Exhibition of the draft Cessnock Local Strategic Planning Statement	17/04/2020	
1074 MOTION 1074 RESOLVED	Moved:	Curtis, Gareth Councillor Doherty	Seconded:	Councillor Gray		
<p>1. That Council places the Draft Cessnock Local Strategic Planning Statement on public exhibition for a minimum period of 10 weeks and in accordance with the Community Engagement Plan.</p> <p>2. That Council receives a further report following public exhibition of the Draft Cessnock Local Strategic Planning Statement.</p> <p>CARRIED UNANIMOUSLY</p> <p>5 Feb 2020 - 1:38 PM - Iain Rush Revised Target Date changed by: Rush, Iain From: 18 Dec 2019 To: 17 Apr 2020 Reason: Exhibition period extended until 28 February 2020. Submissions to be reviewed and addressed prior to final document being reported to Council.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE77/2019	Ordinary Council 11/12/2019	McDermott, Emma	Planning and Environment	Draft Cessnock Flying-Fox Camp Management Plan	24/04/2020	
1104 MOTION 1104 RESOLVED	Moved:	Curtis, Gareth Councillor Suvaal	Seconded:	Councillor Gray		
<p>That Council places the draft Cessnock Flying Fox Camp Management Plan on public exhibition for a minimum period of fifty (50) days.</p> <p>19 Dec 2019 - 11:31 AM - Emma McDermott Revised Target Date changed by: McDermott, Emma From: 8 Jan 2020 To: 24 Apr 2020 Reason: public exhibition expected to commence in mid January 2020 4 Feb 2020 - 10:56 AM - Emma McDermott The CMP is on exhibition until the 27 February 2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE8/2020	Ordinary Council 19/02/2020	McDermott, Emma	Planning and Environment	Adoption of Draft Contaminated Land Policy - Land Use Planning	2/05/2020	
1165 MOTION 1165 RESOLVED	Moved:	Curtis, Gareth Councillor Burke	Seconded:	Councillor Dagg		
<p>1. That Council places the draft Contaminated Land Policy – Land Use Planning on public exhibition for a period of twenty-eight (28) days.</p> <p>2. That should public submissions be received, a further report be prepared and submitted to Council for consideration.</p> <p>3. That should no public submissions be received, the draft Contaminated Land Policy – Land Use Planning be adopted by Council.</p> <p>27 Feb 2020 - 2:04 PM - Emma McDermott Revised Target Date changed by: McDermott, Emma From: 18 Mar 2020 To: 02 May 2020 Reason: Draft Policy will be on public exhibition until the 25 March 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE83/2018	Ordinary Council 12/12/2018	Taylor, Holly	Planning and Environment	Cessnock Local Environmental Plan 2011 - Planning Proposal to rezone land at Stonebridge Drive, Cessnock from RE2 Private Recreation to R2 Low Density Residential and include Multi-dwelling housing as an Additional Permitted Use	1/06/2020	
708 MOTION 708 RESOLVED	Moved:	Curtis, Gareth Councillor Suvaal	Seconded:	Councillor Burke		
<p>1. That Council forward the Planning Proposal to the Department of Planning and Environment seeking a 'Gateway determination.'</p> <p>2. That the Planning Proposal is amended prior to its referral to the Department of Planning and Environment to remove the existing Additional Permitted Use of 'hotel or motel accommodation' from the site the subject of the Planning Proposal.</p> <p>3. That Council undertake consultation with public authorities and the community as determined by the Department of Planning and Environment Gateway determination.</p> <p>4. That Council receive a report back on the Planning Proposal if written objections are received during the consultation with the community; otherwise forward the Planning Proposal to the Department of Planning and Environment requesting the plan be made.</p> <p>19 Dec 2018 - 8:36 AM - Angela Tinlin 2. Planning Proposal amended to remove existing Additional Permitted Use of 'hotel or motel accommodation' from subject site of Planning Proposal. 1. Planning Proposal forwarded to Department of Planning and Environment 18 December 2018-confirmation of receipt received. (DOC2018/109641 and DOC2018/109758) 3. Pending Gateway 4. Pending Gateway 2 May 2019 - 10:53 AM - Angela Tinlin Gateway determination still pending. Additional information requested from proponent. 3 Jun 2019 - 1:28 PM - Angela Tinlin Gateway determination still pending. Additional information received. Internal review underway. 7 Aug 2019 - 12:02 PM - Angela Tinlin Gateway determination still pending. Additional information requested of proponent.</p>						

28 Oct 2019 - 3:20 PM - Angela Tinlin

Revised Target Date changed by: Tinlin, Angela From: 11 Dec 2019 To: 05 Jun 2020

Reason: Applicant still completing flood study.

6 Mar 2020 - 3:09 PM - Holly Taylor

Gateway determination still pending. Additional information requested and anticipated to be lodged mid year

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE9/2019	Ordinary Council 6/03/2019	Waghorn, Peter	Planning and Environment	Vineyard Grove Stage 8 Development	1/04/2020	
784 MOTION 784 RESOLVED	Moved:	Maginnity, Robert Councillor Burke	Seconded:	Councillor Sander		
<p>1. That Council sell proposed lots 801 to 841 being part of Lot 1210 DP1102977 of the Vineyard Grove Stage 8 development and authorise the General Manager to negotiate the sale(s) for no less than 90% of the independent valuation obtained.</p> <p>2. That Council authorise the General Manager to sign all documents associated with the e-conveyancing transactions including a Client Authorisation form to Council's legal representative to effect the sale of proposed lots 801 to 841 being part of Lot1210 DP1102977 of the Vineyard Grove Stage 8 Development.</p> <p>3. That Council authorise the Common Seal of Cessnock City Council to be affixed to all documents relating to the plan of subdivision and sale of the proposed lots 801 to 841 being part of Lot1210 DP1102977 of the Vineyard Grove Stage 8 Development, and authorise the Mayor and General Manager to execute those documents.</p>						
<p>8 Mar 2019 - 10:57 AM - Joe O'Connor The actions have been commenced as per the resolutions. Updates will be provided to the Strategic Property and Community Facilities Committee upon completion of project milestones.</p> <p>3 May 2019 - 2:20 PM - Joe O'Connor Currently awaiting the determination of the section 4.55, which is anticipated to be reported to Council in the near future.</p> <p>1 Jul 2019 - 4:55 PM - Hannah McCauley Revised Target Date changed by: McCauley, Hannah From: 30 Jun 2019 To: 31 Jul 2019 Reason: Pending approval of S4.55 application.</p> <p>4 Feb 2020 - 10:40 AM - Hannah McCauley Draft Cessnock Airport Strategic Plan being reported to the Ordinary Meeting on 5 February 2020 to be endorsed for adoption.</p> <p>11 Mar 2020 - 12:05 PM - Peter Waghorn Revised Target Date changed by: Waghorn, Peter From: 31 Dec 2019 To: 01 Apr 2020 Reason: An update report is scheduled for submission to SPCFC 1 April 2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE9/2020	Ordinary Council 19/02/2020	McDermott, Emma	Planning and Environment	Adoption of Draft Climate Change Policy	2/05/2020	
1166 MOTION 1166 RESOLVED	Moved:	Curtis, Gareth Councillor Burke	Seconded:	Councillor Gray		
<p>1. That Council place the draft Climate Change Policy on public exhibition for a period of twenty-eight (28) days.</p> <p>2. That should public submissions be received, a further report be prepared and submitted to Council for consideration.</p> <p>3. That should no public submissions be received, the draft Climate Change Policy is adopted by Council.</p> <p>27 Feb 2020 - 2:04 PM - Emma McDermott Revised Target Date changed by: McDermott, Emma From: 18 Mar 2020 To: 02 May 2020 Reason: Draft Policy will be on public exhibition until the 25 March 2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI100/2019	Ordinary Council 11/12/2019	Kerr, Katrina	Works and Infrastructure	Building Better Regions Fund - Round Four	30/06/2020	
1123 MOTION 1123 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dagg	Seconded:	Councillor Suvaal		
<p>1. That Council endorses the submission of an application under the Building Better Regions Fund: <i>Infrastructure Projects Stream, Round Four – Drought Support</i> for the Branxton to Greta Cycleway project,</p> <p>2. That Council allocates a co-contribution of \$650,000 (25%) from within Council operational funding for cycleways, the grant funding leverage reserve and potential loans to fund the project, should the grant be successful.</p> <p>3. That the General Manager work towards ensuring that more projects are shovel ready from adopted strategies across the whole LGA.</p> <p>4. That Council write to the Federal Member for Hunter seeking his support.</p> <p>7 Feb 2020 - 12:46 PM - Katrina Kerr Item1 - Submitted grant application Dec 2019. Item 4 - Sent correspondence to Federal Member December 2019. 9 Mar 2020 - 5:59 PM - Katrina Kerr Item 2 - Awaiting outcome of grant application. Item 3 - Progressed list of projects from adopted Strategies suited to future grant applications.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W/13/2020	Ordinary Council 19/02/2020	Fitzpatrick-Barr, Justin	Works and Infrastructure	Commonwealth Government's Disaster Recovery Funding Arrangement - \$1 Million Bushfire Support Payment	20/03/2020	
1178 MOTION 1178 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Fitzgibbon		
<p>1. That Council endorses the following 'Program of Works' to be funded by the \$1 million Disaster Recovery Funding Arrangements payment;</p> <p>a) Partially fund the regrading and rehabilitation of the worst affected unsealed roads in the Wollombi/Laguna/Bucketty/Paynes Crossing and Congewai areas - \$300,000 (supported by existing operational budgets)</p> <p>b) Partially fund the upgrade of Yango Creek Bridge to remove the current load limit and build resilience for future fire events - \$500,000 (supported by existing capital program budgets)</p> <p>c) Fund road pavement repairs at Paynes Crossing – \$20,000</p> <p>d) Partially fund embankment stabilisation works (various locations) – \$40,000</p> <p>e) Fund the replacement of damaged tourist signs in the Wollombi area – \$10,000</p> <p>f) Partially fund a temporary Disaster Recovery 'Infrastructure' Officer position to set up specialised 'Recover' software and systems to support the recording of infrastructure impacts from disaster events, which in turn supports the disaster claims process – \$30,000 (supported by existing operational budgets)</p> <p>g) Provide funding for Destination Marketing encouraging the local 'open for business' campaigns to support the immediately affected tourism industry - \$100,000.</p> <p>2. That Council supports the Hunter Valley's Bushfire Devastated Communities submission.</p> <p>3. That a further report come back to Council on the proposed use of \$250,000 from the NSW Government's Economic Recovery and Community Resilience funding, once community engagement with the Wollombi and Laguna communities has taken place.</p> <p>5 Mar 2020 - 8:37 AM - Kelly Paterson 1. Noted and tasks allocated to relevant sections 2. Noted 3. Report Drafted</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W114/2020	Ordinary Council 19/02/2020	Jeffery, Warren	Works and Infrastructure	Minutes of Local Traffic Committee held 20 January 2020	6/05/2020	
1179 MOTION 1179 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Burke	Seconded:	Councillor Suvaal		
That the Minutes of the Local Traffic Committee Meeting of 20 January 2020 be adopted as a resolution of the Ordinary Council.						
1.	TC1/2020 - That Council notes the Transport for NSW approval for the temporary regulation of traffic for the Wine Machine Music Festival event in accordance with the Various Roads Pokolbin _ Wine Machine Traffic Control Plans.					
2.	TC2/2020 - That Council authorises the installation of pedestrian refuges and line marking on Victoria Street and Mayfield Street, Cessnock in accordance with the Victoria & Mayfield Streets Cessnock _ Pedestrian Facilities Diagram.					
3.	TC3/2020 - That Council authorises the installation of a pedestrian refuge, traffic islands, line marking and regulatory parking signage on Traders Way and Radford Street, Cliftleigh in accordance with the Traders Way Cliftleigh - Signage & Line Marking Diagram.					
4.	TC4/2020 - That Council notes the following determinations with regard to specific points raised in Council's resolution of 11 December 2019;					
	<input type="checkbox"/> Point 2 of the resolution, that upgraded wayfinding signage will be installed upon completion of Stage 6 of the Wollombi Road Millfield upgrade;					
	<input type="checkbox"/> Point 3 - 1 of the resolution, that the matter is outside the terms of reference of the Local Traffic Committee;					
	<input type="checkbox"/> Point 3 - 2 of the resolution, that the matter is outside the terms of reference of the Local Traffic Committee;					
	<input type="checkbox"/> Point 3 - 3 of the resolution, that the matter is outside the terms of reference of the Local Traffic Committee;					
	<input type="checkbox"/> Point 3 - 4 of the resolution, that: a. The current intersection treatment complies with all relevant Australian Standards, and is the most appropriate road safety treatment to address the crash history at the intersection; b. There have been no reported crashes at the subject intersection since completion of the improvements; and c. The proposed additional treatment is contrary to Australian Standard 1742.2.					
	<input type="checkbox"/> Point 3 - 5 of the resolution, that: a. The proposed additional treatment is contrary to Australian Standard 1742.2: and b. A suitable Australian Standards compliant treatment has been installed.					
	<input type="checkbox"/> Point 3 - 6 of the resolution, that the proposed treatment was installed in November 2018, in response to a previous resolution of Council.					
4 Mar 2020 - 8:55 AM - Tracey Cocking Item 1 - Noted. Item 2 - Listed pedestrian refuge for Quarterly Review. Item 3 - Completed works. Item 4 - Noted						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W115/2020	Ordinary Council 19/02/2020	Fitzpatrick-Barr, Justin	Works and Infrastructure	Cessnock Stomp Festival - In Kind Support	20/03/2020	
1180 MOTION 1180 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Gray	Seconded:	Councillor Dagg		
<p>1. That Council support the 2020 Stomp Festival by providing in-kind support to the value of \$7,795 as detailed in the report for waste management services, waiving of some fees and providing and installing road closure equipment in accordance with the Festival Traffic Control Plan;</p> <p>2. That Council, in light of previous decisions, not waive fees for Street Vending/Market Stalls or provide Council staff to supervise road closures, given these costs cannot be absorbed within existing operational budgets.</p> <p>3. That Council suspends the operation of the Alcohol Free Zone in Vincent and Cooper Streets, Cessnock between the hours of 6.00am and 6.00pm on Sunday, 5 April 2020.</p> <p>4. That council allocates an amount of \$4,500 from the Tourism Related projects Budget to cover the cost of street vending and market stalls, as it is recognised that the event attracts a large number of visitors to the LGA and this directly support Objective 2.3 of Council's Delivery program 2017-21 which is to increase tourism opportunities and visitation in the area.</p> <p>5 Mar 2020 - 9:03 AM - Kelly Paterson</p> <p>1. Letter sent to Cessnock Chamber</p> <p>2. Noted</p> <p>3. Noted and allocated to relevant sections</p> <p>4. Noted</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W116/2020	Ordinary Council 4/03/2020	Lindsay, Michelle	Works and Infrastructure	Public Exhibition of Draft 2020-25 Waste and Resource Recovery Strategy	1/05/2020	
1191 MOTION 1191 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Gray		
<p>1. That the draft 2020-25 Waste and Resource Strategy be amended to remove the following points in the Section 6 Action plan:</p> <p><input type="checkbox"/> 3.2;</p> <p><input type="checkbox"/> 3.4, 3.4.a. & 3.4.b.; and</p> <p><input type="checkbox"/> 6.1.</p> <p>2. That Council places the amended draft 2020-25 Waste and Resource Recovery Strategy on public exhibition for a minimum of 28 days and invite public submissions.</p> <p>3. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final 2020-25 Waste and Resource Recovery Strategy.</p> <p>4. That a Councillor Workshop be held in early 2021 to consider the progress of the Strategy and a report be returned to Council to consider any changes that may be required to the Strategy prior to Council undertaking any community consultation.</p> <p>11 Mar 2020 - 2:53 PM - Michelle Lindsay</p> <p>Draft Strategy has been placed on public exhibition.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI17/2020	Ordinary Council 4/03/2020	Gilford, Jim	Works and Infrastructure	Paynes Crossing Road, Paynes Crossing - Evaluation of Tender No T1920-06 Paynes Crossing Bridge Replacement	1/04/2020	
1192 MOTION 1192 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council accepts the tender from Waeger Constructions Pty Ltd in the lump sum amount of \$2,117,406 (including GST) for T1920-06 – Paynes Crossing Bridge Replacement.</p> <p>2. That Council allocates \$500,000 from the Bridge Replacement Reserve to allow acceptance of the tender.</p> <p>9 Mar 2020 - 6:02 PM - Katrina Kerr Item 1 - Accepted tender for Paynes Crossing Bridge Replacement. Item 2 - Allocated \$500,000 from Bridge Replacement Reserve.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI18/2018	Ordinary Council 7/03/2018	Harris, Kate	Works and Infrastructure	Options for Cessnock Pool	31/03/2020	
441 MOTION 441 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Gray	Seconded:	Councillor Sander		
<p>1. That Council notes the Report and endorses Option C (relocate to Turner Park) as the long term strategic direction for Cessnock Pool.</p> <p>2. That Council undertakes further work to determine the scope, design and cost of Option C (relocate to Turner Park), incorporating indoor and outdoor water and play features, with an estimated capital cost of up to \$20M to be partly funded through development contributions.</p> <p>3. That Council endorses Option B (upgrade at current location) as an interim strategic direction for Cessnock Pool.</p> <p>4. That Council undertakes further work to develop the scope, design and cost of upgrades identified in Option B (upgrade at current location).</p> <p>5. That Council receives a further report on how Options B (upgrade at current location) and C (relocate to Turner Park) will be staged and funded with consideration to the outcomes and recommendations of the Review of Plant at the existing Cessnock Pool.</p> <p>19 Mar 2018 - 3:19 PM - Rebecca Bailey Work on upgrade to current location has commenced. Work on scope design, and cost for relocation to Turner Park is presently unfunded. Report to Council on these matters scheduled for late 2018.</p> <p>1. Complete 2. Pending budget allocation 3. Noted 4. Cessnock Pool Masterplan has been adopted. Detailed designs for the splashpad currently being prepared 5. Reliant on resolution 4 to be finalised 31 Oct 2018 - 10:48 AM - Natalie McCloy Revised Target Date changed by: McCloy, Natalie From: 1 Nov 2018 To: 06 Mar 2019 Reason: Design Brief currently being developed with a view to finalise in November 2019 5 Mar 2019 - 11:44 AM - Vickie Stovell Revised Target Date changed by: Stovell, Vickie From: 6 Mar 2019 To: 29 Mar 2019 Reason: Design brief advertised and closes on 22 March 2019. Once a consultant has been engaged the timeframes will be added. 17 Apr 2019 - 12:43 PM - Natalie McCloy</p>						

Revised Target Date changed by: McCloy, Natalie From: 29 Mar 2019 To: 19 Apr 2019

Reason: Design brief closed. Consultant to be engaged.

7 Jun 2019 - 8:40 AM - Natalie McCloy

Revised Target Date changed by: McCloy, Natalie From: 19 Jun 2019 To: 19 Jun 2019

Reason: Facility Design Group has been engaged. Community engagement has commenced.

10 Jul 2019 - 9:17 AM - Nicole Benson

1. Complete

2. Pending a budget allocation

3. Complete

4. Works underway and report to Council due September

5. Reliant on resolution 4 to be finalised

3 Sep 2019 - 12:20 PM - Nicole Benson

4. Council briefed on 28 August and report to be considered on 18 September

15 Oct 2019 - 7:22 AM - Kate Harris

4. Draft Cessnock Pool Masterplan placed on Public Exhibition. Exhibition period closes on 22 October 2019.

3 Nov 2019 - 10:25 AM - Kate Harris

4. Draft Cessnock Pool Masterplan placed on Public Exhibition. Submissions currently being collated with a view to report to Council before the end of the year

21 Jan 2020 - 2:40 PM - Vickie Stovell

Revised Target Date changed by: Stovell, Vickie From: 31 Mar 2020 To: 31 Mar 2020

4. Cessnock Pool Masterplan has been adopted. Detailed designs for the splashpad currently being prepared

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI18/2019	Ordinary Council 17/04/2019	Jeffery, Warren	Deferred Business	Proposed Road Closure between Halls Road and De Beyers Road Pokolbin	6/05/2020	
862 MOTION 862 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Lyons		
<p>1. That Council resolve to not close the Council public road between Halls Road and De Beyers Road Pokolbin as indicated in the Property Location Plan.</p> <p>2. That the General Manager write to those who made submissions, informing them of Council's decision.</p> <p>3. That the General Manager notify Google Maps and any other relevant mapping agencies that this is not a public road and should not show on their software.</p> <p>4. That Council upgrade the existing road barriers to prevent car traffic but still allow for pedestrian and bicycle traffic flow in consultation with adjoining land owners.</p> <p>5. That Council work to amend traffic management plans for major events in the surrounding areas to include measures to reduce traffic flow into Halls Road.</p> <p>6. That a report come back to Council in 12 months to update Council on whether the traffic management items outlined above have reduced problem traffic incidents in the area.</p> <p>7. That in the report to come back in 12 months time Council identify whether this road reserve will be included in the future vineyard cycleway plan.</p>						
<p>3 May 2019 - 8:58 AM - Bruce Hughes</p> <p>Item 1 - Noted</p> <p>Item 2 - Sent letters</p> <p>Item 3 - Checked Googlemaps and road not showing as being trafficable by motor vehicles</p> <p>Item 4 - Preparing signage and barrier plans</p> <p>Item 5 - Noted</p> <p>Item 6 - Drafted report template for Council's ordinary meeting 6 May 2020</p> <p>Item 7 - Noted</p> <p>4 Jun 2019 - 8:51 AM - Tracey Cocking</p>						

Item 4 - CRM 7440/2019 generated for additional signage and works have been complete.
 Item 5 - Held meeting with stakeholders to amend TMP to include Halls Road
 27 Jun 2019 - 10:19 AM - Tracey Cocking
 Item 6 - Preparing report to Council by April 2020
 Item 7 - Preparing report to Council by April 2020
 9 Sep 2019 - 3:46 PM - Warren Jeffery
 Item 6 - Reviewing effectiveness of relevant traffic management measures to inform the report to Council due by April 2020
 10 Oct 2019 - 10:54 AM - Tracey Cocking
 Item 6 - Reviewing effectiveness of relevant traffic management measures to inform the report to Council due by April 2020
 4 Feb 2020 - 10:56 AM - Warren Jeffery
 Item 6 - Reviewed effectiveness of relevant traffic management measures. Matter discussed at inter-agency vineyard events - traffic management meeting of 22 January 2020.
 Item 7 - Commenced preparation of report to Council for April 2020.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W118/2020	Ordinary Council 4/03/2020	Vandermeer, Warren	Works and Infrastructure	Scholey & Quarrybylong Streets, Cessnock - Naming of Lane	1/04/2020	
1193 MOTION 1193 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council notes the proposed name of Felicia Lane for the existing unnamed lane between Scholey and Quarrybylong Streets, Cessnock in accordance with Council's adopted <i>Policy No.S35.2 – Streets - Listing of Names for Use in Naming of Streets</i> and the provisions of Section 162 of the <i>Roads Act 1993</i>.</p> <p>2. That Council authorises the General Manager to notify and advertise the proposed name in accordance with the provisions of Clause 7 of the <i>Roads Regulation 2018</i>.</p> <p>3. That, provided no contrary submissions are received following notification and advertising of the proposed name, Council authorises the General Manager to proceed with the proposed name by seeking gazettal as required by the provisions of Clause 7 of the <i>Roads Regulation 2018</i>.</p> <p>9 Mar 2020 - 3:13 PM - Katrina Kerr Item 1 - Noted. Item 2 - Drafted notification and advertisement in accordance with the provisions of Clause 7 of the Roads Regulation 2018. Item 3 - Awaiting outcome of Item 2.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W119/2020	Ordinary Council 4/03/2020	Kerr, Katrina	Works and Infrastructure	Minutes of Roads Review Committee of 14 February 2020	1/04/2020	
1194 MOTION 1194 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Burke		
<p>1. That the Minutes of the Roads Review Committee of 14 February 2020 be adopted as a resolution of the Ordinary Council.</p> <p>2. That the committee reconsider the issue raised by Councillor Dunn at the next committee meeting.</p> <p>9 Mar 2020 - 5:54 PM - Katrina Kerr Item 1 - Noted. Item 2 - Commenced drafting report on issues raised by Councillor Dunn for next Roads Review Committee.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI21/2020	Ordinary Council 4/03/2020	Conner, Martin	Works and Infrastructure	Minutes of Extraordinary Floodplain Management Committee 19 February 2020	1/04/2020	
1196 MOTION 1196 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>That the Minutes of the Extraordinary Floodplain Management Committee of 19 February 2020 be adopted as a resolution of the Ordinary Council.</p> <p>FLOCLM4/2020 - That Council notes that preparation of the <i>Cessnock City Wide Flood Study</i> is in progress.</p> <p>FLOCLM5/2020:</p> <ol style="list-style-type: none"> That Council notes the findings of the <i>Draft Heddon Greta Minor Study and Concept Design</i>. That Council endorses a grant application under the NSW Floodplain Management Program to fund flood mitigation works in the upper catchment to address over floor flooding in Clift Street, Heddon Greta. That Council defers the previously planned drainage works lower in the catchment, which sought to address yard inundation in Cooper Street, Heddon Greta. That Council renegotiates the existing Deed of Agreement with the owner of 12 Cooper Street, Heddon Greta. That Council lists investigation and augmentation of street drainage between Main Road and Bowden Street for inclusion in the Delivery Program 2021-25 to alleviate over floor flooding in Trenchard Street, Heddon Greta. That Council considers updating s10.7 Planning Certificates once the final <i>Heddon Greta Minor Study and Concept Design</i> is adopted. <p>9 Mar 2020 - 10:28 AM - Rachael O'Hara FLOCLM4/2020 Item 1 - Noted</p> <p>FLOCLM5/2020: Item 1 - Noted Item 2 - Prepared draft grant application for submission by April 2020. Item 3 - Deferred drainage works in Cooper Street, Heddon Greta. Item 4 - Arranged consultation with owner of 12 Cooper Street, Heddon Greta. Item 5 - Listed drainage in Trenchard Street, Heddon Greta for consideration in the Delivery Program 2021-25. Item 6 - Finalising Draft Heddon Greta Minor Study and Concept Design, preparing report and recommendation to Floodplain Management Committee endorsing exhibition of Final Study</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI22/2019	Ordinary Council 17/04/2019	Waghorn, Peter	Works and Infrastructure	Upgrade Carpark P8, 232A Wollombi Road, rear of Cessnock Hotel	23/03/2020	
MOTION 877 RESOLVED	Moved:	Maginnity, Robert Councillor Fitzgibbon	Seconded:	Councillor Sander		
<p>That the report be deferred until the adjoining property issues are resolved through the Strategic Property Committee.</p> <p>6 May 2019 - 4:18 PM - Tracey Cocking Revised Target Date changed by: Cocking, Tracey From: 15 May 2019 To: 29 Jun 2019 Reason: Council resolved to defer report until adjoining property issues are resolved through Strategic Property Committee. 3 Jul 2019 - 11:09 AM - Martin Johnson</p>						

Negotiation with owner of 2-4 Allendale Road ongoing
 28 Oct 2019 - 3:11 PM - Martin Johnson
 Update to be reported to 20 November 2019 Strategic Property and Community Facilities Committee meeting
 11 Mar 2020 - 12:10 PM - Peter Waghorn
 Revised Target Date changed by: Waghorn, Peter From: 11 Dec 2019 To: 23 Mar 2020
 Reason: Original W&I report recommendation deferred pending acquisition of 2 - 4 Allendale Road Cessnock; now complete. Internal discussions to be held with Works & Infrastructure to determine next steps in terms of recommendation to undertake upgrade works

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI22/2020	Ordinary Council 4/03/2020	Conner, Martin	Works and Infrastructure	Minutes of the Confidential Extraordinary Floodplain Management Committee 19 February 2020	1/04/2020	
1202 MOTION 1202 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Gray		
<p>That the Minutes of the Confidential Extraordinary Floodplain Management Committee of 19 February 2020 be adopted as a resolution of the Ordinary Council.</p> <ol style="list-style-type: none"> That Council notes that the joint community meeting with stakeholder agencies was held on the 25 November 2019 to engage with the South Cessnock community. That Council notes the advice from Subsidence Advisory NSW that it is prepared to contribute towards the cost of construction of a bund wall and diversion channel. That Council supports development of the Detailed Design for the bund wall and diversion channel, and subsequent submission in March 2020 of an application for funding under the NSW Floodplain Management Program. That Council pursues further liaison with Subsidence Advisory NSW to progress its offer, including details of implementation and coordination with any NSW Floodplain Management Program application. <p>9 Mar 2020 - 10:24 AM - Rachael O'Hara Item 1 - Noted Item 2 - Noted Item 3 - Progressed development Detailed Design for the bund wall and diversion channel, and submission for grant application in March 2020. Item 4 - Planned future liaisons with SA NSW.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI32/2019	Ordinary Council 5/06/2019	Vandermeer, Warren	Works and Infrastructure	Henderson Avenue and Marlton Street, Cessnock and Cruickshank Street, Bellbird	15/04/2020	
MOTION 932 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Gray		
<ol style="list-style-type: none"> That Council note the inclusion of investigation and design of upgrade to storm water drainage in Cruickshank Street, Bellbird in the draft Operational Plan 2019-20 That Council note the outcome of the investigation into the potential inclusion of renewal of Henderson Avenue and Marlton Street, Cessnock in the draft Operational Plan 2019-20. That Council includes the rehabilitation of Henderson Avenue and Marlton Street, Cessnock in the draft Operational Plan 2019-20 as a design and investigation project with a further report to come back to Council once rehabilitation costs are known. <p>18 Jun 2019 - 9:02 AM - Rachael O'Hara</p>						

Item 1 - Noted
 Item 2 - Noted
 Item 3 - Listed for inclusion in the Operational Plan 2019-20. Drafting a report to Council.
 4 Jul 2019 - 7:51 AM - Warren Vandermeer
 Item 3 - Projects listed for Investigation & Design in Local Road Renewal Program. Preparing report for Council.
 10 Sep 2019 - 11:18 AM - Warren Vandermeer
 Item 3 - Awaiting results of Geotechnical report to determine treatment options for design.
 5 Feb 2020 - 9:32 AM - Warren Vandermeer
 Item 3 - Issued to consultant for Geotechnical investigation, design treatment options in the process of being finalised.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI35/2017	Ordinary Council 21/06/2017	Hughes, Bruce	Works and Infrastructure	Hydro Aluminium Kurri Kurri Pty Ltd Proposed Road Closures	15/07/2020	
278 MOTION 278 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Burke	Seconded:	Councillor Sander		
<p>1. That Council resolve to make an application to NSW Department of Industry - Lands to close those parts of Bishops Bridge Road, McGarva Avenue, Horton Road and Dickson Road (hereafter referred to as Proposed Closed Roads) as indicated in the Property Location Plan in accordance with the provisions of the Roads Act 1993.</p> <p>2. That Council comply with the provisions of Section 35 of the Roads Act 1993 and the Memorandum of Understanding entered into with the Department of Lands, now the NSW Department of Industry - Lands, with respect to notifications and advertising in the local newspaper.</p> <p>3. That provided no unresolved submissions are received following notifications and advertising, Council proceed under the provisions of Section 37 of the Roads Act 1993 to advise NSW Department of Industry - Lands to place a notice in the Government Gazette to close the Proposed Closed Roads.</p> <p>4. That Council authorise the Common Seal of Cessnock City Council to be affixed to the Plan of Road Closure if required.</p> <p>5. That Council authorise the Mayor and the General Manager to execute the Plan of Road Closure for the Proposed Closed Roads if required.</p> <p>6. That following successful Gazettal of the closed roads and the land vesting in Council, Council grant to the General Manager delegated authority to negotiate the sale (based on an independent valuation) by private treaty with the adjoining landowner.</p> <p>8 Aug 2017 - 2:43 PM - Bruce Hughes Council has completed the first step in advertising the proposal and waiting 28 days for any submissions. The searches necessary to make application to Crown Lands have also been completed. Next step is to make application to Crown Lands for the proposed closure. 10 Oct 2017 - 9:42 AM - Bruce Hughes Item 1 - Council has made an application to NSW Department of Industry - Lands to close the subject roads. Item 2 - Council has advertised the proposed road closures in the local newspaper and notified the necessary agencies. The Department requested Council notify two additional agencies. item 3 - Council is presently waiting the required minimum 28 days for any submissions from these agencies before proceeding. Item 4 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action. Item 5 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action. Item 6 - Awaiting the notification, advertising and allowing for submissions to be completed prior to this action. 6 Nov 2017 - 2:17 PM - Rachael O'Hara Item 2 - Council has advertised the proposed road closures in the local newspaper and notified the necessary agencies. item 3 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action. Item 4 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action. Item 5 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action. Item 6 - Awaiting NSW Department of Industry - Lands to assess the application prior to completing this action. 12 Jul 2018 - 1:40 PM - Katrina Kerr</p>						

Item 1 - Completed.
 Item 2 - Completed.
 8 Aug 2018 - 3:01 PM - Bruce Hughes
 Item 3 - Waiting on further information from the Applicant due to a change in legislation.
 Item 4 - Awaiting the resolution of submissions to be completed prior to this action.
 Item 5 - Awaiting the resolution of submissions to be completed prior to this action.
 25 Oct 2018 - 2:11 PM - Bruce Hughes
 Item 3 - Followed up with applicant and still waiting for further information
 Item 4 - Awaiting the resolution of submissions to be completed prior to this action
 Item 5 - Awaiting the resolution of submissions to be completed prior to this action
 Item 6 - Awaiting the resolution of submissions to be completed prior to this action
 6 Mar 2019 - 11:41 AM - Bruce Hughes
 Item 3 - Awaiting advice from applicant before proceeding
 Item 4 - Item 3 needs to be completed before proceeding
 Item 5 - Item 3 needs to be completed before proceeding
 Item 6 - Item 3 needs to be completed before proceeding
 3 May 2019 - 8:47 AM - Bruce Hughes
 Item 3 - Followed up with applicant and awaiting advice before proceeding
 9 Sep 2019 - 11:45 AM - Bruce Hughes
 Revised Target Date changed by: Hughes, Bruce From: 2 Oct 2019 To: 04 Dec 2019
 Reason: Waiting on advice from Hydro before proceeding
 9 Sep 2019 - 11:46 AM - Bruce Hughes
 Item 3 - Contacted applicant in August. Awaiting advice before proceeding
 5 Feb 2020 - 8:39 AM - Kelly Paterson
 Awaiting advice from Hydro before proceeding

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI40/2019	Ordinary Council 17/07/2019	Vandermeer, Warren	Works and Infrastructure	Minutes of the Local Traffic Committee of 24 June 2019	18/03/2020	
921 MOTION 921 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Fitzgibbon		
1.	That the Minutes of the Local Traffic Committee of 24 June 2019 be adopted as a resolution of the Ordinary Council, with the exception of TC20/2019 – Heddon Street, Kurri Kurri:					
1.	TC21/2019 - That Council authorise the temporary regulation of traffic for the winery running festival in accordance with the enclosed various roads Rothbury, winery running festival TCP's.					
2.	TC22/2019 - That Council authorise installation of line marking at the intersection of Sandy Creek Road and Wollong Road, Quorrobolong in accordance with the enclosed Sandy Creek Road Quorrobolong, signage and line marking diagram.					
3.	TC23/2019 - That Council authorise installation of line marking on Colliery Street, Aberdare in accordance with the enclosed Colliery Street Aberdare, line marking diagrams.					
4.	TC24/2019 - That Council authorise installation of bus zone signage on Vincent Street, Cessnock, in accordance with the enclosed Vincent Street Cessnock bus zone signage diagram.					
5.	TC25/2019 - That Council authorise installation of line marking at the intersection of Barton and Stanford Streets, Kurri Kurri in accordance with the enclosed Barton Street Kurri Kurri, line marking diagram.					
6.	TC26/2019 - That Council authorise installation of signage and line marking on Rugby and Olney Streets, Ellalong in accordance with the enclosed Rugby Street Ellalong, signage and line marking diagram.					
7.	TC27/2019 - That Council authorise installation of line marking on McDonalds Road Pokolbin, in accordance with the enclosed McDonalds Road Pokolbin, line marking diagram.					

2. TC20/2019 – Heddon Street Kurri Kurri – that this matter be referred to the General Manager for review to back to grass nature strip and further report back to Council

8 Aug 2019 - 9:27 AM - Nathan Goodbun

Item 1.1 - Provided approval to applicant 18 July 2019

Item 1.2 - Preparing detailed plans and CRM to works

Item 1.3 - Preparing detailed plans and CRM to works

Item 1.4 - Preparing detailed plans and CRM to works

Item 1.5 - Advised Development services of approval

Item 1.6 - Works currently being completed

Item 1.7 - Advised Development services of approval

Item 2 - Preparing report to Council

2 Sep 2019 - 2:16 PM - Nathan Goodbun

Item 1.2 - Issued CRM 16206/2019 to Works & Ops.

Item 1.3 - Scheduled for resurfacing prior to line marking.

Item 1.4 - Issued CRM 16213/2019 to Works & Ops.

Item 1.6 - Issued CRM 16149/2019 to Works & Ops.

5 Sep 2019 - 9:58 AM - Tracey Cocking

Item 2 - Allocation to Roads Officers to prepare report to Council.

5 Feb 2020 - 7:58 AM - Warren Vandermeer

Item 2 - Prepared Report WI4/2020 to be considered at Ordinary Meeting of Council on 5 February 2020 providing update.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI42/2019	Ordinary Council 17/07/2019	Benson, Nicole	Works and Infrastructure	Stronger Country Communities Fund Round Three 2019	27/03/2020	
923 MOTION 923 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Fitzgibbon	Seconded:	Councillor Gray		
<p>1. That Council endorses the submission of four applications under Round Three of the Stronger Country Communities Fund program for the following projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Splashpad for Cessnock Pool <input type="checkbox"/> Commercial Kitchen at CYCOS <input type="checkbox"/> Sporting amenities replacement at Birralee Park <input type="checkbox"/> Cessnock Regional Skatepark <p>2. That if applications are successful Council contributes up to \$400,000 in co-contribution funding for the Cessnock Regional Skatepark project.</p> <p>31 Jul 2019 - 1:44 PM - Nicole Benson Item 1 - COMPLETE Item 2 - awaiting outcome of application 12 Aug 2019 - 10:37 AM - Kelly Paterson Item 2 - Announcement of successful projects From January 2020 2 Mar 2020 - 11:55 AM - Nicole Benson Awaiting funding announcements.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI47/2019	Ordinary Council 7/08/2019	Eveleigh, Nathan	Works and Infrastructure	Proposal to Rename Rotary Park, Kurri Kurri	19/03/2020	
942 MOTION 942 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Gray	Seconded:	Councillor Burke		
<ol style="list-style-type: none"> That Council formally rename Rotary Park Kurri Kurri to “Col Brown Rotary Park”. That Council complete a Naming Proposal Application for determination and gazettal by the Geographical Names Board of NSW. That if assigned as a geographical name by the Geographical Names Board of NSW, Council install appropriate signage. That the Rotary Club of Kurri Kurri Inc, as the applicant for the renaming proposal be notified of the outcome of the application. That all persons who provided a submission be notified of the outcome of the application. <p>14 Aug 2019 - 12:02 PM - Kelly Paterson Item 1 - Noted Item 2 - Application being prepared Item 3 - Noted Item 4 - Noted Item 4 - Noted</p> <p>26 Aug 2019 - 11:31 AM - Nathan Eveleigh Item 2 - Place Name Application and supporting documentation sent to GNB. Proposal will be considered at 10 September Board meeting.</p> <p>13 Sep 2019 - 8:57 AM - Nathan Eveleigh At the GNB meeting held on 10/9/19, the Board endorsed the naming proposal to go out for public comment for 28 days. This will be undertaken in the next 4-6 weeks.</p> <p>7 Nov 2019 - 11:55 AM - Kelly Paterson Revised Target Date changed by: Paterson, Kelly From: 31 Oct 2019 To: 24 Dec 2019 Reason: GNB advised the proposal to be exhibited prior to Christmas as the GNB are testing a new naming system and non-critical tasks have been delayed.</p> <p>27 Nov 2019 - 8:14 AM - Nathan Eveleigh GNB have advised the commencement of their submission period will take place between 4/12/19 - 11/1/2020. The applicant has been advised accordingly.</p> <p>15 Jan 2020 - 11:00 AM - Nathan Eveleigh GNB Submission period closed on 11 January 2020 with 32 submissions received. Further report giving consideration to the submission being prepared for 5 February 2020 meeting.</p> <p>11 Feb 2020 - 10:05 AM - Nathan Eveleigh Following 5/2/2020, correspondence has been forwarded to the GNB as per their request. This will be considered at the next GNB meeting on 10/3/2020.</p> <p>6 Mar 2020 - 8:28 AM - Natalie McCloy Revised Target Date changed by: McCloy, Natalie From: 19 Feb 2020 To: 19 Mar 2020 Await outcome of GNB meeting to be held 10 March 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI57/2019	Ordinary Council 4/09/2019	Vandermeer, Warren	Works and Infrastructure	Allocation of Road Special Rate Variation Funds - 2019-2020	15/04/2020	
975 MOTION 975 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Gray		
<p>1. That Council notes the inherent value of the newly created Special Rate Variation Reserve, which allows for funding to be set aside across financial years in order to undertake specific projects in subsequent years.</p> <p>2. That Council allocates the balance of funds in the Special Rate Variation Reserve to the following projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Sandy Creek Road (Fosters Bridge) - CBS-2016-001 - \$391,369 <input type="checkbox"/> Frame Drive, Abermain (Frame Drive Bridge) - CRL-2019-007 - \$102,000 <input type="checkbox"/> Paynes Crossing Road, (Paynes Crossing Bridge) - CBS-2019-001 - \$336,000 <input type="checkbox"/> Government Road, Cessnock - RRL-2019-010 - \$320,000 <input type="checkbox"/> Heddon Street, Kurri Kurri - RRL-2019-007 - \$340,000 <input type="checkbox"/> Sanctuary Road, Paxton - RRL-2020-010 - \$310,000 <p>3. That the General Manager bring a report back identifying options to fund the rehabilitation of the section of Government Road, Weston from the bridge to Mitchell Avenue. If any residual funding is available from the 2019/2020 budget programs, this work is to be carried out.</p> <p>5 Sep 2019 - 5:07 PM - Kelly Paterson Item 1 - Noted Item 2 - Action assigned to relevant officers as per DOC2019/091985 Item 3 - Report to be drafted 9 Oct 2019 - 10:56 AM - Rachael O'Hara Item 2 - Preparing rate adjustments Item 3 - Drafted report</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI60/2018	Ordinary Council 1/08/2018	Harris, Kate	Works and Infrastructure	BMX & Skate Facilities Within the Cessnock Local Government Area	30/04/2020	
598 MOTION 598 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Burke	Seconded:	Councillor Lyons		
<p>1. That Council note the progress of the implementation of the Cessnock Skate and BMX Facilities Needs Assessment 2020.</p> <p>2. That Council complete a detailed review of the Cessnock Skate and BMX Facilities Needs Assessment 2020.</p> <p>3. That following the review, a further report be prepared for Council's consideration outlining key findings and recommendations.</p> <p>4. That following the completion of the Skate and BMX Facilities Needs Assessment, a review is undertaken of the Carmichael Park Masterplan, incorporating findings from the revised assessment as well as Council's adopted Recreation and Open Space Strategic Plan and other relevant documents and reported to Council.</p> <p>8 Aug 2018 - 2:02 PM - Kate Harris</p>						

Item 1: Complete
 Item 2: Complete
 Item 3: Report in draft format - to be finalised following completion of Masterplan
 Item 4: Masterplan for Carmichael Park has commenced, analysis report and draft Masterplan has been completed for each site with final revisions being made.
 8 Aug 2018 - 2:11 PM - Kate Harris
 Revised Target Date changed by: Harris, Kate From: 29 Aug 2018 To: 21 Nov 2018
 Reason: The review of the BMX and Skate Facilities Needs Assessment needs to occur prior to reporting back to Council
 13 Nov 2018 - 4:30 PM - Nicole Benson
 Revised Target Date changed by: Benson, Nicole From: 21 Nov 2018 To: 28 Feb 2019
 Reason: The review of the BMX and Skate Facilities Needs Assessment needs to occur prior to reporting back to Council
 5 Mar 2019 - 11:45 AM - Vickie Stovell
 Revised Target Date changed by: Stovell, Vickie From: 28 Feb 2019 To: 31 May 2019
 Reason: A detailed audit/condition assessment is required to be undertaken for Council's 3 existing skateparks. Outcomes from this audit will inform the Needs Assessment and enable the strategy to be completed.
 7 Jun 2019 - 8:51 AM - Natalie McCloy
 3. Report being drafted
 4. Carmichael Park Masterplan scheduled for 2019/20 FY
 10 Sep 2019 - 1:19 PM - Natalie McCloy
 Item 3: Report in draft format
 Item 4: A consultant has been engaged to prepare a Masterplan for Carmichael Park. The Masterplan is scheduled to commence late September 2019.
 10 Sep 2019 - 1:24 PM - Natalie McCloy
 Revised Target Date changed by: McCloy, Natalie From: 27 Sep 2019 To: 31 Oct 2019
 Reason: Masterplan scheduled to commence late September 2019.
 15 Oct 2019 - 7:26 AM - Kate Harris
 Item 3: Report in draft format - to be finalised following completion of Masterplan
 Item 4: Masterplan for Carmichael Park has commenced and community engagement held with key stakeholders.
 3 Nov 2019 - 10:23 AM - Kate Harris
 Item 4: Masterplan for Carmichael Park has commenced, draft design options report has been provided for Council's review.
 3 Nov 2019 - 10:25 AM - Kate Harris
 Revised Target Date changed by: Harris, Kate From: 31 Oct 2019 To: 06 Dec 2019
 Reason: Masterplan has not yet been finalised.
 21 Jan 2020 - 2:41 PM - Vickie Stovell
 Revised Target Date changed by: Stovell, Vickie From: 6 Dec 2019 To: 30 Apr 2020
 Reason:
 Item 4: Masterplan for Carmichael Park has commenced, analysis report and draft Masterplan has been completed for each site with final revisions being made.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W174/2018	Ordinary Council 19/09/2018	Benson, Nicole	Works and Infrastructure	Stronger Country Communities Fund Round 2 - Successful Projects	3/04/2020	
667 MOTION 667 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Dagg		
1.	That Council notes the acceptance of the Stronger Country Communities Fund Round 2 grants offered as follows:					
	a)	Community Hall Toilet Upgrade Program - \$126,700				
	b)	Maitland Street, Branxton (Northside) – Pavement and Street Tree Planting - \$120,643				
	c)	Bridges Hill Park Regional Themed Playground - \$936,315				
	d)	Branxton Public Square - \$279,973				
	e)	Part funding for Cessnock Pool Splash Pad - \$242,355				
2.	That a further report be brought back to Council detailing the final design of the Cessnock Pool Splash Pads, along with information on additional funding needs and funding sources to undertake the project.					

4 Oct 2018 - 10:41 AM - Nicole Benson

Design brief under development. Suitably qualified consultant to be engaged to determine final design and cost estimate, then report back to Council.

22 Mar 2019 - 2:33 PM - Vickie Stovell

Revised Target Date changed by: Stovell, Vickie From: 29 Mar 2019 To: 31 May 2019

Reason: Request for quotation for the design of the splash pad closes on 5 April. Further information relating to timeframes and costs will be provided once the program has been determined.

10 Jul 2019 - 9:42 AM - Nicole Benson

Revised Target Date changed by: Benson, Nicole From: 17 Jul 2019 To: 30 Sep 2019

Reason: Item 1. Complete

10 Jul 2019 - 9:43 AM - Nicole Benson

Revised Target Date changed by: Benson, Nicole From: 30 Sep 2019 To: 30 Sep 2019

Reason:

Item 2. In line with W118/2018 report due in September 2019

31 Jul 2019 - 1:41 PM - Nicole Benson

Design progressing. Councillor briefing to be held in September 2019.

3 Sep 2019 - 12:30 PM - Nicole Benson

Item 2. Councillors briefed in 28 August and report to be considered at 2 October 2019 Council meeting

15 Oct 2019 - 11:07 AM - Kelly Paterson

Item 2 - Draft Cessnock Pool Masterplan placed on Public Exhibition. Exhibition period closes on 22 October 2019.

1 Nov 2019 - 12:04 PM - Nicole Benson

Revised Target Date changed by: Benson, Nicole From: 31 Oct 2019 To: 28 Feb 2020

Reason: Pending the design

4 Dec 2019 - 6:51 AM - Nicole Benson

Detailed construction plans and cost estimates due mid-February 2020

2 Mar 2020 - 12:02 PM - Nicole Benson

Revised Target Date changed by: Benson, Nicole From: 6 Mar 2020 To: 03 Apr 2020

Reason: Report being drafted.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W175/2019	Ordinary Council 23/10/2019	Goodbun, Nathan	Works and Infrastructure	Local Traffic Committee Minutes 16 September 2019	1/04/2020	
1035 MOTION 1035 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
That the Minutes of the Local Traffic Committee of 16 September 2019 be adopted as a resolution of the Ordinary Council.						
1.	TC33/2019 – That Council authorise the installation of GIVE WAY signage on Lomas Lane, Nulkaba in accordance with the Lomas Lane Nulkaba Signage Diagram.					
2.	TC34/2019 – That Council authorise the installation of GIVE WAY controls on De Beyers Road and Grady Road, Pokolbin, in accordance with the De Beyers & Grady Road Signage & Line Marking Diagram.					
3.	TC35/2019 – That Council authorise the installation of regulatory parking signage on Cumberland Street, Cessnock in accordance with the Cumberland Street Cessnock – Signage Diagram.					
4.	TC36/2019 – That Council authorise the installation of regulatory parking signage on Darwin Street, Cessnock, in accordance with the Darwin Street Cessnock Bus Zone Removal Diagram.					
5.	TC37/2019 – That Council authorise the installation of BUS ZONE signage on Jurd Street, Cessnock in accordance with the Jurd Street Cessnock Signage & Line Marking Diagram.					
6.	TC38/2019 – That Council authorise the installation of regulatory signage on View Street, Cessnock in accordance with the View Street Cessnock Signage Diagram.					

7. TC39/2019 – That Council authorise the temporary regulation of traffic on Great North Road, Murrays Run Road, and Watagan Creek Road, Laguna, in accordance with the Various Roads Laguna Gravel Grit Laguna Traffic Control Plans.
8. TC40/2019 – That Council authorise the temporary regulation of traffic on Camp Road, Greta, in accordance with the Camp Road Greta Silky Oak Festival Traffic Control Plans.
9. TC41/2019 – That Council authorise the installation of regulatory parking signage on King Street, Abermain, in accordance with the King Street Abermain Amended Line Marking & Signage Diagram.

That in addition to the adoption of the Minutes of the Local Traffic Committee:

10. The General Manager investigate disability parking at the following locations – Weston CBD near local post office and chemist. Centrelink at Kurri Kurri in Barton Street and Post Office in Lang Street, Kurri Kurri.
11. The General Manager conduct an audit of the taxi ranks in the whole of the LGA to identify if these ranks are being used.

19 Nov 2019 - 4:08 PM - Tracey Cocking

Item 1 - Issued CRM 21481/2019 to Works & Ops.

Item 2 - Issued CRM 21488/2019 to Works & Ops.

Item 3 - Issued CRM 21548/2019 to Works & Ops.

Item 4 - Issued CRM 21607/2019 to Works & Ops.

Item 5 - Issued CRM 21608/2019 to Works & Ops.

Item 6 - Issued CRM 21609/2019 to Works & Ops.

Item 7 - Issued letter of consent 24/10/19.

Item 8 - Issued letter of consent 29/10/19.

Item 9 - Completed as part of Project works.

Item 10 - Commencing investigation.

Item 11 - Corresponding with relevant Taxi operators.

13 Dec 2019 - 11:21 AM - Tracey Cocking

Item 10 - Continuing investigation.

Item 11 - Correspondence with relevant Taxi operators ongoing.

4 Feb 2020 - 3:21 PM - Tracey Cocking

Item 10 - Investigated Mobility Parking Scheme spaces.

Item 11 - Undertaking audit with Taxi operators.

9 Mar 2020 - 10:34 AM - Katrina Kerr

Item 11 - Audited Taxi ranks.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI79/2019	Ordinary Council 6/11/2019	Benson, Nicole	Works and Infrastructure	Minutes of the Dollar for Dollar Grants Committee Meeting of Cessnock City Council Held 23 October 2019	30/04/2020	
1055 MOTION 1055 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Fitzgibbon	Seconded:	Councillor Suvaal		
1.	That Council adopt the Minutes of the Dollar for Dollar Committee held on 23 October 2019.					
2.	That Council write to all applicants advising them of the outcome of their applications and thank them for their ongoing support and commitment to the enhancement of either Council's sporting and community facilities, the local environment, community and the arts.					
3.	That Council reaffirms the provision of funding for the projects listed in the Table below, noting that these projects were funded in the 2018/19 Community and Cultural Dollar for Dollar Grants Scheme and are scheduled to be delivered in October and November 2019.					

APPLICANT	PROJECT DESCRIPTION	TOTAL COST	FUNDING SOUGHT	FUNDING PAYABLE
Kurri Kurri Community Services	Greta, Branxton, Huntlee Family Disco 2020 Promotions, decorations, entertainment, catering	\$4,500	\$2,250	\$2,250
Sculpture in the Vineyards Inc	Wollombi Sculpture in the Vineyards Marketing, venue hire, transportation, printing	\$26,000	\$3,000	\$3,000
Towns with Heart	2020 Town of Murals Show Major Award (\$2,200) Acquisitive art prize	\$13,750	\$2,200	\$2,200
TOTAL			\$7,450	\$7,450

4. That Council provides Community and Cultural Development Dollar Grants funding in 2019/20 for the projects listed in the Table below:

APPLICANT	PROJECT DESCRIPTION	TOTAL COST	FUNDING SOUGHT	FUNDING PAYABLE
Abermain Eisteddfod	Purchase of a portable PA system	\$1,858	\$929	\$929
Cessnock Chamber of Commerce	Mt View Laneway - 5 ways to wellbeing Costs of production and installation of artwork into the Laneway.	\$8,800	\$3,000	\$3,000
Cessnock Chamber of Commerce	The Coalface Mining Laneway Costs of printing and installation of artwork into the Laneway.	\$11,000	\$3,000	\$3,000
Cessnock Seniors Citizens Association Inc	24 Music stands for Cessnock Seniors Choir Costs of purchase of stands.	\$648	\$324	\$324
Early links Inclusion Support service	Music therapy Costs of consultant/therapist and resources.	\$6,600	\$3,000	\$3,000
* Freemasons Cessnock (Lodge Cessnock No.252)	Cessnock Masonic Centre Transformation Project Purchase of 55 chairs for hall.	\$5999.25	\$2,999	\$1,487
Korreil Wonnai Aboriginal Education Consultative Group	Kullaburra Awards Promotion, printing, catering	\$5,000	\$2,500	\$2,500
Richmond Vale Railway Museum	Upgrade of administration and presentation equipment at RVRM Purchase of laptop, digital voice recorder, display panels and cash registers.	\$4847.95	\$2,423	\$2,423
Wine Country Music Association Inc	Stage Gear Upgrade Purchase of microphones, music stands and microphone.	\$1,773.20	\$887	\$887
TOTAL			\$19,062	\$17,550

5. That Council provides Sustainable Communities Dollar for Dollar Grant funding for the projects listed in the Table below.

TIDY TOWN GROUP	PROJECT	TOTAL COST (exc. GST)	GRANT FUNDS REQUESTED
Weston Heritage & Tidy Town	<input type="checkbox"/> Watering system for Jock Stewart Park <input type="checkbox"/> New whipper snippers/ brushcutters <input type="checkbox"/> Sander	\$1,723.41	\$861.71
North Rothbury Tidy Towns	Purchase water cart trailer for ride on mower.	\$3,345.50	\$1,672.73
	TOTAL	\$5,068.91	\$2,534.44

6. That Council offers a second round of grants for the remaining Sustainable Communities Dollar for Dollar Grant budget (\$7,465.56) to be run in February 2020.

7. That Council provides Schools Environment Grant funding for the projects listed in the Table below.

School	Project Description	Total Cost	Grant Requested	Grant Proposed
Honey Tree Preschool	Native stingless beehive	\$750	\$200	\$200
Cessnock Multipurpose Children's Centre	Herb and vegetable garden	\$471	\$200	\$200
Cessnock Kids Preschool and Early Learning Centre	Yarning circle with bush rock and bush tucker plants	\$400	\$200	\$200
Branxton Preschool	Espalier fruit trees to add to edible garden	\$389	\$200	\$200
*Bees Nees Early Learning	Seed germination 'grow table' and supporting education resources	\$318	\$200	\$200
Abermain Public School	Plastic bottle recycling program	\$2,822	\$500	\$500
Ellalong Public School	Enhance school grounds with native plants to support local fauna including endangered Regent Honeyeater.	\$1,200	\$500	\$500
Holy Spirit Primary Kurri Kurri	Mindfulness plaques for school gardens to encourage students to respect and protect their environment.	\$572	\$500	\$500
Nulkaba Public School	Bins to collect Return and Earn containers to fund vegetable garden	\$404	\$202	\$202
Bellbird Public School	TerraCycle recycling boxes for pens and markers	\$416	\$416	\$416
*Cessnock High School ¹	Sustainable garden (bed, water tank & seedlings) for middle school (year 7) area.	\$2,000	\$500	\$500
*Cessnock High School ¹	Bush-tucker garden for SEEK Learning Centre	\$1,000	\$500	\$500
*Cessnock High School ³	Stephanie Alexander garden	\$1,600	\$500	\$500
TOTAL		\$12,342	\$4,618	\$4,618

8. That Council provides Community Facilities Dollar for Dollar Grant funding for the projects listed in the Table below.

FACILITY/ORGANISATION	DESCRIPTION	TOTAL COST (ex. GST)	FUNDING SOUGHT (ex. GST)	FUNDING PAYABLE (ex. GST)
Branxton Community Hall Committee	Installation of solar panels at Branxton Community Hall	\$12,300	\$5,455	\$5,455
Cessnock Multipurpose Children's Centre	Construction of fairy house and gardens	\$12,000	\$4,500	\$4,500
Greta Community Preschool	Refurbishment of existing storeroom	\$7,200	\$2,727	\$2,727
Kurri Retired Mineworkers Association	Purchase of 1st Aid Kit and AED unit for Kurri Senior Citizens Hall	\$3,217	\$1,608	\$1,608
Wollombi Valley Progress Association Inc.	Upgrade and installation of sound system at Laguna Community Hall	\$2,504	\$1,252	\$1,252
	Various maintenance at Laguna Community Hall	\$1,800	\$900	\$0*
TOTAL		\$39,021	\$16,442	\$15,542

9. That Council transfers \$4,458 from the Community Facilities Dollar for Dollar Grant Scheme to the Sporting Facilities Dollar for Dollar Grant Scheme to offset the additional funding requested due to the excess number of applications lodged.

10. That Council provides Sporting Facilities Dollar for Dollar Grant funding for the projects listed in the Table below.

FACILITY/ORGANISATION	DESCRIPTION	TOTAL COST (\$) (ex. GST)	FUNDING SOUGHT (\$) (ex. GST)	FUNDING PAYABLE (\$) (ex GST)
Abermain Weston Hawks Rugby League Club	Purchase and installation of aluminum bench seating with concrete pads	\$10,517	\$5,259	\$5,259
Cessnock District Hockey Association	Repairs to existing synthetic hockey playing field at Baddeley Park Cessnock	\$11,650	\$2,727	\$2,727
Cessnock Dog Club	Installation of pathway, purchase of lawnmower and weed control	\$8,108	\$4,054	\$4,054
Kearsley Community Sporting Association	Manufacturing costs and installation of electronic scoreboard at Jeffery Park Kearsley	\$7,750	\$2,727	\$0*
Kurri Weston District Cricket Club	Upgrade wicket square at Kurri Central Oval	\$12,825	\$6,415	\$5,488**
Weston Workers Bears Football Club	Replace goalposts on main field at Weston Park	\$5,565	\$2,782	\$2,782
Wollombi Valley Pony Club Inc	Repairs to existing post and rail horse holding yards	\$2,673	\$1,350	\$1,350
Wollombi Valley Tennis & Sports Association	Purchase of new fridge, oven, cooktop, kitchen benches and stackable furniture. And painting of kitchen in Wollombi Tennis Clubhouse	\$5,596	\$2,798	\$2,798
TOTAL		\$64,684	\$28,112	\$24,458

11. That Council undertakes a review of the Sporting Facilities Dollar for Dollar Grant Scheme with a view to increasing the budget allocation for this scheme in the 2020/21 Operational Plan.

CARRIED UNANIMOUSLY

Councillor Burke returned to the meeting, the time being 6.46pm

13 Nov 2019 - 8:58 AM - Vickie Stovell

Item 1 - Complete
 Item 2 - Underway
 Item 3 - Complete
 Item 4 - A request has been sent to finance to authorise the payments
 Item 5 - Complete
 Item 6 - Schedule for late January 2020
 Item 7 - Complete
 item 8 - Underway
 Item 9 - Complete
 Item 10 - Underway
 Item 11 - Review underway as part of 2020/21 budget development
 A full project Acquittal has been received from Kurri Kurri Community Services, Sculpture in the Vineyards and Towns With Heart for projects funded through the 2018/19 Community and Cultural Dollar for Dollar Grants Scheme. The payments listed in resolution 3 have been authorised
 4 Dec 2019 - 7:24 AM - Nicole Benson
 Revised Target Date changed by: Benson, Nicole From: 4 Dec 2019 To: 28 Feb 2020
 Reason: Tidy Towns scheduled to run again late January 2020
 6 Mar 2020 - 7:38 AM - Nicole Benson
 Item 2 – Complete
 Item 4 - Complete
 Item 6 – Dollar for Dollar Committee Meeting schedule for late March 2020
 item 8 – Complete
 Item 10 – Complete
 Item 11 – Additional \$20,000 included in draft 2020/21 Operational Plan and Budget for Council's consideration

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W186/2019	Ordinary Council 20/11/2019	Lindsay, Michelle	Works and Infrastructure	Milsons Arm Road and Yango Creek Road - Petitions regarding Waste Service	27/03/2020	
1091 MOTION 1091 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Fitzgibbon		
<p>1. That Council continues to provide the current waste collection route with remote collection services available to residents of Milsons Arm Road and Yango Creek Road, noting the interest shown in extending the collection service area and advise residents in the area that further investigation will be undertaken as part of the Waste Strategy 2020-25.</p> <p>2. That Council writes to the residents of the petition advising them of its decision.</p> <p>3. That the 2 submissions be considered in the development of the Waste Strategy 2020-25.</p> <p>4 Feb 2020 - 4:28 PM - Michelle Lindsay Revised Target Date changed by: Lindsay, Michelle From: 18 Dec 2019 To: 28 Feb 2020 Reason: Correspondence to residents postponed due to bushfire activity within the area. 4 Feb 2020 - 4:33 PM - Michelle Lindsay An action relating to investigation of the extension of the waste service area has been included in the draft Waste and Resource Recovery Strategy 2020-25. Correspondence has been postponed to residents of the petition due to bushfire activity impacting their local area, and is now planned for mid to late February. 4 Mar 2020 - 5:08 PM - Michelle Lindsay Revised Target Date changed by: Lindsay, Michelle From: 28 Feb 2020 To: 27 Mar 2020 Reason: Date revised to enable signatories to be notified during public exhibition phase of Waste Strategy (subject to Council adoption)</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W187/2019	Ordinary Council 20/11/2019	Kerr, Katrina	Works and Infrastructure	NSW Government Fixing Local Roads - Application for Funding	30/06/2020	
1092 MOTION 1092 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Burke	Seconded:	Councillor Gray		
<p>1. That Council endorses the submission of five applications under the NSW Government Fixing Local Roads Round 1 2019 Program for the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Mitchell Avenue, Kurri Kurri – Pavement Rehabilitation <input type="checkbox"/> Cessnock Road, Weston – Pavement Rehabilitation <input type="checkbox"/> Old Maitland Road, Sawyers Gully – Pavement Rehabilitation <input type="checkbox"/> Old Maitland Road, Sawyers Gully – Sealing Unsealed Road <input type="checkbox"/> Northcote Street, Kurri Kurri – Pavement Rehabilitation <p>2. That Council endorses reallocation of up to \$1.25M within the Local Road Renewal Program 2019-20 and 2020-21 of the current Delivery Program 2017-21 as a minimum co-contribution in accordance with the outcome of the grant application.</p> <p>3. That Council send a copy of the report to Clayton Barr MP, Member for Cessnock seeking his support.</p> <p>9 Mar 2020 - 2:50 PM - Katrina Kerr Item 1 – Lodged 5 applications under NSW Government Fixing Local Roads Round 1 2019. Item 2 – Awaiting announcement to allocate funds. Item 3 - Copy of the report sent to Clayton Barr MP, Member for Cessnock seeking his support.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W188/2019	Ordinary Council 11/12/2019	Jeffery, Warren	Works and Infrastructure	Traffic & Transport Strategy - Resourcing for Implementation Program	15/04/2020	
1111 MOTION 1111 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council endorses the 12 month appointment of a Traffic Engineer and part time Technical Support Officer dedicated to developing an Implementation Program to deliver outcomes of the adopted Cessnock LGA Traffic and Transport Strategy Report 2018 Technical Report.</p> <p>2. That Council allocates \$140,000 from the funds reserved for potential leverage against grant funding opportunities to fund the temporary appointment of the dedicated staff as detailed in the report.</p> <p>4 Feb 2020 - 11:49 AM - Warren Jeffery Item 1 - Commenced drafting Position Descriptions for recruitment process. Item 2 - Scheduled allocation of \$140,000 in the 2020-21 Quarterly Budget Review. 4 Mar 2020 - 3:23 PM - Katrina Kerr Item 1 - Advertised and interviewed candidates 19/02/20. Item 2 - Complete.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI91/2019	Ordinary Council 11/12/2019	Conner, Martin	Works and Infrastructure	Roadside Drainage Strategy 2019 - Outcome of Exhibition and Adoption	1/04/2020	
1114 MOTION 1114 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council notes the outcome of the public exhibition and submission received.</p> <p>2. That Council adopts the Roadside Drainage Strategy 2019.</p> <p>3. That Council makes provision for the implementation of the Roadside Drainage Strategy in consideration of future Operational Plans and available resources.</p> <p>3 Feb 2020 - 2:01 PM - Rachael O'Hara Item 1 - Noted Item 2 - Noted Item 3 - Listed high priority projects for future Operational Plans. 9 Mar 2020 - 1:07 PM - Rachael O'Hara Item 3 - Listed high priority projects for future Operational Plans.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI93/2019	Ordinary Council 11/12/2019	Harris, Kate	Works and Infrastructure	Exhibition of Draft Trails Strategy	31/03/2020	
1116 MOTION 1116 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Gray		
<p>1. That Council places the draft Trails Strategy on public exhibition in late January 2020 for a minimum period of 28 days and invite public submissions.</p> <p>2. That a report on the outcomes of the exhibition be provided to Council prior to adopting the final Trails Strategy.</p> <p>21 Jan 2020 - 2:37 PM - Vickie Stovell Revised Target Date changed by: Stovell, Vickie From: 8 Jan 2020 To: 31 Mar 2020 Reason: 1. The draft Trail Strategy will be on public exhibition from 28 January until 28 February 2020 2. Reliant on resolution 1 to be finalised</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI98/2019	Ordinary Council 11/12/2019	Benson, Nicole	Works and Infrastructure	Infrastructure Grants Program November 2019 Round	27/03/2020	
1121 MOTION 1121 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
<p>1. That Council endorses the submission of an application for the Miller Park Community Hub under the November 2019 Round of the Infrastructure Grants Program.</p> <p>2. That if the application is successful, Council contributes up to \$121,200 in co-contribution funding from the funds reserved for potential leverage against grant funding opportunities.</p> <p>3. That Council write to the following to seek their support for the project:-</p> <p>Member for Cessnock Clayton Barr Shadow Minister for Local Government, Greg Warren Relevant minister Taylor Martin MLC</p> <p>16 Dec 2019 - 12:05 PM - Kelly Paterson Item 3 - Sent letters to the following to seek their support for the project:- Member for Cessnock Clayton Barr Shadow Minister for Local Government, Greg Warren Relevant minister - The Hon. Victor Dominello, MP Taylor Martin MLC Memo sent to All Councillors to advise that Council will write to the members as per the resolution, however please note that any correspondence from government representatives will not be considered eligible support material and as such will not be attached to the application. 2 Mar 2020 - 11:55 AM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 28 Feb 2020 To: 27 Mar 2020 Reason: Awaiting funding announcements.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE88/2018	Ordinary Council 12/12/2018	McCauley, Hannah	Planning and Environment	Draft Cessnock Airport Strategic Plan	11/12/2019	10/02/2020
713 MOTION 713 RESOLVED	Moved:	Curtis, Gareth Councillor Suvaal	Seconded:	Councillor Burke		
<ol style="list-style-type: none"> That Council place the draft Cessnock Airport Strategic Plan 2018 and associated 5 year Business Plan on public exhibition early in 2019 for a period of 28 days. That Council consider the implications of the Draft Strategic Plan in the assessment of Development Application for activities at the Airport. That Council be provided with a report following public exhibition of the draft Cessnock Airport Strategic Plan 2018 detailing the outcomes of the public exhibition. <p>7 Feb 2019 - 1:40 PM - Dan Luscombe On public exhibition until 28/2. 4 Apr 2019 - 3:47 PM - Martin Johnson Revised Target Date changed by: Johnson, Martin From: 1 Apr 2019 To: 30 Jun 2019 Reason: Draft Strategic Plan under review following public exhibition and receipt of submissions 11 Jul 2019 - 4:25 PM - Martin Johnson Recommendations 1 and 2 completed. Report on post exhibition to be tabled to the next Strategic Property & Community Facilities Committee. 28 Oct 2019 - 3:05 PM - Martin Johnson Draft report reporting on public exhibition and seeking endorsement of final Plan scheduled for Strategic Property and Community Facilities Committee on 20 November 2019 28 Oct 2019 - 3:09 PM - Martin Johnson Revised Target Date changed by: Johnson, Martin From: 31 Oct 2019 To: 11 Dec 2019 Reason: Reporting to SP&CF meeting on 20 November 2019 and then Council 10 Feb 2020 - 10:23 AM - Hannah McCauley Revised Target Date changed by: McCauley, Hannah From: 11 Dec 2019 To: 11 Dec 2019 Reason: Actions completed. 10 Feb 2020 - 10:23 AM - Hannah McCauley Action completed by: McCauley, Hannah Actions completed.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN4/2019	Ordinary Council 6/03/2019	Glauser, Andrew	Business With Notice	Richmond Main RV Park	31/12/2019	3/03/2020
792 MOTION 792 RESOLVED	Moved:	Maginnity, Robert Councillor Gray	Seconded:	Councillor Burke		
<p>That Council include the following as a specific action in the 2019-20 Operational Plan:</p> <p>Investigate opportunities for the Richmond Main site to become an eco-tourism/outdoor adventure hub that would co-exist with the current cultural and heritage use of the site.</p> <p>7 Aug 2019 - 3:24 PM - Martin Johnson Revised Target Date changed by: Johnson, Martin From: 28 Jun 2019 To: 31 Dec 2019 Reason: Future land use options for site currently under investigation by Strategic Property Officer 4 Feb 2020 - 5:26 PM - Hannah McCauley Action reassigned to Glauser, Andrew by: McCauley, Hannah for the reason: Strategic Property now managed by Finance and Administration Manager. 3 Mar 2020 - 11:34 AM - Andrew Glauser Action completed by: Keegan, Robyn Item included in 2019-20 Operational Plan under Strategic objective; "Increasing tourism opportunities, and visitation in the area", with a specific action 2.3.1.c of "Investigate opportunities for the Richmond Main site to become an eco-tourism/outdoor adventure hub that would co-exist with the current cultural and heritage use of the site." 3 Mar 2020 - 11:35 AM - Robyn Keegan All Councillor Memo, dated 2 March 2020 forwarded giving an answer to question from Cllr Burke at Council Meeting 6 March 2020 when considering Report CC16/2020 - Resolution Tracking Report. Estimated Completion for BN4/2019 NOM is "end of the current financial year".</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE51/2019	Ordinary Council 19/06/2019	Harris, Kate	Planning and Environment	Branxton Town Centre Draft Public Domain Plan and Draft Development Control Plan	31/03/2020	4/03/2020
941 MOTION 941 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dagg	Seconded:	Councillor Burke		
<ol style="list-style-type: none"> That Council adopt the Branxton Town Centre Public Domain Plan. That Council adopt the Branxton Town Centre Chapter of the Cessnock Development Control Plan 2010. That Council support the reallocation of \$279,000 Stronger Country Communities grant funding to works proposed by the Branxton Town Centre Public Domain Plan for Branxton Oval, instead of developing a proposed town square on the corner of Maitland Street and Cessnock Road, Branxton. That Council not pursue an area-specific s7.11 plan for the Branxton Sub-region. That Council notify in writing the persons who made a submission with regard to the draft plan, of Council's decision. That the General Manager bring back a report on the cost and time implications to develop a traffic and transport study for the Branxton Town Centre to the next meeting. That Council put forward the project of security cameras at the rotunda in Branxton for the next round of Safer Communities Grants. That the General Manager liaise with Roads and Maritime Services for the removal of any barriers and signs that are leftover from the pre Hunter Expressway days that are no longer necessary. <p>24 Jun 2019 - 1:46 PM - Robert Corken</p>						

Action 1 has been noted and the plan has been finalised and placed on website.
 Action 2 has been noted and the DCP has been finalised and placed on website.
 Action 3 - Letter has been drafted, to be signed by Strategic Planning Manager
 Action 4 has been noted and no further action is required on this item.
 Action 5 has been undertaken.
 Action 6 has been referred to Manager Infrastructure for action.
 Action 7 cannot be progressed until Safer Communities Grants are open. Action referred to Principal Community Planner for action when the grant opens.
 Action 8 has been referred to Manager Infrastructure for action.
 4 Jul 2019 - 4:39 PM - Rachael O'Hara
 Item 6 - Complete - report presented to Council 3 July 2019.
 Item 7 - Open Space & Community Facilities to facilitate grant application once opening date announced
 Item 8 - Email sent to RMS and response received 24 June 2019
 12 Aug 2019 - 10:08 AM - Kelly Paterson
 Item 7 - Open Space & Community Facilities to facilitate grant application once opening date announced
 3 Nov 2019 - 10:23 AM - Kate Harris
 Revised Target Date changed by: Harris, Kate From: 8 Nov 2019 To: 06 Dec 2019
 Reason: Grant Program yet to be announced
 21 Jan 2020 - 2:39 PM - Vickie Stovell
 Revised Target Date changed by: Stovell, Vickie From: 6 Dec 2019 To: 31 Mar 2020
 Reason: Action 7 – Cannot be progressed until Safer Communities Grants are open.
 4 Mar 2020 - 9:35 AM - Kate Harris
 The Justice Strategy & Programs Unit within the Department of Communities and Justice have advised that the NSW Community Safety Fund program is completed and there are no future rounds.
 4 Mar 2020 - 9:42 AM - Kate Harris
 Action completed by: Harris, Kate
 The Safer Communities Grant Fund is complete with no further rounds occurring.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI37/2019	Ordinary Council 3/07/2019	Benson, Nicole	Works and Infrastructure	Request for Sponsorship - Central Hunter Business Chamber - Celebrating Greta Army Camp 1939-1960	28/02/2020	11/02/2020
895 MOTION 895 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Dagg	Seconded:	Councillor Suvaal		
<ol style="list-style-type: none"> That Council provides in-kind support to the Central Hunter Business Chamber by supplying 800m of safety bunting at an estimated cost of \$850. That Council waives the fees associated with the provision of 80 garbage bins. That Council provides \$12,955 (GST exclusive) sponsorship for Celebrating Greta Army Camp 1939 – 1960 with funding from the Tourism Related Project funding. That the Central Hunter Business Chamber provide an acquittal of the sponsorship within 60 days of the event. 						
8 Jul 2019 - 3:16 PM - Kristy Meyers Item 1 - Safety bunting to be provided by Stores Item 2 - Provision of 80 garbage bins to be supplied and fees waived by Environment & Waste Item 3 - \$12,955 for sponsorship to be provided and arrange by Finance (DOC2019/067711) Item 4 - Acquittal received Central Hunter Business Chamber 11 Feb 2020 - 11:01 AM - Nicole Benson Action completed by: Benson, Nicole Acquittal received on 24 January 2020 and approved by Management Accountant.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN20/2019	Ordinary Council 21/08/2019	Jeffery, Warren	Business With Notice	Keep Clear Regulatory Line Marking at the Intersection of Wollombi Road and Ivan Street, Cessnock	18/03/2020	13/02/2020
944 MOTION 944 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Lyons	Seconded:	Councillor Suvaal		
<p>1. That the General Manager report back to Council within 4 months on the resourcing implications and timeframes associated with reviewing the existing Traffic and Transport Strategy and developing an implementation program.</p> <p>2. That the General Manager investigate the installation of regulatory "KEEP CLEAR" line marking at the intersection of Wollombi Road and Ivan Street, Cessnock and if such treatment is appropriate, present a proposal to the Local Traffic Committee recommending installation.</p> <p>9 Sep 2019 - 4:33 PM - Warren Jeffery Item 1 - Investigating resourcing implications and timeframes associated with reviewing the Traffic & Transport Strategy and developing an implementation program, to be reported back to Council by December 2019. Item 2 - Investigated the installation of regulatory "KEEP CLEAR" line marking at the intersection of Wollombi Road and Ivan Street, Cessnock West. Results to be communicated by way of Councillor Memo. 9 Oct 2019 - 4:29 PM - Warren Jeffery Item 1 - Investigating resourcing implications and timeframes associated with reviewing the Traffic & Transport Strategy and developing an implementation program, to be reported back to Council by December 2019. Item 2 - Drafted Councillor Memo to communicate results of investigation into the installation of KEEP CLEAR line marking treatment at the intersection of Wollombi Road and Ivan Street. 29 Nov 2019 - 3:15 PM - Warren Jeffery Item 1 - Authored report for consideration at the Ordinary Meeting of Council on 11 December 2019. Item 2 - Submitted draft Councillor Memo for review prior to sign-off and distribution. 4 Feb 2020 - 11:12 AM - Warren Jeffery Item 2 - Drafted Councillor Memo - DOC2019/095536 13 Feb 2020 - 12:44 PM - Tracey Cocking Item 2 - Issued Councillor Memo.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN23/2019	Ordinary Council 4/09/2019	Jeffery, Warren	Business With Notice	Palmers Lane, Pokolbin _ Speed Zone Review	4/03/2020	13/02/2020
976 MOTION 976 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Fagg	Seconded:	Councillor Dagg		
<p>1. The Council note the use of Palmers Lane, Pokolbin by buses and heavy vehicles to gain access and for through routing, as well as its importance as a tourist route for cars and cyclists.</p> <p>2. That the General Manager write to Roads and Maritime Services in support of community requests for a review of the current 80kmh speed zone on Palmers Lane, Pokolbin to 60kmh.</p> <p>11 Sep 2019 - 3:32 PM - Kelly Bates Item 1 - Noted Item 2 - Draft letter to RMS 9 Oct 2019 - 4:33 PM - Warren Jeffery Item 2 - Reviewed NSW Speed Zoning Guidelines and drafted letter to Roads & Maritime Services requesting a speed zone review for Palmers Lane, Pokolbin. 29 Nov 2019 - 2:58 PM - Warren Jeffery Item 2 - Discussed speed zone review for Palmers Lane with RMS Network & Safety Officer on 27 November 2019. Draft letter to RMS under review pending sign-off.</p>						

4 Feb 2020 - 11:14 AM - Warren Jeffery

Item 2 - Prepared letter to Transport for NSW passing on request for speed zone review.

13 Feb 2020 - 12:51 PM - Tracey Cocking

Item 2 - Issued letter.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE64/2019	Ordinary Council 2/10/2019	Corken, Robert	Planning and Environment	Amendment of the Cessnock Section 7.12 Contributions Plan and Repeal of Tourism Section 94 Contributions Plan	6/02/2020	10/02/2020
1007 MOTION 1007 RESOLVED	Moved:	Curtis, Gareth Councillor Fitzgibbon	Seconded:	Councillor Gray		
<p>1. That Council place the draft Section 7.12 Contributions Plan on public exhibition for a minimum period of 28 days.</p> <p>2. That Council publish a notice of intent to repeal the Tourism S94 Contributions Plan in accordance with section 22 of the <i>Environmental Planning and Assessment Regulations 2000</i>.</p> <p>3. That Council receive a report back on the amended S7.12 Contributions Plan after consultation with the community.</p> <p>4. That Council, upon the repeal of the Tourism S94 Contributions Plan, transfer the funds from that Plan to the Section 7.12 Contributions Plan.</p> <p>5. That the Pathways Construction Programme included in Schedule 1 (Clause 14) Works Schedule – Part A be changed from Medium to High.</p> <p>28 Oct 2019 - 3:16 PM - Robert Corken Public exhibition to commence on 30 October 2019. 6 Nov 2019 - 4:26 PM - Linda Lewis Revised Target Date changed by: Lewis, Linda From: 30 Oct 2019 To: 06 Feb 2020 Reason: On public exhibition until 27-11-2019. 10 Feb 2020 - 1:41 PM - Robert Corken Public exhibition completed. Council report 5/2/2020. Will be notified in local paper on 19/2/2020. No more action required. 10 Feb 2020 - 1:46 PM - Robert Corken Action completed by: Corken, Robert Completed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W182/2019	Ordinary Council 20/11/2019	Kerr, Katrina	Works and Infrastructure	Minutes of Roads Review Committee Meeting held 11 October 2019	18/12/2019	7/02/2020
1087 MOTION 1087 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Gray		
That the Minutes of the Roads Review Committee of 11 October 2019 be adopted as a resolution of the Ordinary Council.						
1. RRCOR9/2019 –						
1. That Council advises the petition organiser that the prioritisation of sealing unsealed urban roads is currently being overseen by Council's Roads Review Committee.						
7 Feb 2020 - 12:02 PM - Katrina Kerr Action completed by: Kerr, Katrina 1. Advised petition organiser.						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W183/2019	Ordinary Council 20/11/2019	Goodbun, Nathan	Works and Infrastructure	Minutes of Local Traffic Committee Meeting held 21 October 2019	15/04/2020	11/03/2020
1088 MOTION 1088 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Gray		
That the Minutes of the Local Traffic Committee Meeting of 21 October 2019 be adopted as a resolution of the Ordinary Council.						
1. TC42/2019 – That Council authorises the temporary regulation of traffic on Paynes Crossing Road, Wollombi for the Wollombi Public Holiday Markets events in accordance with the Paynes Crossing Road Wollombi _ Public Holiday Markets Traffic Control Plan.						
2. TC43/2019 – That Council authorises the temporary regulation of traffic for the Kurri Kurri Nostalgia Festival event in accordance with the Various Roads Kurri Kurri _ Nostalgia Festival Traffic Control Plans.						
3. TC44/2019 – That Council authorises the installation of regulatory parking signage on Mulbring Street, Aberdare in accordance with the Mulbring Street Aberdare _ Signage & Line Marking Diagram.						
4. TC45/2019 – That Council authorises the installation of regulatory signage and line marking on Vernon and Allan Streets, Cessnock in accordance with the Vernon Street Cessnock _ Signage & Line Marking Diagram.						
5. TC46/2019 - That Council authorises the temporary regulation of traffic on Broke Road and McDonalds Road, Pokolbin for the Grapevine Gathering event in accordance with the Broke Road & McDonalds Road Pokolbin _ Grapevine Gathering Traffic Management Plan as provided to Committee.						
28 Nov 2019 - 9:34 AM - Tracey Cocking Item 1 - Authorisation issued 25/11/2019. Item 2 - Authorisation issued 25/11/2019. Item 3 - Preparing detailed plans and CRM to works. Item 4 - Preparing detailed plans and CRM to works. Item 5 - Authorisation issued 25/11/2019						

13 Dec 2019 - 10:28 AM - Tracey Cocking
 Item 3 - Preparing detailed plans and CRM to works.
 Item 4 - Preparing detailed plans and CRM to works.
 18 Feb 2020 - 3:14 PM - Tracey Cocking
 Item 3 - Provided CRM 2689/2020 to Works & Operations.
 Item 4 - Preparing detailed plans and CRM to Works & Operations.
 4 Mar 2020 - 10:03 AM - Tracey Cocking
 Item 4 - Issued CRM 4940/2020.
 11 Mar 2020 - 10:08 AM - Nathan Goodbun
 Action completed by: Cocking, Tracey
 All actions completed.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MM19/2019	Ordinary Council 11/12/2019	Jackson, Lotta	Deferred Business	Cessnock Correctional Centre Access	19/02/2020	10/03/2020
MOTION	Moved:	Jackson, Lotta Councillor Pynsent				
1.	That Council notes that the access to the Cessnock Correctional Centre is a decision for the State Government and the Department of Corrections;					
2.	That Council reaffirms that Council's position is that access to the Correctional Centre at Lindsay Street/Mavis Street be closed and that a new access is created via direct route from Wine Country Drive onto land owned by Hunter New England Health;					
3.	That Council notes that on a meeting on 12 November 2019 with Minister for Corrections Anthony Roberts and Member for Cessnock Clayton Barr, the Minister outlined concerns with the proposed route through Hunter New England Health land. Following this meeting the Member for Cessnock addressed a meeting of the Cessnock Correctional Centre Consultative Committee on 6 December 2019 and outlined the reasons why the Health Land Access Proposal would not progress;					
4.	That Council requests the General Manager engage with the Department of Corrections to confirm their suggested solution to establish an access to the Cessnock Correctional Centre via Wine Country Drive; and					
5.	That Council calls on the Department of Corrections to meet the following conditions when selecting the State Governments preferred access route:					
*	That access to the Correctional Centre is via a route that has minimal impact on private residences before it adjoins the State Road Network;					
*	Sufficient security fencing and screening be installed along the route to prohibit vehicle and pedestrian access near private residences;					
*	The route minimises traffic on Cessnock Council maintained roads; and					
*	That safe access be maintained where the route joins the State Road Network.					
PROCEDURAL MOTION	Moved:	Councillor Olsen				
	Seconded:	Councillor Fitzgibbon				
That the Mayoral Minute be Deferred to the first meeting in February to enable residents to investigate and come back to Council with their reasons to keep negotiating with Hunter Health.						
4 Feb 2020 - 4:34 PM - Gina Radford Revised Target Date changed by: Radford, Gina From: 8 Jan 2020 To: 19 Feb 2020 Reason: Deferred Mayoral Minute until 19 February 2020. Letter received from Clayton Barr MP and submission received from Green Option Group.						
10 Mar 2020 - 9:58 AM - Lotta Jackson Mayoral Minute considered 19 February 2020.						
10 Mar 2020 - 10:00 AM - Lotta Jackson Action completed by: Jackson, Lotta Completed						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W189/2019	Ordinary Council 11/12/2019	Jeffery, Warren	Works and Infrastructure	Eleventh Avenue, Millfield - Local Area Traffic Management Scheme	18/03/2020	4/03/2020
1112 MOTION 1112 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Fitzgibbon		
<p>1. That Council notes that the low traffic volumes in Millfield do not warrant the implementation of road closures and other Local Area Traffic Management treatments as proposed in Council's resolution (913) dated 15 May 2019, and further that the these Local Area Traffic Management treatments are overwhelmingly opposed by the residents within the affected area.</p> <p>2. That Council treats the Wollombi Road/Bennett Street intersection, and improves wayfinding signage, to reduce through traffic at the intersection of Eleventh Avenue and Millfield Road as part of the current Wollombi Road Millfield Stage 6, Regional Road Renewal Project.</p> <p>3. That the General Manager liaise with the Traffic Committee to consider an appropriate traffic signage plan.</p> <p>1. That the traffic sign on Wollombi Road, west of Eleventh Avenue read "Sydney, Mulbring and Ellalong".</p> <p>2. The sign on Eleventh Avenue, north of Millfield Road reads "Sydney, Mulbring and Ellalong".</p> <p>3. That a sign be placed on Eleventh Avenue at the intersection of Tenth Avenue to read "No Through Road".</p> <p>4. The intersection of Eleventh Avenue and Millfield Road, a "Stop" sign be placed on the southern side with white line markings on the road.</p> <p>5. On the intersection of Millfield Road and Eleventh Avenue, that 'warning' marks be placed on the road warning of a 'Stop' sign.</p> <p>6. On the intersection of Millfield Road and Bennett Street, a larger sign be placed further away from the intersection to direct long and heavy vehicles down Bennett Street on to Wollombi Road.</p> <p>13 Dec 2019 - 11:00 AM - Tracey Cocking Item 1 - Noted Item 2 - Included in project works. Item 3.1 - Referring to Local Traffic Committee. Item 3.2 - Referring to Local Traffic Committee. Item 3.3 - Referring to Local Traffic Committee. Item 3.4 - Referring to Local Traffic Committee. Item 3.5 - Referring to Local Traffic Committee. Item 3.6 - Referring to Local Traffic Committee. 4 Feb 2020 - 3:27 PM - Tracey Cocking Item 3 - Referred to Local Traffic Committee meeting of 20 January 2020. 4 Mar 2020 - 10:07 AM - Warren Jeffery Action completed by: Cocking, Tracey Referred to Local Traffic Committee meeting of 20 January 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI90/2019	Ordinary Council 11/12/2019	Kerr, Katrina	Works and Infrastructure	Metcalf Lane, Sawyers Gully - Traffic Management	8/01/2020	7/02/2020
1113 MOTION 1113 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Sander		
<p>That Council notes that traffic on Metcalfe Lane, Sawyers Gully has been regulated under Section 115 of the <i>Roads Act 1993</i> by closure to through traffic in accordance with the Metcalfe Lane Sawyers Gully -Traffic Management Overview Option A.</p> <p>7 Feb 2020 - 10:27 AM - Katrina Kerr Action completed by: Kerr, Katrina Noted.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI92/2019	Ordinary Council 11/12/2019	Bent, Geoffrey	Works and Infrastructure	Review of Unsealed Rural Roads Maintenance	27/03/2020	6/03/2020
1115 MOTION 1115 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Stapleford		
<p>1. That Council adopts Option 3 of the revised <i>Rural Road Maintenance Schedule</i> where Category 1 roads are based on the past three year average servicing history and all other roads are based on one service annually; and</p> <p>2. That Council notes that Option 3 of the revised <i>Rural Road Maintenance Schedule</i> is within the current Works and Operations Road Maintenance budget allocations.</p> <p>7 Feb 2020 - 2:40 PM - Kelly Paterson Revised Target Date changed by: Paterson, Kelly From: 8 Jan 2020 To: 21 Feb 2020 Reason: Investigations still underway 6 Mar 2020 - 1:02 PM - Kelly Paterson 1. Noted 2. Noted 6 Mar 2020 - 1:03 PM - Geoffrey Bent Action completed by: Paterson, Kelly Completed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI96/2019	Ordinary Council 11/12/2019	Benson, Nicole	Works and Infrastructure	Fees and Charges - Open Space and Recreation	28/02/2020	2/03/2020
1119 MOTION 1119 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Sander		
<p>1. That Council place the draft Fees and Charges for vegetation removal, security keys, cemetery memorial plaques and swimming lessons on public exhibition for 28 days.</p> <p>2. That the General Manager investigate the cost of a Coffin lowering device.</p> <p>15 Jan 2020 - 10:51 AM - Nicole Benson Exhibition planned for 22/1 to 21/2. Cost of lowering device being investigated and Cllr memo will convey the information. 15 Jan 2020 - 10:53 AM - Nicole Benson Revised Target Date changed by: Benson, Nicole From: 8 Jan 2020 To: 28 Feb 2020 Reason: Exhibition concludes on 21/2/20 2 Mar 2020 - 11:45 AM - Nicole Benson 1. Complete. Fees advertised from 22/01/2020 to 21/02/2020 with no submissions received. 2. Information contained within DOC2020/009721 Council Lawn Cemeteries - Coffin Lowering Devices memo sent on 21 January 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI99/2019	Ordinary Council 11/12/2019	Lindsay, Michelle	Works and Infrastructure	Waste Levy Exemption - Areas Effected by Fire	29/02/2020	4/03/2020
1122 MOTION 1122 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Dagg		
<p>1. That Council waives the fees to dispose of waste generated as a result of bushfire events declared in AGRN 871 Natural Disaster Declaration to assist affected residents of fire affected communities.</p> <p>2. That Council notifies fire affected communities advising them of the opportunity to dispose of eligible waste at no cost.</p> <p>5 Feb 2020 - 9:09 AM - Michelle Lindsay Revised Target Date changed by: Lindsay, Michelle From: 8 Jan 2020 To: 29 Feb 2020 Reason: Exemption expiry date. 5 Feb 2020 - 9:09 AM - Michelle Lindsay Procedure for waiving fees has been implemented at the waste management centre and promotion has been undertaken. As of 4 February 2020, 8.62 tonnes of bushfire generated waste has been disposed of under the fee waiver/exemption. 4 Mar 2020 - 5:11 PM - Michelle Lindsay Action completed by: Lindsay, Michelle Fee waiver has been implemented. The EPAs natural disaster exemption for the bushfires has been extended to 30 June 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE2/2020	Ordinary Council 5/02/2020	Corken, Robert	Planning and Environment	Amendment of the Cessnock Section 7.12 Contributions Plan and repeal of the Tourism Section 94 Contributions Plan	4/03/2020	10/02/2020
1133 MOTION 1133 RESOLVED	Moved:	Curtis, Gareth Councillor Dunn	Seconded:	Councillor Stapleford		
<p>1. That Council notes the draft amended Section 7.12 Levy Contributions Plan 2017 was publicly exhibited for 28 days from 30 October 2019 to 27 November 2019 and no public submissions were received.</p> <p>2. That Council repeals the Tourism Section 94 Contributions Plan.</p> <p>3. That Council allocates \$400,000 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Hunter Valley Wine Country Signage Strategy Implementation Project.</p> <p>4. That Council adopts the amended Section 7.12 Levy Contributions Plan 2017 and transfer \$476,923.75 in contributions collected from the repealed Tourism Section 94 Contributions Plan to the Section 7.12 Levy Contributions Plan 2017.</p> <p>5. That the \$476,923.75 in contributions collected from the repealed Tourism Section 94 Contributions Plan be specifically reserved for Tourism related projects within the 7.12 Plan.</p> <p>10 Feb 2020 - 12:13 PM - Martin Johnson Action reassigned to Corken, Robert by: Johnson, Martin for the reason: Project Manager 10 Feb 2020 - 1:46 PM - Robert Corken New plan notified in the paper on 19/2/2020. No further action is required.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE3/2020	Ordinary Council 5/02/2020	McCauley, Hannah	Planning and Environment	Minutes of the Strategic Property & Community Facilities Committee meeting of 11 December 2019	4/03/2020	10/02/2020
1134 MOTION 1134 RESOLVED	Moved:	Curtis, Gareth Councillor Suvaal	Seconded:	Councillor Sander		
<p>1. That Council adopts the Minutes of the Strategic Property Committee of 11 December 2019 as a resolution of the Ordinary Council.</p> <p>2. That Council adopts the Airport Strategic Plan as contained in the enclosure to this report.</p> <p>10 Feb 2020 - 10:23 AM - Hannah McCauley Action completed by: McCauley, Hannah Actions completed.</p>						

Report CC24/2020 - Resolutions Tracking Report

Enclosure 2

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC2/2020	Ordinary Council 5/02/2020	Chadwick, Teresa	Corporate and Community	Councillor Professional Development and Training Report	4/03/2020	26/02/2020
1137 MOTION 1137 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council adopts the draft Councillor Professional Development Plan 2020.</p> <p>2. That Council notes the Councillor Professional Development Report 2018/19.</p> <p>26 Feb 2020 - 12:19 PM - Teresa Chadwick Action completed by: Chadwick, Teresa Training sessions booked and invites sent to Councillors.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC3/2020	Ordinary Council 5/02/2020	Drage, Natalie	Corporate and Community	Minutes of the Cultural Facilities Committee Meeting of Cessnock City Council held 18 December 2019	4/03/2020	7/02/2020
1138 MOTION 1138 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Suvaal		
<p>That the Minutes of the meeting of the Cultural Facilities Committee held on 18 December 2019 be adopted as a resolution of the Ordinary Council.</p> <p>7 Feb 2020 - 2:52 PM - Natalie Drage Action completed by: Drage, Natalie Noted.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W11/2020	Ordinary Council 5/02/2020	Fitzpatrick-Barr, Justin	Works and Infrastructure	Financial Sustainability Initiative Projects	4/03/2020	10/02/2020
1143 MOTION 1143 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Fitzgibbon		
<p>1. That Council notes the information provided in the report relating to the progress of the Financial Sustainability projects.</p> <p>2. That a media release to inform the community of this initiative be developed to include the conclusion and financial implications listed on page 108.</p> <p>10 Feb 2020 - 4:14 PM - Kelly Paterson Item 1 - Noted Item 2 - Media release prepared and sent Monday 10 February 2020. 10 Feb 2020 - 4:14 PM - Justin Fitzpatrick-Barr Action completed by: Paterson, Kelly Action completed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W12/2020	Ordinary Council 5/02/2020	Goodbun, Nathan	Works and Infrastructure	Minutes of Local Traffic Committee held 18 November 2019	4/03/2020	4/03/2020
1144 MOTION 1144 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Suvaal	Seconded:	Councillor Dagg		
<p>That the Minutes of the Local Traffic Committee Meeting of 18 November 2019 be adopted as a resolution of the Ordinary Council.</p> <ol style="list-style-type: none"> 1. TC46A/2019 - That Council authorises the installation of regulatory parking signage on Tomalpin Street, Kearsley in accordance with the Tomalpin Street Kearsley _ Signage & Line Marking Diagram. 2. TC47/2019 - That Council authorises the installation of regulatory parking signage on Rothbury Street, Nulkaba in accordance with the Rothbury Street Nulkaba _ Signage Diagram. 3. TC48/2019 - That Council authorises the installation of signage and barriers on the laneway between Mount View Road and Tempranillo Crescent, Cessnock in accordance with Tempranillo Crescent Cessnock _ Signage & Barrier Diagram. 4. TC49/2019 - That Council authorises installation of line marking on Averys Lane, Buchanan in accordance with the Averys Lane Buchanan _ Line Marking Diagram. 5. TC50/2019 - That Council authorises installation of line marking at the intersection of Beaufort Avenue and Kendall Street, Bellbird, in accordance with the Beaufort Avenue Bellbird _ Line Marking Diagram. 6. TC51/2019 - That Council authorises the installation of regulatory parking signage and line marking on Cumberland Street, Cessnock in accordance with the Cumberland Street Cessnock _ Signage & Line Marking Diagram. 7. TC52/2019 - That Council notes the consent of Roads and Maritime Services has been received for implementation of a 10km/h Shared Zone in Charlton Street, Cessnock as outlined in the Charlton Street Cessnock _ Shared Zone Approval. <p>18 Feb 2020 - 1:53 PM - Tracey Cocking Item 1 - Completed works. Item 2 - Issued CRM 2704/2020 to Works & Operations. Item 3 - Issued CRM 2723/2020 to Works & Operations. Item 4 - Advised Development Services 10/2/2020. Item 5 - Advised Development Services 10/2/2020. Item 6 - Notification of Developer pending. 4 Mar 2020 - 10:28 AM - Tracey Cocking Item 6 - Notified Developer. 4 Mar 2020 - 10:29 AM - Nathan Goodbun Action completed by: Cocking, Tracey All tasks completed.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI3/2020	Ordinary Council 5/02/2020	Kerr, Katrina	Works and Infrastructure	Congewai Road, Congewai Petition for Bridge at Helens Crossing	4/03/2020	9/03/2020
1145 MOTION 1145 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council notes the petition lodged by residents requesting a bridge across the Congewai Creek at the top end of Congewai Valley.</p> <p>2. That Council retain the existing causeway and notifies the petition organiser accordingly.</p> <p>10 Feb 2020 - 12:18 PM - Katrina Kerr Item1 - Noted. Item 2 - Prepared notification letter. 9 Mar 2020 - 5:05 PM - Katrina Kerr Item 2 - Sent notification letter to petition organiser. 9 Mar 2020 - 5:06 PM - Katrina Kerr Action completed by: Kerr, Katrina Completed</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI4/2020	Ordinary Council 5/02/2020	Kerr, Katrina	Works and Infrastructure	Heddon Street, Kurri Kurri Reinstatement of Nature Strip	4/03/2020	10/02/2020
1146 MOTION 1146 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>1. That Council notes the most recent request for the Developer to reinstate the nature strip on Heddon Street.</p> <p>2. That Council notes, that in the event that the Developer does not undertake the reinstatement as requested, that Council carries out the required works and recovers the cost from the Developer in accordance with Council's adopted <i>Fees & Charges 2019-20</i>.</p> <p>10 Feb 2020 - 1:06 PM - Katrina Kerr Item 1 - Noted. Item 2 - Noted. 10 Feb 2020 - 1:09 PM - Katrina Kerr Action completed by: Kerr, Katrina Completed.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W15/2020	Ordinary Council 5/02/2020	Kerr, Katrina	Deferred Business	Cessnock Road, Weston Naming of Lane	4/03/2020	9/03/2020
<p>PROCEDURAL MOTION</p> <p>1147</p> <p>RESOLVED</p> <p>That the report be DEFERRED pending further information being received as to the reasons why the name Middleby has been submitted to Council.</p> <p>10 Feb 2020 - 1:05 PM - Katrina Kerr Noted. 9 Mar 2020 - 3:01 PM - Katrina Kerr Action completed by: Kerr, Katrina Deferred and actioned under subsequent resolution.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W17/2020	Ordinary Council 5/02/2020	Eveleigh, Nathan	Works and Infrastructure	Kurri Kurri Nostalgia Festival - March 2020	3/04/2020	11/02/2020
<p>1149</p> <p>MOTION</p> <p>1149</p> <p>RESOLVED</p> <p>1. That Council supports the Kurri Kurri Nostalgia Festival on 27, 28 and 29 March 2020 by providing in-kind support valued at \$8,417 as detailed in the report for the following services; waste management, road closure equipment, park management and amenity management.</p> <p>2. That Council allocates an amount of \$4,000 from the Tourism Related Projects Budget to cover the cost of street vending and market stalls, as it is recognised that the event attracts a large number of visitors to the LGA and this directly support Objective 2.3 of Council's Delivery Program 2017-21 which is to increase tourism opportunities and visitation in the area.</p> <p>11 Feb 2020 - 9:21 AM - Nathan Eveleigh Action completed by: Eveleigh, Nathan Correspondence sent to Town With Heart advising of Council's resolution. Internal stakeholders informed of the resolution and resources to be provided for the event.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W18/2020	Ordinary Council 5/02/2020	Eveleigh, Nathan	Works and Infrastructure	Rotary Park Kurri Kurri Park Naming	4/03/2020	11/02/2020
1150 MOTION 1150 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Gray	Seconded:	Councillor Sander		
<p>1. That Council notes the submissions received by the Geographical Names Board of NSW in relation to the proposed renaming of Rotary Park Kurri Kurri.</p> <p>2. That Council advises the Geographical Names Board of NSW that it wishes to formally name the park in Kurri Kurri known as Rotary Park as “Col Brown Rotary Park” subject to gazettal by the Geographical Names Board of NSW.</p> <p>3. That if approval is received from the Geographical Names Board of NSW, Council install appropriate signage.</p> <p>4. That the Rotary Club of Kurri Kurri Inc., as the applicant for the naming be notified of the outcome of the application.</p> <p>11 Feb 2020 - 9:53 AM - Nathan Eveleigh Action completed by: Eveleigh, Nathan Correspondence sent to GNB with Council report & minutes advising that Council wishes to proceed with the proposed renaming of the park. Next Board meeting is 10 March 2020.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W19/2020	Ordinary Council 5/02/2020	Kerr, Katrina	Works and Infrastructure	Minutes of Roads Review Committee Meeting held 6 December 2019	4/03/2020	9/03/2020
1151 MOTION 1151 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
<p>That the Minutes of the Roads Review Committee of 11 October 2019 be adopted as a resolution of the Ordinary Council.</p> <p>9 Mar 2020 - 2:56 PM - Katrina Kerr Noted. 9 Mar 2020 - 2:56 PM - Katrina Kerr Action completed by: Kerr, Katrina Noted the adoption of minutes.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
DEF19/2020	Ordinary Council 19/02/2020	Jackson, Lotta	Deferred Business	Cessnock Correctional Centre Access	4/03/2020	21/02/2020
1158 MOTION 1158 RESOLVED	Moved:	Jackson, Lotta Councillor Pynsent				
<p>1. That Council notes that the access to the Cessnock Correctional Centre is a decision for the State Government and the Department of Corrections;</p> <p>2. That Council reaffirms that Council's position is that access to the Correctional Centre at Lindsay Street/Mavis Street be closed and that a new access is created via direct route from Wine Country Drive onto land owned by Hunter New England Health;</p> <p>3. That Council notes that at a meeting on 12 November 2019 with Minister for Corrections Anthony Roberts and Member for Cessnock Clayton Barr, the Minister outlined concerns with the proposed route through Hunter New England Health land. Following this meeting the Member for Cessnock addressed a meeting of the Cessnock Correctional Centre Consultative Committee on 6 December 2019 and outlined the reasons why the Health Land Access Proposal would not progress.</p> <p>4. That Council notes the letter from the Hon. Anthony Roberts MP 22 January 2020 regarding the Cessnock Correctional Centre access road which is part of the attachments to the report.</p> <p>5. That Council requests the General Manager engage with the Department of Corrections to confirm their intention to establish an access to the Cessnock Correctional Centre via Wine Country Drive. Discussions include the option utilising the eastern end of Kerlew Street before passing through the wooded area bounded by the cemetery to the east, Occident to the west and not impinging on the Kerlew /Occident Street intersection.</p> <p>6. That Council calls on the Department of Corrections to meet the following conditions when selecting their preferred access route:</p> <ul style="list-style-type: none"> <input type="checkbox"/> That access to the Correctional Centre is via a route that has minimal impact on private residences before it adjoins the State Road Network; <input type="checkbox"/> Sufficient security fencing and screening be installed along the route to prohibit vehicle and pedestrian access near private residences; <input type="checkbox"/> The route minimises traffic on Cessnock Council maintained roads; and <input type="checkbox"/> That safe access be maintained where the route joins the State Road Network. <input type="checkbox"/> That any route is isolated from the local road network. <p>7. That a report be presented to Council when the design is complete.</p> <p>21 Feb 2020 - 8:42 AM - Lotta Jackson Action completed by: Lewis, Linda Correspondence forwarded to Minister Roberts DOC2020/025202 by General Manager on 20-02-20 re Cessnock Correctional Centre</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
MOU2/2020	Ordinary Council 19/02/2020	Larsen, Robyn	Motions of Urgency	Motions of Urgency	18/03/2020	11/03/2020
NIL		Maginnity, Robert				
<p>11 Mar 2020 - 9:03 AM - Robyn Larsen Action completed by: Larsen, Robyn No action required.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W15/2020	Ordinary Council 19/02/2020	Kerr, Katrina	Deferred Business	Cessnock Road, Weston Naming of Lane	4/03/2020	9/03/2020
1161 MOTION 1161 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Sander	Seconded:	Councillor Burke		
<p>1. That Council notes the proposed name of Middleby Lane for the existing unnamed lane adjoining 126 to 136 Cessnock Road, Weston in accordance Council's adopted Policy No.S35.2 – <i>Streets - Listing of Names for Use in naming of Streets</i> and the provisions of Section 162 of the <i>Roads Act 1993</i>.</p> <p>2. That Council authorises the General Manager to notify and advertise the proposed name in accordance with the provisions of Regulation 7 of the <i>Roads Regulation 2018</i>.</p> <p>3. That provided no contrary submissions are received following notification and advertising of the proposed name, Council authorises the General Manager to proceed with the proposed name by seeking gazettal as required by the provisions of Regulation 7 of the <i>Roads Regulation 2018</i>.</p> <p>4. That Council update the Policy S35.2 and update the naming list.</p> <p>9 Mar 2020 - 3:04 PM - Katrina Kerr Action completed by: Kerr, Katrina Deferred and actioned subsequent resolution of Council.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
GMU2/2020	Ordinary Council 19/02/2020	Jackson, Lotta	General Manager's Unit	Draft Councillor Access to Information and Interaction with Staff Policy	18/03/2020	21/02/2020
1162 MOTION 1162 RESOLVED	Moved:	Jackson, Lotta Councillor Burke	Seconded:	Councillor Suvaal		
<p>1. That Council adopts the Draft Councillor Access to Information and Interaction with Staff Policy.</p> <p>2. That the policy be reviewed in 6 months with a further report to come back to Council.</p> <p>21 Feb 2020 - 9:43 AM - Lotta Jackson Action completed by: Eftimova, Esma The policy was uploaded on Council's website and Intranet on 20/02/2020. The General Manager requested the Executive Leadership Team inform their staff of the adoption of the policy and the responsibilities by way of an email sent 20/02/2020. The policy was uploaded on the Councillor Hub on 21/02/2020</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
PE6/2020	Ordinary Council 19/02/2020	Hamilton, Grant	Planning and Environment	Development Application 8/2019/701/1 - Change of use for the purposes of a secondary dwelling - 80 Pokolbin Mountains Road, Pokolbin	18/03/2020	6/03/2020
1163 MOTION 1163 RESOLVED	Moved:	Curtis, Gareth Councillor Doherty	Seconded:	Councillor Fitzgibbon		
1.	<p>That:</p> <p>(i) Development Application No. 8/2019/701/1 proposing to change the use of the original farm house into a secondary dwelling at Lot 522, DP584211, 80 Pokolbin Mountains Road, Pokolbin be approved pursuant to Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979 subject to the conditions contained in this report.</p> <p>(ii) The reasons for the decision (having regard to any statutory requirements applying to the decision), are as follows:</p> <p>a) The proposal is a permitted land use in the RU4 zone under Cessnock Local Environmental Plan 2011;</p> <p>b) The proposal is consistent with the objectives of the RU4 zone under Cessnock Local Environmental Plan 2011;</p> <p>c) The proposal is consistent with the relevant State Environmental Planning Policies;</p> <p>d) The proposal is generally compliant with the relevant provisions under Cessnock Development Control Plan 2010;</p> <p>e) The proposal incorporates adequate measures to ensure the development does not result in any adverse impacts on the natural and built environment;</p> <p>f) The proposal will not result in any adverse social or economic impacts;</p> <p>g) The site is considered suitable and appropriate within the rural landscape setting with minimal impacts on the rural amenity of the locality; and</p> <p>h) The proposal is considered to be in the public interest.</p> <p>(iii) 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</p> <p>6 Mar 2020 - 10:02 AM - Grant Hamilton Action completed by: Hamilton, Grant Consent signed by director P&E, issued to applicant 25/2/2020</p>					

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC10/2020	Ordinary Council 19/02/2020	Ladmore, Donna	Corporate and Community	December 2019 Quarterly Review of 2017-21 Delivery Program	18/03/2020	6/03/2020
1168 MOTION 1168 RESOLVED	Moved:	Maginnity, Robert Councillor Burke	Seconded:	Councillor Suvaal		
1.	That Council notes the progress in implementing the 2017-21 Delivery Program as at 31 December 2019.					
2.	<p>That Council endorses the following change to the Recreation Facilities Construction Program:</p> <p>Project ID - CFR-2020-004 Margaret Johns Park Kurri Kurri: Remove: concourse extension Add: additional spectator seating</p>					
3.	That Council endorses the following change to the Cultural & Community Buildings Renewal Program:					

Project ID - RBC-2020-002 Kurri Kurri Senior Citizens Hall:
Remove: internal painting
Add: toilet refurbishment

Project ID - RBC-2020-013 Millfield Community & Recreation Precinct :
Add: security and safety improvements.

Project ID - RFC-2020-004 Cessnock Library Branch:
Add: lift installation

4. That Council endorses the following change to the Recreation Facilities Renewal Program:

Project ID - RFR-2020-005 Kurri Kurri Sportsground:
Add: scoreboard

Project ID - RFR-2020-006 Baddeley Park Cessnock:
Add: scoreboard

5. That Council endorses the following change to the Local Road Renewal Program:

Project ID - RRL-2020-015 Cessnock Road Weston:
Add: Pavement Rehabilitation

6. That Council endorses the following change to the Recreation Buildings Renewal Program:

Project ID - RBR-2020-004 Turner Park Cessnock:
Add: Hornets Clubhouse facility upgrade (Stage2)

7. That Council endorses the following change to the Local Road Construction Program:

Project ID - CRL-2020-001 Murrays Run:
Add: Road Embankment Restoration Investigation and Design

Project ID - CRL-2018-002 Frame Drive Project:
Add: Stage 3–5 Resurfacing

8. That Council endorses the following change to the Airport Construction Program:

Project ID - PCA-2020-006 Cessnock Airport:
Add: Fencing end of runway

9. That Council endorses the following changes to the Town Centre Program:

Project ID - CTK 2020 001 Kurri Kurri Commercial Centre:
Add: Stage 1 Phase 1

6 Mar 2020 - 1:15 PM - Donna Ladmore
Action completed by: Ladmore, Donna
Completed 6 March 2020

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC11/2020	Ordinary Council 19/02/2020	Glauser, Andrew	Corporate and Community	Quarterly Budget Review Statements - December 2019	18/03/2020	11/03/2020
1169 MOTION 1169 RESOLVED	Moved:	Maginnity, Robert Councillor Dagg	Seconded:	Councillor Suvaal		
<p>1. That Council notes that the December 2019 Quarterly Budget Review Statements were endorsed for presentation to Council by the Audit and Risk Committee on 11 February 2020.</p> <p>2. That Council approves the variations to the income, expenditure and capital budgets as detailed in the December 2019 Quarterly Budget Review Statements.</p> <p>3. That Council notes that the December 2019 Quarterly Budget Review Statements reflects a cash surplus of \$81,392 and that due primarily to the delay in Councils residential development project (Vineyard Grove Stage 8), and the assumption that no advance payment of the 2020/21 Financial Assistance Grant will be received in June 2020 (as reflected in the September 2019 Quarterly Budget Review Statements) the Budget Operating Position for 2019/20 will be revised to reflect a deficit of \$4,616,398.</p> <p>11 Mar 2020 - 10:03 AM - Andrew Glauser Action completed by: Keegan, Robyn Adopted by Council.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC12/2020	Ordinary Council 19/02/2020	Dennis, Johanna	Corporate and Community	Community Access Policy - Recommendation for Revocation	18/03/2020	20/02/2020
1170 MOTION 1170 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Fitzgibbon		
<p>That Council revoke the Community Access Policy (Policy Number C65.2).</p> <p>20 Feb 2020 - 4:00 PM - Johanna Dennis Community Access Policy removed from Council website and intranet. Notes made on TRIM. 20 Feb 2020 - 4:06 PM - Johanna Dennis Action completed by: Dennis, Johanna Recommendation actioned.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
CC13/2020	Ordinary Council 19/02/2020	Miller, Jo	Corporate and Community	City of Cessnock Hall of Fame - Call for Nominations and Revocation of Policy No: C1.3 "Policy and Selection Criteria for Induction into the City of Cessnock Hall of Fame"	18/03/2020	25/02/2020
1171 MOTION 1171 RESOLVED	Moved:	Maginnity, Robert Councillor Doherty	Seconded:	Councillor Fitzgibbon		
<p>1. That Council notes the 2019/20 City of Cessnock Hall of Fame call for nominations close 28 February 2020 and that the nomination and selection process for the City of Cessnock Hall of Fame will be conducted in accordance with the City of Cessnock Hall of Fame Guidelines adopted by Council on 17 October 2018.</p> <p>2. That Council revoke Policy C1.3; Policy and Selection Criteria for Induction into the City of Cessnock Hall of Fame.</p> <p>25 Feb 2020 - 12:31 PM - Jo Miller Policy No: C1.3 "Policy and Selection Criteria for Induction into the City of Cessnock Hall of Fame". The policy has been removed from the Internal and external websites and marked as Revoked in TRIM. 25 Feb 2020 - 12:33 PM - Jo Miller Action completed by: Miller, Jo Action completed 25/02/20</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W11/2020	Ordinary Council 19/02/2020	Donnelly, Patricia	Works and Infrastructure	Tender Evaluation Report for Contract 2019/137/1506 Collection of Organics from Cessnock, Maitland and Singleton Councils Waste Management Centres	18/03/2020	20/02/2020
1176 MOTION 1176 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Fitzgibbon		
<p>That Council, subject to the adoption of complementary resolutions by Maitland City Council at its meeting on 11 February 2020 and by Singleton Council at its meeting on 17 February 2020, accepts the tender from Remondis Australia P/L for Contract 2019/137/1506 for the Collection of Organics from Cessnock, Maitland and Singleton Councils' Waste Management Centres commencing on 1 March 2020 for period of four years.</p> <p>The estimated cost to Council for the contract term is \$375,000 (exc. GST).</p> <p>20 Feb 2020 - 2:35 PM - Patricia Donnelly Action completed by: Donnelly, Patricia Letter of Acceptance to be sent</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
W112/2020	Ordinary Council 19/02/2020	Donnelly, Patricia	Works and Infrastructure	Results of Electricity Supply Tender	18/03/2020	20/02/2020
1177 MOTION 1177 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Fitzgibbon		
<p>1. That Council notes the outcome of the electricity supply contracts tender.</p> <p>2. The Council notes the General Manager signed Council's acceptance of ERMs offer for Council's small sites on 25 November 2019 and the contract is to commence from 1 July 2020 with an expiry date of 31 December 2021.</p> <p>3. That Council notes the General Manager signed Council's acceptance of ERMs offer for large sites and street lighting on 20 November 2019 with the contract to commence from 1 January 2020 for a two year term.</p> <p>4. That Council notes the ERM pricing detailed in the Confidential Enclosures.</p> <p>5. That Council notes the estimated cost of electricity for Council's large sites and street lighting in the 2020 and 2021 calendar years will be \$639,579 and \$480,414 respectively.</p> <p>20 Feb 2020 - 2:35 PM - Patricia Donnelly Action completed by: Donnelly, Patricia Contracts commenced</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN4/2020	Ordinary Council 19/02/2020	Harris, Kate	Business With Notice	Richmond Vale Rail Trail	18/03/2020	4/03/2020
1181 MOTION 1181 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Gray	Seconded:	Councillor Suvaal		
<p>1. That the General Manager requests State Government assistance for Council to finalise the Development Application (DA) on the Richmond Vale Rail Trail project. This project is identified in the Greater Newcastle Metropolitan Plan as a high priority. Council funds available are not sufficient to complete the planning.</p> <p>2. That Council seek letters of support from the partners in the project Lake Macquarie and Newcastle Councils.</p> <p>4 Mar 2020 - 8:39 AM - Kate Harris 1. A request for support letter was sent to the Minister for Regional Transport and Roads (The Hon. Paul Taoole MP), the Minister for Jobs, Investment, Tourism and Western Sydney (The Hon. Stuart Ayres MP) and the Minister for Planning and Public Spaces (The Hon., Rob Stokes MP). 2. A request for support letter was sent to the Mayor of Lake Macquarie City Council, Cr Kay Fraser as well as Lord Mayor of Newcastle, Cr Nuatali Nemes. 4 Mar 2020 - 8:45 AM - Kate Harris Action completed by: Harris, Kate Request for support letters were sent to relevant State MPs and Mayors seeking support for the Richmond Vale Rail Trail 9 Mar 2020 - 4:40 PM - Robyn Keegan Councillor Memo emailed 2 March 2020 - see DOC2020/028119 updating the Councillors on the investigation of a RV Park at Richmond Main.</p>						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
GMU3/2020	Ordinary Council 4/03/2020	Jackson, Lotta	General Manager's Unit	Hunter Joint Organisation	1/04/2020	10/03/2020
1188 MOTION 1188 RESOLVED	Moved:	Jackson, Lotta Councillor Suvaal	Seconded:	Councillor Burke		
That Council approves a budget allocation in the 2020/21 Operational Plan of \$47,200 for the membership fee for the Hunter Joint Organisation for financial year 2020/21.						
CARRIED UNANIMOUSLY						
10 Mar 2020 - 11:52 AM - Lotta Jackson The membership fee for the HJO of \$47,200 will be included in the budget for 2020/21. 10 Mar 2020 - 11:53 AM - Lotta Jackson Action completed by: Jackson, Lotta Completed						

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
WI20/2020	Ordinary Council 4/03/2020	Goodbun, Nathan	Works and Infrastructure	Minutes of Local Traffic Committee 17 February 2020	1/04/2020	11/03/2020
1195 MOTION 1195 RESOLVED	Moved:	Fitzpatrick-Barr, Justin Councillor Doherty	Seconded:	Councillor Suvaal		
That the Minutes of the Local Traffic Committee Meeting of 17 February 2020 be adopted as a resolution of the Ordinary Council.						
<ol style="list-style-type: none"> TC5/2020 - That Council notes consent from Transport for NSW for the temporary regulation of traffic for the Lovedale Long Lunch in accordance with Various Roads Lovedale _ Long Lunch Traffic Control Plans. TC6/2020 - That Council authorises installation of regulatory parking signage on Rawson Street, Kurri Kurri in accordance with the Rawson Street Kurri Kurri _ Signage Diagram. TC7/2020 - That Council authorises installation of signage and line marking at the intersection of Leconfield Road, Branxton Street and Hollingshed Street, Greta in accordance with the Leconfield Road Greta _ Signage & Line Marking Diagram. TC8/2020 - That Council authorises installation of line marking at the intersection of Averys Lane and unnamed road, Heddon Greta in accordance with the Averys Lane Heddon Greta _ Line Marking Diagram. TC9/2020 - That Council defers consideration of the installation of line marking on Buchanan Road, Buchanan, until a compliant design plan is provided and reviewed. TC10/2020 - That Council notes the conditional consent from Transport for NSW for the temporary regulation of traffic for the Cessnock Stomp Festival. 						
9 Mar 2020 - 2:14 PM - Tracey Cocking						

Item 1. Noted.
 Item 2. Issued CRM 4717/2020.
 Item 3. Issued CRM 4723/2020.
 Item 4. Advised Development Services 5 March 2020.
 Item 5. Informed Developer.
 Item 6. Noted.
 11 Mar 2020 - 10:06 AM - Nathan Goodbun
 Action completed by: Cocking, Tracey
 All actions completed.

Type	Meeting	Officer/Director	Section	Subject	Est. Compl.	Completed
BN7/2020	Ordinary Council 4/03/2020	Bent, Geoffrey	Business With Notice	Additional Information in Quarterly Review of the Delivery Program	1/04/2020	11/03/2020
1198 MOTION 1198 MOTION	Moved:	Fitzpatrick-Barr, Justin Councillor Stapleford	Seconded:	Councillor Suvaal		
<p>That the General Manager add to the quarterly review of the Delivery Program the number of unsealed roads that have been serviced in that quarter and the percentage all up so that Councillors know where we are up to on our Delivery Program and whether adjustments need to be made to the budget the following year.</p> <p>9 Mar 2020 - 12:12 PM - Kelly Paterson Principal Integrated Planning & Reporting Officer formulating process for inclusion in Quarterly Review. Currently gathering statistics. 11 Mar 2020 - 11:13 AM - Geoffrey Bent Action completed by: Paterson, Kelly Completed</p>						

Corporate and Community

Report No. CC25/2020

Corporate and Community Services



SUBJECT: *EXCLUSION OF ITEM FROM THE AGENDA*

RESPONSIBLE OFFICER: *Director Corporate and Community Services - Robert Maginnity*

SUMMARY

As per clause 3.21 of the Code of Meeting Practice, the General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.

RECOMMENDATION

That Council notes that, as assessed by the General Manager, the received notice of motion would have been contrary to a contractual agreement, and could therefore not be included on the agenda for the Council meeting held on 4 March 2020.

BACKGROUND

As per the requirements of Clause 3.21 of the Code of Meeting Practice the General Manager must not allow an item to be included in the Agenda for a meeting of Council if it is considered to be unlawful and must report any such exclusion to the next meeting of Council.

REPORT/PROPOSAL

A Notice of Motion was received for inclusion in the agenda for the Council meeting of 18 March 2020 and the General Manager considered that the content of the question was unlawful and the item was excluded from the agenda for that meeting.

The reason for the exclusion was that Notice of Motion would have been contrary to a contractual agreement.

This report addresses the requirement for the General Manager to report any such exclusion under Clause 3.21 of the Code of Meeting Practice to the next meeting of Council.

OPTIONS

Nil

CONSULTATION

General Manager

Corporate and Community

Report No. CC25/2020

Corporate and Community Services



STRATEGIC LINKS

a. Delivery Program

This matter is reported to Council in line with the community's desired outcome of: *Civic Leadership and Effective Governance*.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

Code of Meeting Practice – Clause 3.21 Agenda and Business Paper for Ordinary Meetings

b. Financial Implications

N/A

c. Legislative Implications

N/A

d. Risk Implications

N/A

e. Environmental Implications

N/A

f. Other Implications

N/A

CONCLUSION

This report satisfies the requirement for the General Manager to report to Council any exclusions of items from the agenda as per Clause 3.21 of the Code of Meeting Practice.

ENCLOSURES

There are no enclosures for this report.

SUBJECT: ***DISASTER RECOVERY FUNDING ARRANGEMENT
PAYMENT***

RESPONSIBLE OFFICER: ***Director Works and Infrastructure - Justin Fitzpatrick-Barr***

SUMMARY

The purpose of this report is to seek Council's endorsement of a proposed 'Program of Works' to be funded by an additional \$416,667 Disaster Recovery Funding Arrangements (DRFA) payment.

RECOMMENDATION

That Council endorses the following 'Program of Works' to be funded by an additional \$416,667 Disaster Recovery Funding Arrangements payment;

- a) \$40,000 to the Wollombi Volunteer Bush Fire Brigade to fund the installation of water tanks, rehabilitate adjoining lands and make good damaged perimeter fencing at the Wollombi Rural Fire Service Station**
- b) \$30,000 to install a new water tank at Cessnock Airport to increase water storage for firefighting aircraft.**
- c) An additional \$50,000 to fund embankment stabilisation works along Murrays Run Road**
- d) \$150,000 to carry out urgent pavement testing at Cessnock Airport and undertake any identified pavement repair/upgrade works**
- e) An additional \$146,667 to support the replacement of Yango Creek Bridge and Paynes Crossing Bridge in order to provide unimpeded access for future disaster events in the Wollombi region.**

BACKGROUND

On the 13 February 2020, Council received correspondence from the Department of the Prime Minister and Cabinet advising the announcement on 12 February 2020 by the National Bushfire Recovery Coordinator, Andrew Colvin APM OAM, that the Commonwealth Government has advanced to the NSW Government, under Category D of the Disaster Recovery Funding Arrangements (DRFA), additional funding to assist local councils who have been affected by the recent bushfires. Cessnock City Council has been given \$416,667 by the Commonwealth Government.

The Commonwealth is requiring Council to develop a 'Program of Works' within three months and that a report on how the funding was spent within 12 months. This report seeks Council's endorsement for a proposed 'Program of Works' to be funded by the additional \$416,667 DRFA payment.

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Works and Infrastructure



REPORT/PROPOSAL

The Australian Government's commitment under the DRFA is to provide financial support to the Cessnock community and enable recovery efforts to commence as soon as possible. The payment has been delivered through the NSW State Government.

The funding is to be spent on projects and activities that Council deems essential for the recovery and renewal of the local community.

Based on the advice received to date, the criteria for funding use is quite broad and includes rebuilding of vital infrastructure, holding of events to bring communities together, assisting local small businesses, farmers and trades as communities rebuild, restock, replant and recover. The funding can also be used to employ local bush fire recovery coordinators, to ensure the recovery efforts of governments, charities and others are informed by local priorities.

An original Grant Acknowledgement Schedule was signed and returned on Tuesday 14 January 2020 and Council subsequently resolved at its meeting on 4 March 2020 (WI13/2020) to adopt a 'Program of works' to use the original \$1M DRFA allocation.

This report provides a second schedule of proposed works for the expenditure of the additional \$416,667 DRFA payment.

Impact Assessment

Infrastructure

As previously reported, Council officers have undertaken a series of impact assessments on Council owned infrastructure in the fire affected areas of the LGA and have compiled a list of required repair and/or upgrade works that meet the objectives of the funding.

The identified infrastructure repair/upgrade works include;

- Regrade and rehabilitate unsealed roads in the Wollombi /Laguna / Bucketty / Paynes Crossing /Congewai regions – Total Length 99.48 km's
Estimated cost \$610,000 (grading only)
 \$873,000 (grading and gravel overlay)
- Repair the road pavement at Paynes Crossing – Est. cost \$15,000
- Embankment Stabilisation Works (various locations) – Est. cost TBD
- Yango Creek Bridge (replacement of bridge) - Est. cost \$1M+
- Replacement of damaged tourist signs – Est. cost \$10,000

Other infrastructure projects or activities identified in WI13/2020 that meet the broad objectives include;

- Cessnock Airport (increase water storage for firefighting aircraft) – Est. cost \$30,000
- Disaster Recovery 'Infrastructure' Officer position (temp) to set up specialised 'Recover' software and systems to record the impact of disaster events which in turn support disaster claims processes – Est. cost \$60,000

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While the 'Program of Works' that was adopted by Council on 4 March 2020 covered a large portion of the above listed works, this report seeks Council's endorsement to allocate the additional DRFA payment to a number of projects previously identified, along with two newly identified projects, all of which meet the broad objectives of the funding.

Newly Identified Projects

1. The Wollombi Volunteer Bush Fire Brigade has approached Council seeking financial support for the installation of water storage tanks and tank pads (including associated electrical works), the rehabilitation of adjoining land and making good of damaged perimeter fencing at the Wollombi Rural Fire Service Station. The funding being sort by the Wollombi Brigade is \$40,000.
2. Urgent pavement testing is required at Cessnock Airport, including the Main Runway, Taxiway and Aprons to determine a suitable scope of remediation works to enable the airport to remain open and operating at full capacity. The airport is a significant Council asset that supports local tourism. It also provides invaluable aviation support for firefighting activities in the broader Hunter Region. The on-going serviceability of the airport is considered paramount.

The cost of the initial testing is \$22,000 and it is anticipated that significant funds will be required to carry out rehabilitation works once the testing is complete. It is recommended that \$150,000 of the additional DRFA payment be used to fund any identified repair/upgrade works at Cessnock Airport.

Recommended Use of the additional \$416,667 DRFA Payment

Based on the information contained in this report the following 'Program of Works' to be funded through the additional DRFA payment is provided for Council's consideration;

- \$40,000 to the Wollombi Volunteer Bush Fire Brigade to fund the installation of water tanks, rehabilitate adjoining lands and make good damaged perimeter fencing at the Wollombi Rural Fire Service Station
- \$30,000 to install a new water tank at Cessnock Airport to increase water storage for firefighting aircraft.
- Provide an additional \$50,000 to fund embankment stabilisation works along Murrays Run Road
- \$150,000 to carry out urgent pavement testing at Cessnock Airport and undertake any identified pavement repair/upgrade works
- Provide an additional \$146,667 to support the replacement of Yango Creek Bridge and Paynes Crossing Bridge in order to provide unimpeded access for future disaster events in the Wollombi region.

OPTIONS

N/A

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Works and Infrastructure



CONSULTATION

General Manager
Mayor
Manager Infrastructure
Manager Works & Operations

STRATEGIC LINKS

a. Delivery Program

This report links broadly with the following key Community Desired Outcomes within the Delivery Program 2017-21;

- A sustainable & Prosperous Economy
- Accessible Infrastructure, Services & Facilities
- Civic Leadership & Effective Governance

b. Other Plans

Cessnock LGA - Emergency Management Plan

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

A number of works listed in the proposed 'Program of Works' are partially funded within existing operational and capital budgets, however the DRFA payment will provide invaluable funds to support these works and allow Council to increase scope and undertake them earlier than anticipated.

c. Legislative Implications

Nil

d. Risk Implications

Nil

e. Environmental Implications

Nil

f. Other Implications

Nil

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CONCLUSION

Council has been allocated an additional \$416,667 from the Commonwealth Government under Category D of the DRFA. This report details a proposed 'Program of Works' to be funded from the additional DRFA payment.

The proposed 'Program' provides an even distribution of the allocated funds to meet the broad objectives of the DRFA.

ENCLOSURES

There are no enclosures for this report.

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Report No. WI24/2020
Works and Infrastructure



SUBJECT: ***FUNDING FOR THE FRAME DRIVE - GINGERS LANE UPGRADE PROJECT, INCLUDING AN INTERSECTION UPGRADE AT GINGERS LANE, SAWYERS GULLY ROAD AND HART ROAD.***

RESPONSIBLE OFFICER: ***Director Works and Infrastructure - Justin Fitzpatrick-Barr***

SUMMARY

The purpose of this report is to provide an overview of the origin of the Frame Drive - Gingers Lane road upgrade project, which includes an upgrade of the Gingers Lane, Sawyers Gully Road and Hart Road intersection; and to seek Council's endorsement to reallocate funds from the Local Road Renewal Program to allow for the completion of the Gingers Lane aspect of the overall project.

RECOMMENDATION

- 1. That Council re-allocates \$1,122,000 of funds within the 2019-20 Local Road Renewal Program to undertake Stage 2 of the Gingers Lane project.**
- 2. That Council allocates \$1,926,000 in the 2020-21 Local Road Renewal Program to undertake Stages 3 & 4 of the Gingers Lane project.**
- 3. That in the event that Council's application into the Fixing Country Roads 2019 Round 2 Program is successful, Council redistributes any unspent Local Road Renewal Program funds back into the 2020-21 Local Road Renewal Program.**

BACKGROUND

The opening of the M15 Hunter Expressway (HEX) in 2014 resulted in a significant increase in traffic on Frame Drive. This led to a rapid deterioration of the condition of Frame Drive Bridge.

A ten tonne load limit was applied to Frame Drive Bridge on 10 July 2014 and this was subsequently reduced to a five tonne load limit in August 2014, following a further structural assessment.

In the April 2015 Storm Event, major scouring of Deep Creek beneath Frame Drive Bridge resulted in the closure of the bridge. This closure had significant impact on the residents of the Cessnock LGA.

At the Ordinary Meeting of 3 June 2015 Council considered a Notice of Motion (BN9/2015) in relation to Frame Drive Bridge and resolved the following;

- 1. That Council reallocates \$100,000 in the Local Road Renewal Program in the 2015-2016 Operational Budget to undertake detailed investigations, survey and design for upgrade of Frame Drive / Frame Drive Bridge to enable this project to be shovel ready*

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2. That the \$100,000 be recouped from future external grant funding sources if this option is made available.

In response to the resolution, Council officers commenced detailed investigations and design for the upgrade of Frame Drive / Frame Drive Bridge. Officers also undertook a review of an earlier study into suitable short and long term options for upgrading access routes from the newly opened HEX. A viable short term option that was conceptually developed in early 2015 is illustrated in Figure 1, below.

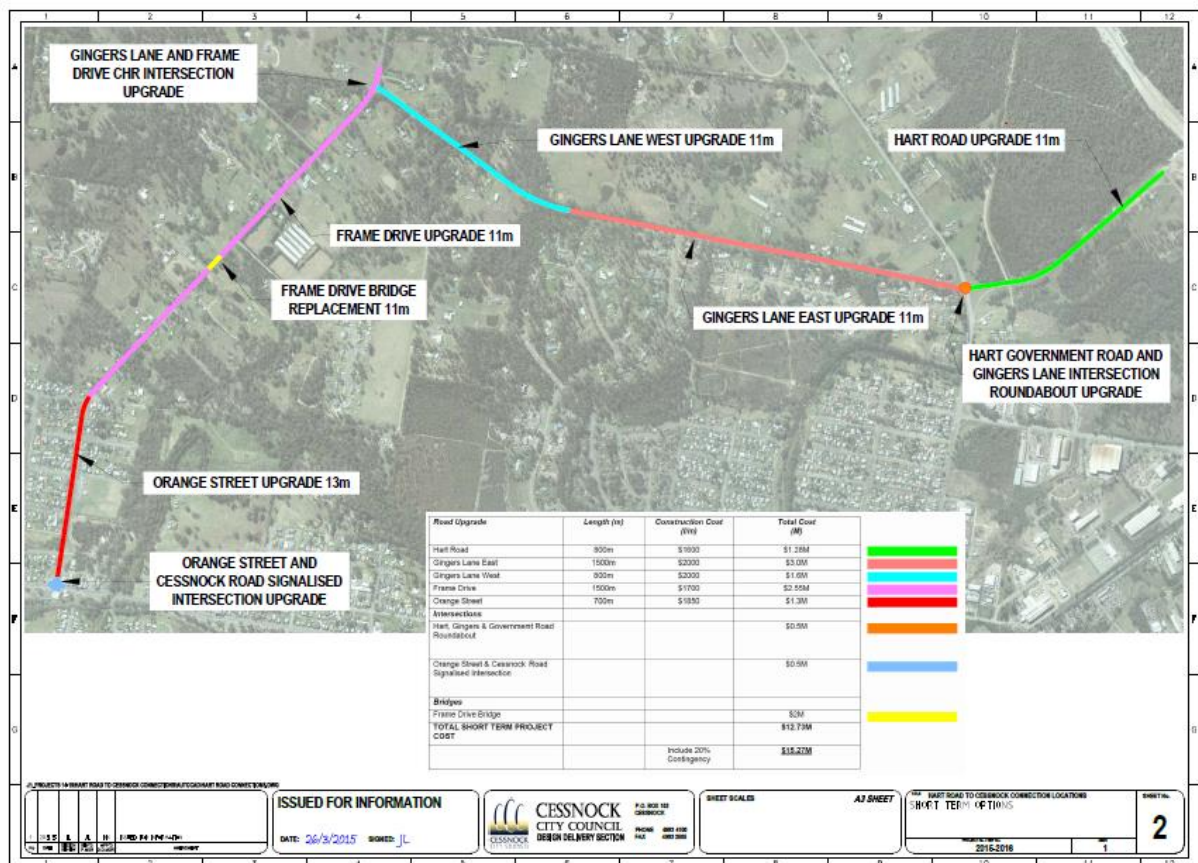


Figure 1 – Desktop Conceptual Plan of identified upgrade works for the route from HEX to Cessnock Road, Abermain.

As shown in Figure 1, preliminary investigations identified approximately \$15.27M of required upgrade works between the HEX and Cessnock Road, Abermain. It is important to note that the preliminary study did not include any detailed site investigations or designs as no funds had been allocated to the project at that time.

The subsequent detailed investigation and design of Frame Drive / Frame Drive Bridge led to the development of two separate grant funding submissions, with the primary aim of these being to seek funding to replace Frame Drive Bridge and upgrade sections of Frame Drive either side of the bridge.

At its Ordinary meeting of 17 February 2016 Council was advised through Report No. WI7/2016 of a successful grant submission in the Federal Government's Bridges Renewal Program to

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replace Frame Drive Bridge. In considering WI7/2016 Council resolved to accept the Federal Government's funding offer of \$2M and provide a Council co-contribution of \$2M.

The \$4M allocated to the Frame Drive Bridge project was for the replacement of a single lane timber bridge with a two lane concrete bridge, complete with a pedestrian/cycle path on each side of the bridge. The project also included the relocation of a number of utility services to accommodate major road upgrade works on the approaches to the bridge.

Around the same time, an Expression of Interest (EOI) for \$4.5M was submitted for the NSW Government's Fixing Country Roads (FCR) Program. The submission was for the same Frame Drive Bridge Project. In March 2016 Council received notification that this FCR EOI had been short listed to the next phase and a full application was subsequently submitted.

In 2016 the Frame Drive Bridge project went ahead using funding from the Federal Government's Bridges Renewal Program and on 1 February 2017 Frame Drive Bridge was officially opened to traffic.

The undertaking of major road upgrade works along Frame Drive, including the relocation of adjacent utilities, continued post the opening of the bridge. These works, undertaken with the impediment of live traffic, were completed in early October 2019.

On 24 May 2017, the then Parliamentary Secretary for the Hunter Scot MacDonald MLC announced \$4.45M in funding to Council as part of the NSW Government's 'Fixing Country Roads' program. In making the announcement Scot MacDonald stated (inter-alia);

"The funding will be used to upgrade and widen Frame Drive into an 11 metre carriageway from the intersection of Gingers Lane to Orange Street in Abermain"

This complements the new dual carriage way, concrete bridge replacing the single lane timber bridge on Frame Drive; funded by \$2M from the Australian Government's Bridges Renewal Programme and Cessnock City Council.

The work forms part of a larger plan to create a strong transport route that will eventually connect Cessnock directly to the Hunter Expressway.

Importantly, Council's successful submission made reference to the identified upgrade needs of the route between HEX and Cessnock Road, Abermain. These identified works are illustrated in Figure 1, above.

Given that only a portion of the \$4.45M of funding received through the FCR grant would be spent on the Frame Drive project, officers worked with the funding body to have the FCR funding agreement altered to reflect a proposed change in project scope.

The new scope of works undertaken through the FCR grant included an intersection upgrade at the Sawyers Gully Road/Gingers Lane intersection, and upgrade works along Gingers Lane to an extent achievable within the balance of the \$4.45M FCR funds, once all works on Frame Drive had been completed.

It is important to note again that at the time of the FCR announcement no detailed site investigation or design had been undertaken for the upgrade of Gingers Lane, nor the intersection at Sawyers Gully and Hart Roads, as no funds had been allocated to this project.

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These investigation and design works have since been completed and enabled works, including the removal of trees and relocation of service utilities along Gingers Lane commenced in late 2019. Stage 1 of the road upgrade works, being from Frame Drive to Grey Gum Drive commenced in early 2020.

This report outlines the impact of the FCR scope change:

- the outcome of subsequent investigation/design and cost estimates
- the cost of the works, including the relocation of major utilities along Gingers Lane
- the funding requirements to complete the various stages of the Gingers Lane project, including the Gingers Lane/Hart Road Roundabout, and
- funding options for Council to consider to ensure completion of the project in its entirety in 2020/21.

REPORT/PROPOSAL

Original Fixing Country Roads Program EOI Submission

The original project description for the FCR EOI submission included the following;

This application from Cessnock City Council seeks funding for the replacement of the single lane timber bridge on Frame Drive (Abermain) with a dual carriageway concrete structure and the upgrade and widening of Frame Drive to 11m carriageway from the intersection with Gingers Lane to Orange Street, Abermain.

This forms part of a larger, well developed plan to create a purpose built, transport route directly connecting Cessnock to the Hunter Expressway. Subject to obtaining funding from other sources, Council proposes to upgrade Hart Road (Sawyers Gully), Gingers Lane (Weston) and Orange Street (Abermain) and install a traffic controlled intersection at Orange Street and Cessnock Road.

Amended Fixing Country Roads Funding Agreement

Given that substantial works had commenced on the Frame Drive/Frame Drive Bridge project using the Federal Government's Bridges Renewal Program funding, Council officers sort to have the FCR funding agreement amended to allow for the inclusion of works along Gingers Lane.

The funding body was amenable to this request and an amended FCR funding agreement was subsequently approved and signed on 20 July 2018.

Gingers Lane - Investigation, Design and Project Cost Estimates

Following approval of the amended funding agreement, investigation and design works commenced to determine the cost of a suitable scope of works to upgrade Gingers Lane, including the intersection of Gingers Lane, Sawyers Gully Road and Hart Road. These investigation/design works were undertaken using a portion of the \$4.45M obtained through the NSW Government's 'FCR' program, noting that no funds had been allocated to the project prior.

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The investigation and design work identified a number of items that needed to be addressed within the Gingers Lane road corridor, including, among other things, limitations on the road reserve width at the western end of the Lane, the need for significant service relocations and the need to protect a valuable wildlife corridor.

The final design that was subsequently prepared for the project included a major upgrade of Gingers Lane, requiring multiple utility relocations from Frame Drive to Hart Road and the installation of an upgraded roundabout at the intersection of Gingers Lane, Sawyers Gully Road and Hart Road.

The cost estimates that have since been determined for each section of the project, excluding the enabling works (i.e. site establishment, utility relocations and selective tree removal works) are listed below;

Stage 1 (Frame Drive to Grey Gum) - **\$ 2,252,000**

Stage 2 (Grey Gum to Woodland Drive) - **\$1,094,000**

Stage 3 (Woodland Drive to Stringybark) - **\$1,288,000**

Stage 4 (Stringybark to Hart Rd) - **\$528,000**

Stage 5 (Gingers Lane, Sawyers Gully Rd and Hart Rd Roundabout) - **\$1,800,000**

The total estimated project cost (excluding the enabling works) is **\$6,962,000**

Frame Drive/Frame Drive Bridge Project Cost

As detailed above, the Frame Drive/Frame Drive Bridge project was able to be completed in its entirety by utilising the Federal Government's Bridges Renewal Program funds and a portion of the FCR Program funds. A reconciliation of the funding sources used to complete the Frame Drive/Frame Drive Bridge project is illustrated in Table 1, below.

Table 1 – Reconciliation of the funding for the Frame Drive/Frame Drive Bridge Project

Funding Source Description	Amount
Bridges Renewal Program	\$4,000,000
Fixing Country Roads	\$1,135,785
Roads SRV Reserve	\$102,000
Frame Drive Total Cost	\$5,237,785

Relevant to this report is the use of a portion of the \$4.45M FCR funds to complete the Frame Drive project in its entirety; being a major upgrade from the Frame Drive/Gingers Lane intersection to Orange Street.

Utilisation of the original \$4.45M - Fixing Country Roads (FCR) Grant

As shown in Table 1 above, approximately \$1.136M of the \$4.45M FCR grant has been expended on the Frame Drive/Frame Drive Bridge project to complete this aspect of the HEX to Cessnock Road upgrade (noting that certain Ausgrid works are still to be finalised).

As at 3 March 2020, an additional \$1.2M (approximately) has been spent on the investigation/design and enabling works for Gingers Lane; leaving an amount of approximately \$2.114M for the Stage 1 (Frame Drive to Grey Gum Drive) road works. Council's Works and Operations crews began undertaking the Stage 1 works in January 2020.

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TfNSW Funding for Stage 5 (Gingers Lane, Sawyers Gully and Hart Rd's Roundabout)

The need to upgrade the intersection of Gingers Lane, Sawyers Gully Road and Hart Road was first identified in a road safety audit undertaken by RMS in 2015.

This audit was carried out on two identified routes from the HEX to Cessnock Road; being the Gingers Lane, Frame Drive, Orange Street Abermain route and the Government Road, First Street and Station Street Weston route.

In response to the audit findings, Council officers continued working closely with Transport for NSW (formerly RMS) to secure funding to upgrade the intersection of Gingers Lane, Sawyers Gully Road, Hart Road, recognizing that the need for this upgrade was a direct legacy impact of the HEX.

Transport for NSW (formerly RMS) advised Council on 26 February 2020 that it will provide funding of \$1.8M (capped) for the proposed new roundabout.

Funding Required to Complete the Gingers Lane Project

In light of the above, Council officers have determined that a further \$3.048M of funding is required to complete the designed upgrade works along Gingers Lane. It is important to note that this cost estimate hinges on the project to be carried out in sequential order from Stages 1 to 5, to best allow for the utilization of cut and fill materials across the project and negate the impact of any potential re-establishment costs.

Potential Funding Sources

Existing Programs

Council's 2019-20 Local Road Renewal Program includes an allocation of \$1,486,720 for RRL-2020-001 Local Road Resurfacing Program. As at 3 March 2020, a balance of \$1.122M of funds are available in this program. Council officers have delayed the commencement of further works under this program pending Council's consideration for the re-allocation of the balance funds to the Gingers Lane project.

It is important to note that \$1.296M of the overall allocation for the 2019-20 Local Road Resurfacing Program is from Local Road Special Rate Variation (SRV) funds (as detailed in the 2017-21 Delivery Program). The use of the SRV funds on the Gingers Lane project is consistent with the intent of the approved Roads SRV.

The 2020-21 Local Road Resurfacing Program will soon be presented for Council's consideration in the draft 2020-21 Operational Plan. It is recommended that Council considers utilising a further \$1.926M of funds from this Program to support the completion of the Gingers Lane project in 2020-21.

FCR 2019 - Round 2

In December 2019, Council officers submitted a grant application for \$2.9M through the FCR 2019 – Round 2 offer. The determination of this application is pending with no announcements yet from the NSW State Government with respect to the FCR 2019 Program.

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It is expected that an announcement will be made on the FCR 2019 Program within the coming months, potentially negating the need to use Council funds to complete the Gingers Lane project.

In the event that Council is successful with the FCR 2019 Round 2 application it would be recommended that Council redistributes any unspent Local Road Resurfacing Program funds back into the 2020-21 Local Road Renewal Program.

OPTIONS

N/A

CONSULTATION

Internal

Infrastructure Manager
Works and Operations Manager
Business Partner and Asset Management Accountant
General Manager

External

Transport for NSW (formerly RMS)

STRATEGIC LINKS

a. Delivery Program

Community Strategic Plan Cessnock 2027: The recommendation of this report aligns with:

- *Section 4 Accessible infrastructure, services and facilities:*
- *Objective 1.3: Promoting safe communities - Our roads are safe for motorists and pedestrians.*
- *Objective - 4.1 Better transport links*
- *Objective - 4.2 Improving the Road Network*

Delivery Program 2017-21: The recommendation of this report aligns with:

- *Section 4 Better transport links:*
- *Objective - 4.1.1 Advocate for increased road, public and community transport and associated infrastructure funding*

b. Other Plans

Road and Road Infrastructure Network Asset Management Plan: Council's adopted Asset Management Plan defines resealing of sealed roads in preference to sealing unsealed roads due to the upfront capital cost and more costly maintenance and renewal burden created.

Cessnock LGA Traffic and Transport Strategy Technical Report: Any recommendation of the Committee should align with the local priorities that will contribute to the Federal and State governments' objectives of corridor improvements to deliver greater journey time savings and

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road safety outcomes and to help fund projects that connect local and regional roads to state highways and key freight hubs.

Operational Plan 2018-19: The activity aligns with the following:

- *Objective 1.3: Promoting Safe Communities*
- *Objective 1.3.5 Improve the safety of the road network*

Cessnock City Council - Road Safety Strategic Plan (2014 - 2018): Any recommendation of the Committee should align with the following objectives:

Safer Roads: Develop Programs that will deliver safer roads and roadsides:

Objective 2.1: Continue to manage Council's assets in an innovative and cost effective manner, delivering treatments for safe road use through improved design, construction, maintenance, operation and auditing of the road network.

IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

As at 3 March 2020, \$1.136M of the \$4.45M FCR grant has been expended on the Frame Drive/Frame Drive Bridge project to complete this aspect of the HEX to Cessnock Road upgrade (noting that certain Ausgrid works are still to be finalised); an additional \$1.2M (approximately) has been spent on the investigation/design and enabling works for Gingers Lane, with a further \$2.114M allocated for the Stage 1 (Frame Drive to Grey Gum Drive) road works.

Council officers have determined that a further \$3.048M of funding is required to complete the designed upgrade works along Gingers Lane.

Council's 2019-20 Local Road Renewal Program includes an allocation of \$1,486,720 for RRL-2020-001 - Local Road Resurfacing Program. As at 3 March 2020, a balance of \$1.122M of funds are available in this program. Council officers have delayed the commencement of further works under this program pending Council's consideration for the re-allocation of the balance of funds to the Gingers Lane project.

The 2020-21 Local Road Resurfacing Program will soon be presented for Council's consideration in the draft 2020-21 Operational Plan.

It is recommended that Council considers utilising the Local Road Resurfacing Program funds in both 2019-20 and 2020-21 to allow for the completion of the Gingers Lane project.

In the event that Council is successful with a \$2.9M application through the FCR 2019 Round 2 Program it would be recommended that Council redistributes any unspent Local Road Resurfacing Program funds back into the 2020-21 Local Road Renewal Program.

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c. Legislative Implications

Nil

d. Risk Implications

There is potential reputational risk associated with not completing the Gingers Lane project in its entirety, as this project is of a high level of importance to the Community, and in particular the residents that reside in the immediate area of Gingers Lane.

In addition, there is a financial risk associated with the cost of undertaking transitional interim works and re-establishing on site if Council does not complete the project in a singular sequential manner as originally proposed.

e. Environmental Implications

Environmental implications have been taken into account during the investigation and design phase and works to mitigate the environmental impact of the project have been accounted for in the final design.

f. Other Implications

Nil

CONCLUSION

The opening of the M15 Hunter Expressway (HEX) in 2014 resulted in a significant increase in traffic along Gingers Lane and Frame Drive. This led to a rapid deterioration of the condition of Frame Drive Bridge. It also exposed a number of safety risks along the HEX to Cessnock Road route via Gingers Lane.

Council has been successful in obtaining \$6.45M in external funding to undertake upgrade works along the subject route, including the replacement of Frame Drive Bridge and widening of Frame Drive.

Transport for NSW advised Council on 26 February 2020 that it would allocate \$1.8M towards the installation of an upgraded roundabout at the intersection of Gingers Lane, Sawyers Gully Road and Hart Road.

As at 3 March 2020, \$1.136M of the \$4.45M FCR grant has been expended on the Frame Drive/Frame Drive Bridge project to complete this aspect of the HEX to Cessnock Road upgrade, which was primarily funded from the Federal Government's Bridges Renewal Program (it is worth noting that certain Ausgrid works are still to be finalised).

An additional \$1.2M (approximately) has been spent on the investigation/design and enabling works for Gingers Lane, with a further \$2.114M allocated to the Stage 1 (Frame Drive to Grey Gum Drive) road works. Council's Works and Operation crews began undertaking the Stage 1 works in January 2020.

The final design and cost estimate for Stages 2 to 4 of the Gingers Lane upgrade project has revealed a funding shortfall of \$3.048M to enable the project to be completed in its entirety.

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It is recommended that Council re-allocates \$1.122M of funds from within the 2019-20 Local Road Renewal Program to allow Stage 2 of the Gingers Lane project to commence and that Council allocates approximately \$1.926M from the 2020-21 Local Road Renewal Program to fund Stages 3 & 4 in 2020-21, pending the determination of Council's application into the FCR 2019 Round 2 Program.

ENCLOSURES

There are no enclosures for this report

Works and Infrastructure
Report No. WI25/2020
Works and Infrastructure



SUBJECT: *CATEGORISATION OF COUNCIL MANAGED LAND*
RESPONSIBLE OFFICER: *Open Space and Community Facilities Manager - Nicole Benson*

SUMMARY

Under the *Crown Land Management Act 2016*, Council must assign an initial category of community land referred to in Section 36 of the *Local Government Act 1993* to all Crown land where Council is the appointed Crown Land Manager. The purpose of this report is to outline the proposed categories.

RECOMMENDATION

That Council notifies the Minister administering the *Crown Land Management Act 2016* in writing of the initial categorisation as listed in Enclosure 1, assigned to Crown land appointed to Council, as referred to in Section 36 of the *Local Government Act 1993*.

BACKGROUND

The *Crown Land Management Act 2016* (the CLM Act) commenced on 1 July 2018, and local council's commenced direct management of Crown lands under the provisions of the *Local Government Act 1993* (LG Act) at this time.

As part of the transition to the management of Crown reserves under the LG Act, Council must assign a classification and initial categorisation to all Crown reserves under its management. The Minister administering the CLM Act must then be notified in writing of the proposed categories.

Once the classification and categorisation process is completed and Ministerial acknowledgement received the Plan of Management (PoM) process will commence, which will include reviewing Aboriginal Land Claims, addressing Native Title and engaging with the community.

REPORT/PROPOSAL

Under section 3.23 of the CLM Act, all Crown reserves classified as community land require an initial categorisation that relates to the Crown land reserve purpose. The Department of Planning Industry & Environment – Crown Land (DPIE-CL) has provided an initial assessment of each reserve and a suggested classification and categorisation. Council Officers have undertaken a review of the Crown reserves and the initial assessment undertaken by DPIE-CL and this report establishes concurrence with, or proposed amendments to and the suggested treatment of each Crown reserve (refer enclosure 1).

In determining the category that applies to the reserve, Council officers were required to refer to the LG Act provisions and to consider how these would preserve and facilitate use of the land for the purpose for which it was originally dedicated or reserved.

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The LG Act community land categories are Park, Sportsground, General Community Use, Area of Cultural Significance, and Natural Area. Natural Area includes sub-categories of Bushland, Wetland, Escarpment, Watercourse, and Foreshore.

Council is only able to apply one category to each reserve and it must align directly with the reserve's gazetted purpose. If a reserve has more than one gazetted reserve purpose an additional category can be applied. The historic reserve purpose does not always neatly reflect the activities that currently occur on a reserve. In these cases, Officers have recommended a category that best reflects the use of the reserve.

There are two instances where Officers have proposed alternate categories to those proposed by DPIE-CL. These include:

- Wollombi Recreation Reserve
- Kurri Kurri Central Oval

The assigned category for each of the above categories was Park. Based on these being sporting facilities (and all other sporting facilities in the LGA being categorised General Community Use) it is proposed to reassign the category of General Community Use. This allows for consistency with the way Council manages its sporting facilities and also allows for the leasing and licencing of these facilities.

OPTIONS

Nil

CONSULTATION

Open Space & Community Facilities Manager
Senior Property Officer

There is no requirement for Council to undertake community engagement as part of the initial classification or categorisation process. However, the LG Act requires community engagement activities to be undertaken in the preparation of a Plan of Management (PoM) including public exhibition of the PoM and opportunities for the community to comment.

STRATEGIC LINKS

a. Delivery Program

Objective 3.2 Better Utilisation of existing open space, with a direct link being 3.2.2 Develop and update Plans of Management.

b. Other Plans

Recreation and Open Space Strategic Plan 2019.

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IMPLICATIONS

a. Policy and Procedural Implications

Nil

b. Financial Implications

Nil

c. Legislative Implications

Crown Land Management Act 2016

Section 3.23(2 - 5) discusses the requirement to assign categories to Crown land and the need to advise the Minister of these categories.

Local Government Act 1993

Section 36 (4) outlines the categories to be utilised when considering Crown land parcels.

d. Risk Implications

Nil

e. Environmental Implications

Nil

f. Other Implications

There is a requirement to develop PoMs for all Crown reserves once the classification and categorisation process is completed and Ministerial acknowledgement is received. The PoM process, which will include addressing Native Title, will be a large suite of work that must be completed by 30 June 2021.

CONCLUSION

The initial categorisation of Crown reserves by Council, as the appointed Crown Land Manager, is the first step in a process that will enable Council to effectively manage Crown reserves in line with the LG Act. There are subsequent steps required, including the development of Plans of Management, that will assist in the holistic, coordinated and efficient management of all Council owned and managed land within the LGA.

ENCLOSURES



Enclosure 1 - Initial Categorisation Applied to Crown Land



Initial Categorisation Applied to Crown Land Managed by Council

Reserve Number	Reserve Trust Name	Common Name	Parcel	Purpose(s) originally set aside or dedicated	Guidance category from Crown	Justification (if categorisation different to Guidance Category from Crown)
87882	Wollombi Bush Fire Brigade	Wollombi Cultural Centre	14335	Bushfire, Community, Communications	General Community Use	
170109	Kurri Kurri Historic	Richmond Main - Vacant land Kurri Kurri	25496 23345	Community Use	General Community Use	
95916	Greta Community Centre	Greta Pre-School	16782	Community Centre	General Community Use	
94355	Cessnock Bush Fire Brigade	Cessnock Emergency Services and Community Service Building	507737 507738 507739 507740 507741 507742 507743	Rural Fire Service	General Community Use	
170032	Neath Recreation	Neath Reserve - 129 Cessnock Road Neath	13081	Community Use	General Community Use	
570066	Anzac Park	Anzac Park - Wollombi	22517	Recreation	Park	
570005	Wollombi Recreation	Wollombi Recreation Reserve Christina Street	24313	Recreation	Park	General Community Use <ul style="list-style-type: none"> Justification: To meet current & future needs of the local community and the wider public for the purposes which a lease, licence or other estate may be granted in respect of the land.
74125	Abermain Recreation	Centenary Park	4665 13877	Recreation	Park	
170046	Abermain Recreation	Bailey Park	21677	Recreation	Park	
90861	Poppet Head Recreation	Poppet Head Reserve	24875	Recreation	Park	



Reserve Number	Reserve Trust Name	Common Name	Parcel	Purpose(s) originally set aside or dedicated	Guidance category from Crown	Justification (if categorisation different to Guidance Category from Crown)
89422	Pokolbin Recreation	McDonalds Road Pokolbin Reserve	Part of Reserve	Community Use Recreation	General Community Use	
170145	Pokolbin Community Purposes	Pokolbin Hall and Bushfire Shed	21148 25512	Community Use Bushfire	General Community Use	
88656	Millfield Community	Crawfordville / Millfield - Playground Park Community Hall	17986 17987 17988 17989 17990 17991 17992 17993 18028 18027 18026 18025 18024 18023 18022 18021	Community Use	General Community Use	
170015	Kurri Kurri Recreation	Birrlee Park	24046	Recreation	Park	General Community Use <ul style="list-style-type: none"> Justification: To meet current & future needs of the local community and the wider public for the purposes which a lease, licence or other estate may be granted in respect of the land.
84467	Kurri Kurri Public Hall	Kurri Kurri Ambulance Hall	8855	Community Use	General Community Use	
78585 74281	Kearsley Public Hall	Kearsley Community Hall	24925 12582	Community Centre	General Community Use	



Reserve Number	Reserve Trust Name	Common Name	Parcel	Purpose(s) originally set aside or dedicated	Guidance category from Crown	Justification (if categorisation different to Guidance Category from Crown)
53740	Maitland Street East Branxton Plantation	Vacant land off New England Hwy near Miller Park	22636	Reserve	General Community Use	
91228	Abermain Public Hall	Abermain School of Arts	13292	Community Use	General Community Use	
53738	Dalwood Road East Branxton Plantation	Lions Park	24542	Plantation Reserve	General Community Use	
89181	Cessnock Parking	Cessnock Parking	26039	Parking	Community General use	
83677	Aberdare Drainage	Aberdare Drainage System between Melbourne Street and Aberdare Road	813 812 814 1050 1054 170 505793	Drainage	General Community Use	
70890	Northcote Street Access	Northcote Drainage and Access	27178 26061	Drainage and Access	General Community Use	
82075	Congewai Street Drainage	Kearsley Drainage Easement	12646 12645 12644 12820	Drainage	General Community Use	
1016868	Cessnock Resource Park Environmental Zone	Near Waste Depot off Maitland Road	508003	Resource Park Environmental Zone	Community - General Community Use	
82660	Main Road Rubbish Depot	Stanford Merthyr	20483	Rubbish Depot	General Community Use	
48106	Stanford Merthyr Sanitary Depot	Stanford Merthyr Sanitary Depot	21584	Sanitary Depot	General Community Use	

SUBJECT: *BRIDGES HILL REGIONAL PLAYGROUND*
RESPONSIBLE OFFICER: *Open Space and Community Facilities Manager - Nicole Benson*

SUMMARY

This report provides an update on the Bridges Hill Regional Playground project.

RECOMMENDATION

That Council notes the progress of the Bridges Hill Regional Playground project.

BACKGROUND

Introduction

The development of the Bridges Hill Regional Playground commenced with seed funding through the Federal Government's National Stronger Regions Fund (NSRF) in 2016, and an adopted Masterplan for the park located on the fringe of the Cessnock CBD.

The NSRF application for funding sought funds to improve access, connectivity and to revitalise the commercial city centre of Cessnock. Specific activities related to the Bridges Hill Regional Playground included installation of wayfinding signage in the CBD/Bridges Hill area; upgrade of Bridges Hill Park incorporating replacement of the playground and installation of public art and signage; and connectivity of the park to the CBD through upgrading pathways and stairs.

The following information provides an overview of the steps taken and the funding obtained to deliver the adopted Masterplans for Bridges Hill and Convent Hill.

Planning

The Convent Hill, Bridges Hill Park and East End Oval Masterplan was adopted by Council on 15 June 2016, subsequent to the mandatory public exhibition period. The Masterplan outlined improvements to all three open space areas, including an upgraded playground in Bridges Hill Park incorporating an integrated range of opportunities with a gradation of challenges utilising the unique topography of the site. In addition to this key element was pathways and stairs, fitness stations, an entry feature and public art, picnic facilities and associated amenities. The Masterplan provided a clear vision for the future amenity and character of the site and assisted Council in obtaining valuable grant funding as outlined within the report.

The Bridges Hill Park Playground Concept Design was publicly exhibited from 11 September to 13 October 2017. Council was briefed on the matter on 8 November and the design was adopted on 13 December 2017. The draft concept design met the following general design guidelines set by Council;

- A children's bicycle circuit
- Access for all ages and abilities
- Adventure elements

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- Design and constructed to Australian Standard
- Elements suitable for all ages and abilities
- Fitness equipment
- Lighting, Bubblers, Barbeques and picnic settings
- Multi-purpose hard court
- Nature play, Sensory play and Water play
- Security lighting
- Strategically located rubber safety surfacing as well as loose fill surfacing

The draft concept design was prepared to allow staged construction over a number of years and the decision to implement a staged approach was based on past and projected budget allocations, as well as external funding opportunities such as partnerships and grants.

Grants and Partnerships

National Stronger Regions Fund

The Federal Government announced in 2016 that Council was successful in obtaining \$950,000 from the National Stronger Regions Fund to undertake various aspects of the Cessnock Civic Precinct Revitalisation project. The scope of works included development of design and construction drawings, replacement of the playground in Bridges Hill Park incorporating public art, improved access from the CBD to Bridges Hill, CBD car park, road and streetscape improvements, wayfinding signage, improved and safer pedestrian access throughout the CBD and laneway upgrades.

Stronger Country Communities Fund Round 1

In 2017 the Cessnock Regional Recreation Precinct Access Improvements project was funded through Round 1 of the NSW State Government's Stronger Country Communities program. Council received an allocation of \$637,429 for pathways to be constructed from the CBD to Bridges Hill. The scope of works included construction of pathways, viewing platforms, retaining walls and landscaping, as well as wayfinding signage and lighting. The funding was not required to be matched by Council.

Social Housing Community Improvement Fund

In addition to the above, Council received a \$50,000 allocation from the Social Housing Community Improvement Fund for the construction of an outdoor gymnasium. This funding was also not required to be matched by Council.

Stronger Country Communities Fund Round 2

In 2018 the NSW State Government ran a second round of the Stronger Country Communities program and Council was successful in obtaining funding for the Bridges Hill Park – Regional Themed Playground. An allocation of \$936,315 was approved to replace the 22 year old playground with an indigenous themed adventure playground incorporating elements such as all-abilities play, gardens, nature play, bubblers, shaded seating, picnic facilities and bicycle parking. The funding was not required to be matched by Council.

Restart NSW

The NSW State Government also announced in 2018 that it would contribute \$2,100,000 through its Restart NSW program towards the Cessnock Recreation Precinct Upgrade, incorporating the themed playground, a yarning circle, bike track, BBQ areas, pathways, car parking improvements and a multi-purpose court. Council's co-contribution of matching funds of \$2,100,000 to this grant was able to be met using funding already in place, along with a

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loan. Table 1 (below) outlines the specific schedule of funding sources to match the grant allocation and these details were contained in Report No. CC54/2018 – Addition to 2018-19 Loan Borrowing Program considered by Council on 1 August 2018.

Table 1 Schedule of funding sources for the Restart NSW Grant

		Council Co-Contribution				
Project	Restart NSW (State)	Loan	NSRF (Federal)	General Funds	S7.11 Developer-Contributions	Total
CBD Regional Recreation Precinct Upgrade	\$2,100,000	\$1,209,418	\$325,000	\$205,582	\$360,000	\$4,200,000

The total project budget includes materials, preliminaries, contractor overheads and margins, cost escalation, staff wages, contingencies and design fees.

Cessnock Wine Country Lions Club

In 2019 the Cessnock Wine Country Lions Club contributed \$10,000 towards the construction of the children's bicycle track.

A budget summary for the broader Bridges Hill project, with each funding source listed in order of commitment, is provided in Table 2 below.

Table 2. Budget Summary

Funding source – external	Amount \$
National Stronger Regions*	950,000
Stronger Country Communities Rd 1	637,429
Social Housing Community Improvement Fund	50,000
Stronger Country Communities Rd 2	936,315
Restart NSW	2,100,000
Wine Country Lions Club	10,000
Sub-total - external	4,683,744
Council co-contribution	2,100,000
Grand total	6,783,744

**Note this incorporates the CBD works as well as the Regional Playground*

Program

The specific program and milestones for the delivery of each portion of the Bridges Hill project were contained within each of the associated funding deeds. This meant that as successful grants were successful, the staging of the project was altered and variations were sought from funding bodies to ensure the effective and efficient delivery of the project. It is important to note that while the staging of works has been amended throughout the project the program end date of December 2020 remains in place.

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Works and Infrastructure**REPORT/PROPOSAL**

A general outline of the components of the project and the scheduled delivery of each of these are summarised in Table 3, below;

Table 3. Program of works.

Component	Timing
Stage 1	
Yango St corner staircase Stage 1 Toddlers and Tea Trees Rock scramble and giant slide Shade sails Sandpit and timber surround Shelters and picnic tables Bike track Fitness stations	Commenced May 2018 Finalised February 2019 Fitness stations opened on 6 February 2019
Stage 2	
Toddlers and Tea Trees stage 2 BBQ area 2 Multipurpose Court Baskets and Bikes	Commenced in March 2019 Opened on 7 September 2019
Stage 3	
Aquila Adventure* Intermediate play space Yarning circle BBQ area 1 & 3	Commenced in September 2019 Scheduled for finalisation in March 2020
Public Toilets	Scheduled for finalisation by 30 June 2020
Stage 4	
Car park improvements Cumberland St to Convent Hill pathway link Millfield Street pathway	Scheduled to commence in March 2020 Scheduled for finalisation in December 2020

*The Stage 3 Aquila Adventure incorporates a number of play elements including a custom made "Sky Walk Tower" which will mark the completion of the playground construction. In November 2019 Council resolved to accept a tender from Studio 2 Pty Ltd in the lump sum of \$298,100 (including GST) for the Bridges Hill Playground Stage 3 custom made "Sky Walk Tower". The Tower is in transit from China and it is not known if the impact of the novel coronavirus (2019-nCoV) will affect the delivery and installation time.

The conclusion of Stage 4 will see the Bridges Hill and Convent Hill Masterplans implemented in their entirety. In the interim, the community, key stakeholders and Councillors will continue to be updated on the progress of the project through various means, including social media, Councils website, meetings and Councillor Circular.

OPTIONS

N/A

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CONSULTATION

Bridges Hill Project Officer

STRATEGIC LINKS

a. Delivery Program

Delivery Program Objective 3.2: Better utilisation of existing open space:

- 3.2.3. Continue to implement the adopted masterplans for Council's recreation & community facilities and spaces
- 3.2.4. Provide and maintain recreation facilities, streetscapes and public open space.

b. Other Plans

- Convent Hill, Bridges Hill Park and East End Oval Masterplan 2016
- Recreation and Open Space Strategic Plan 2019

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

The total funding available for the Bridges Hill project is approximately \$6.78M and includes contributions from a number of sources including a local community group, Council, Federal and State Government organisations. A summary of the funding sources is provided in Table 2.

c. Legislative Implications

N/A

d. Risk Implications

N/A

e. Environmental Implications

N/A

f. Other Implications

Bridges Hill Park has experienced an unprecedented increase in use since the Fitness Stations and Stage 2 have been open to the public. Whilst Council does not have hard statistical data on attendances, observations show a significant increase in the volume of people using the facility on a daily basis. On weekends the picnic areas are heavily utilised for social gatherings, such as parties, and maintenance of the area has increased to include more frequent cleaning, waste removal and playground maintenance.

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CONCLUSION

The adoption of the Convent Hill, Bridges Hill Park and East End Oval Masterplan, along with the Bridges Hill Park Playground Concept Design underpinned the successful applications for funding to deliver the Bridges Hill Regional Playground. The \$6.78M project is being delivered largely in-house and in line with funding agreements.

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN8/2020

General Manager's Unit



NOTICES OF MOTION No. BN8/2020

SUBJECT: *COSTINGS OF PROJECTS*

COUNCILLOR: *Ian Olsen*

MOTION

In a recent flyer promoting Council there is a list of completed projects. On those following projects can we get the following information:

1. Original budget provided and final cost?
2. Timeframe, were the projects completed on time and if not how much over estimated timeframe?
3. Which projects were completed by Council staff and which were completed by contractors?
4. Have any failed or needed repairs after completion?
 - *Stages 1 & 2 Bridges Hill Park Playground and Access Improvements*
 - *Jeffries Park, Abermain upgrade*
 - *Weston Civic Centre Toilet upgrade*
 - *Frame Drive Abermain upgrade*
 - *Citywide Shade Sail Program – installation of 9 shade sails at local parks*
 - *Upgrade of Cessnock CBD – Cooper & Charlton Street*
 - *Installation of Hunter Valley Wine Country Signage*
 - *Sawpit Road, Cedar Creek causeway construction*
 - *Kurri Kurri Lawn Cemetery extension*
 - *Veterans Memorial Park, Aberdare upgrade*
 - *Kurri Kurri Aquatic & Fitness Centre and Cessnock Pool Renewal Program*

It is my intention to move the above motion at the next Ordinary Meeting of Council on 18 March 2020.

Completed Projects

- Stages 1 & 2 Bridges Hill Park Playground and Access Improvements
- Jeffries Park, Abermain upgrade
- Weston Civic Centre Toilet upgrade
- Frame Drive Abermain upgrade
- Citywide Shade Sail Program – installation of 9 shade sails at local parks
- Upgrade of Cessnock CBD – Cooper & Charlton Street
- Installation of Hunter Valley Wine Country Signage
- Sawpit Road, Cedar Creek causeway construction

Notices Of Motion

Report No. BN8/2020

General Manager's Unit



- Kurri Kurri Lawn Cemetery extension
- Veterans Memorial Park, Aberdare upgrade
- Kurri Kurri Aquatic & Fitness Centre and Cessnock Pool Renewal Program

RATIONALE

Residents have asked if Council is performing well with these projects and I believe that these questions are justified when it comes to completing projects on budget and in the timeframe given.

SOURCE OF FUNDING:

Not required.

DELIVERY PROGRAM:

Not applicable.

Sgd: Ian Olsen

Date: 2 March 2020

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN9/2020

General Manager's Unit



NOTICES OF MOTION No. BN9/2020

SUBJECT: *WORKS BUDGET ITEMS ANNUAL REPORT*

COUNCILLOR: *Ian Olsen*

MOTION

At the end of every financial year our Works Department supply a report with regards to all budgeted works with the following information:-

- 1. Original budget provided and final cost**
- 2. Timeframe, area all projects completed, on time and if not how much over estimated timeframe**
- 3. Which projects were completed by Council staff and which were completed by contractors**
- 4. Have any failed or needed repairs after completion**
- 5. If projects are not completed, go over budget or fail explanations for these happening.**

It is my intention to move the above motion at the next Ordinary Meeting of Council on 18 March 2020.

RATIONALE

We as Councillors need to know that we are performing to our best to guarantee we are getting value for money.

SOURCE OF FUNDING:

This should not cost a lot of time if we are tracking all costs and times taken

DELIVERY PROGRAM:

Cessnock 2027 Community Plan Page 36 Civic Leadership and Effective Governance Point 3.

Sgd: Ian Olsen

Date: 2 March 2020

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN10/2020

General Manager's Unit



NOTICES OF MOTION No. BN10/2020

SUBJECT: *YOUTH CENTRE*

COUNCILLOR: *Ian Olsen*

MOTION

Council supply a report on the operation of the Youth Centre on Aberdare road with the following information prior to the setting of the next budget:

- 1. Number of staff**
- 2. How often is the Aberdare Road complex open and for how long**
- 3. Do they still do school activities**
- 4. Is there support for youth attending court**
- 5. What is the main aim of the Youth Centre.**

It is my intention to move the above motion at the next Ordinary Meeting of Council on 18 March 2020.

RATIONALE

We as Councillors need to know that the service we think we are supporting is meeting our aims and objectives.

SOURCE OF FUNDING:

This should not cost a lot of time if we are tracking all costs and times taken.

DELIVERY PROGRAM:

Cessnock 2027 Community Plan Page 36 Civic Leadership and Effective Governance Point 3.

Sgd: Ian Olsen

Date: 2 March 2020

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN11/2020

General Manager's Unit



NOTICES OF MOTION No. BN11/2020

SUBJECT: *MOUNT VIEW ROAD FUNDING RE-STATEMENT*

COUNCILLOR: *Ian Olsen*

MOTION

That Council re-instate funding to the 2020/21 budget for Mount View Road Cessnock that was deferred from the 2017/18 Local Road Renewal Program RRL-2018-010 from Barrett Avenue to Links Avenue as the road is deteriorating and needs these repairs as a matter of urgency.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 18 March 2020.

RATIONALE

Council in their wisdom back in August 2017 deferred these roadworks until Corrective Services come to the party with funding a new access to the Cessnock complex. As they are in the final stages of design and council is setting our budget this section of programmed works should be added to the 20/21 budget.

SOURCE OF FUNDING:

Works Department 2020/21 budget

DELIVERY PROGRAM:

2017/21 delivery program.

Sgd: Ian Olsen

Date: 9 March 2020

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN12/2020

General Manager's Unit



NOTICES OF MOTION No. BN12/2020

SUBJECT: *TRAFFIC ISSUES HEDDON GRETA*

COUNCILLOR: *Darrin Gray*

MOTION

That the General Manager Investigate the concerns of the residents of Heddon Greta with the installation of traffic lights at Heddon Street and Main Road and the potential impact on the local road network. In particular investigating the excessive speeding issues that are now prevalent along Radford Street and surrounding feeder roads, with traffic calming options.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 18 March 2020.

RATIONALE

Residents within the new residential precincts of Heddon Greta area are suffering with increased negative driver behaviour within the area. Radford Street in particular is described by local residence as a speedway, with many drivers traveling at excessive speed and driving erratically on these suburban streets, putting people and property within this residential area at risk.

This behavior will only intensify with the increased housing development now taking place and the installation of the traffic lights. Council should do everything within its power to alleviate this dangerous pressing issue.

SOURCE OF FUNDING:

DELIVERY PROGRAM:

Sgd: Darrin Gray

Date: 10 March 2020

ENCLOSURES

There are no enclosures for this report

Notices Of Motion

Report No. BN13/2020

General Manager's Unit



NOTICES OF MOTION No. BN13/2020

SUBJECT: ***RUBBISH BINS IN PARKS IN CESSNOCK LOCAL GOVERNMENT AREA***

COUNCILLOR: ***Mark Lyons***

MOTION

That a report comes back to council outlining the parks in Cessnock LGA that have no rubbish bins, a prioritised plan to provide these services, costs involved and possible funding options.

It is my intention to move the above motion at the next Ordinary Meeting of Council on 18 March 2020.

RATIONALE

Cessnock Council has prioritised waste minimisation and reducing illegal dumping and littering. Littering in our parks is an ongoing problem and not only effects the scenic amenity of our parks but can provide a health hazard. If no official rubbish bin is provided it encourages people to litter.

SOURCE OF FUNDING:

Initial funding for the report could come from the waste reserve. Funds for implementing a rubbish bin program to be outlined in the report, grant funding and waste service levy could be sources.

DELIVERY PROGRAM:

A sustainable and healthy environment

3.1 Protecting and enhancing our natural environment and rural character of the area

3.2 better utilisation of existing open space

3.3 better waste management and recycling

Sgd: Mark Lyons

Date: 10 March 2020

ENCLOSURES

There are no enclosures for this report

Questions of which Written Notice has been given

Report No. QWNG2/2020

Corporate and Community Services



SUBJECT: *QUESTIONS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN*

RESPONSIBLE OFFICER: *Finance and Administration Manager - Andrew Glauser*

FOR COUNCIL'S INFORMATION

Questions of Which Written Notice Has Been Given			
Councillor	Date Received	Subject	Question
Fitzgibbon	8/2/2020	Blood Donation Bus	Has Council spoken to anyone regarding the relocation of the Blood Bus to a less busy carpark?
	8/2/2020	Vegetation Opposite Pool	When will the undergrowth of the trees, on Council owned land opposite the pool, be cleared?
	9/2/2020	Shade Trees – Charlton Street Carpark	What will replace the shade trees, which were removed, from the western side of the Charlton St carpark opposite Coles carpark?
Sander	10/3/2020	Development 112 Aberdare Street, Kurri Kurri	Did this development have a DA condition to place Kerb and Gutter along the frontage of this site?
		Buskers on Council Footpaths	Would Council have an insurance liability if a member of the community was injured by a busker obstructing a footpath?
		Sale of Council Assets	Does Council have a resolution regarding sale of Council assets having to be spent in the Ward where the property was located?

ENCLOSURES

There are no enclosures for this report

Answers To Questions Of Which Written Notice Has Been Given

Report No. AQ1/2020

Works and Infrastructure



SUBJECT: ***BARRIERS - HALLS ROAD AND DE BEYERS ROAD
POKOLBIN***

RESPONSIBLE OFFICER: ***Director Works and Infrastructure - Justin Fitzpatrick-Barr***

Question – Councillor Fitzgibbon – 19/2/2020 - QWNG1/2020:

When will Council upgrade the existing barriers (Point 4 – W118/2019 – Proposed Road Closure between Halls Road and De Beyers Road, Pokolbin – 17 April 2019) on the public road between Halls Road and De Beyers Road, Pokolbin?

Answer:

As identified on page 257 of the Agenda of the Ordinary Council Meeting of 19 February 2020, works to be carried out as per the Traffic Facilities Program (CFT) contained within Report CC10/2020 – December 2019 Quarterly Review of 2017-21 Delivery Program

Project ID	Project Name	Status	Comments	Responsible Officer
CFT-2020-009	Unnamed Council Road between Halls Road & DeBeyers Road Pokolbin – Road Barrier Upgrade	On Track	Scheduled for installation 2 nd half of 2019-20	Infrastructure Manager

FOR COUNCIL'S INFORMATION

ENCLOSURES

There are no enclosures for this report

CESSNOCK LOCAL GOVERNMENT AREA

CESSNOCK FLYING-FOX CAMP MANAGEMENT PLAN

March 2020



**Cessnock City Council
NSW Department of Planning,
Industry and Environment**



Prepared by Hunter Joint Organisation of Councils for Cessnock City Council and the NSW Department Industry - Lands & Forestry (now the NSW Department of Planning, Industry and Environment) in 2017. Reviewed and updated by Cessnock City Council in March 2020.



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*Cover photo: Grey-headed Flying-fox (*Pteropus poliocephalus*). Dean Portelli/DPIE*

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Alan Keown – GIS Consultant

Peggy Eby – Ecologist

Narawan Williams – Ecologist

Eva Twarkowski – Hunter Councils Environment Division

Ellen Saxon – Hunter Councils Environment Division

Bradley Nolan – Hunter Councils Environment Division

We acknowledge the broader input received from Local Council Officers undertaking similar Flying Fox Camp Management Plans in the Hunter Region, as their efforts may have influenced the creation of this Camp Management Plan (hereafter referred to as the Plan).

We acknowledge input by the NSW Department of Planning, Industry and Environment (DPIE), and consultants Ecosure, in developing the *Flying-fox Camp Management Plan Template 2019*, on which this Plan was based. Peggy Eby also provided advice which was included in the template.

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Appendix 4 – Additional Human and Animal Health Information

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Abbreviations

ABLV	Australian bat lyssavirus
BC Act	<i>Biodiversity Conservation Act 2016</i>
BFF	black flying-fox (<i>Pteropus alecto</i>)
The Code of Practice	Flying-fox Camp Management Code of Practice 2018 (NSW)
DEE	Commonwealth Department of the Environment and Energy
DPIE	Department of Planning, Industry and Environment (NSW)
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EPA	Environment Protection Authority (NSW)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
GHFF	grey-headed flying-fox (<i>Pteropus poliocephalus</i>)
the Guideline	Referral guideline for management actions in grey-headed and spectacled flying-fox camps 2015 (Commonwealth)
HeV	Hendra virus
LGA	local government area
LGNSW	Local Government NSW
LRFF	little red flying-fox (<i>Pteropus scapulatus</i>)
MNES	matters of national environmental significance
NPWS	National Parks and Wildlife Service (NSW)
PEPs	protection of the environment policies
the Plan	Cessnock Flying Fox Camp Management Plan
POEO Act	<i>Protection of the Environment Operations Act 1997</i> (NSW)
the Policy	Flying-fox Camp Management Policy 2015 (NSW)
SEPPs	State Environmental Planning Policies
SIS	species impact statement
TEC	threatened ecological community

1 Overview

1.1 History of Plan Development

The East Cessnock Flying-fox Camp Management Plan was originally developed in partnership with the community, state and local government as a tool for the management of the East Cessnock Flying-fox camp. The Plan continues to be facilitated by Council on behalf of the Land Managers, and was originally compiled by Hunter Councils Environment Division, utilising the NSW Office of Environment and Heritage's (OEH) *'Flying-fox Camp Management Plan Template 2016'* and input from Council, OEH, responses from Community Consultation and key stakeholders.

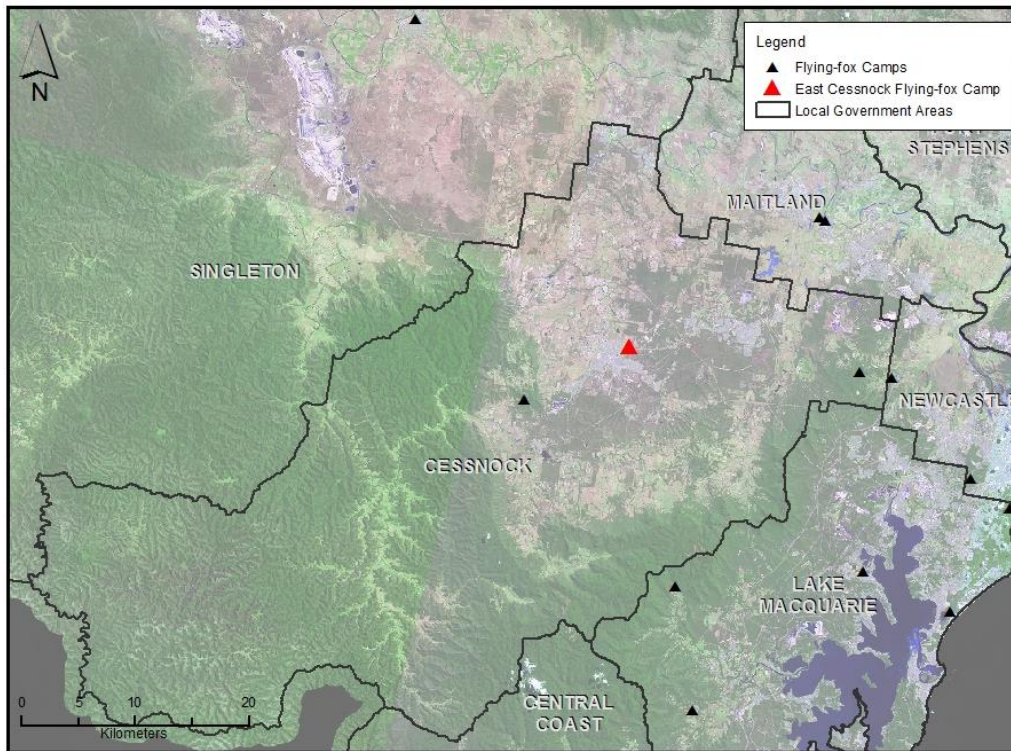
The Plan was originally developed as part of a Hunter Regional project that has developed Flying-fox Camp Management Plans for Central Coast Council, Mid Coast Council, Muswellbrook Council, Singleton Council, Port Stephens Council and Upper Hunter Shire Council. Participating in this project has enabled strong alignment with the actions of other Councils and the creation of active working relationships with these Councils, so that if any management action undertaken affects the roosting behaviour of Flying-foxes in one jurisdiction, a network of land management / ecology specialists can notify neighbouring Councils of any possible increased Flying-fox movements.

1.2 Purpose of the Plan

Cessnock City Council (Council) was awarded a number of grants for flying fox projects in mid-2019, under the Flying-fox Grant Program 2019. Part of this grant money was to allow Council to review and update the adopted East Cessnock Flying-fox Camp Management Plan. As part of the review, the scope of the Plan was expanded to cover any new Flying-fox camps that may form on public land within the Cessnock Local Government Area (LGA). Accordingly, Council amended to the title of the plan to the *'Cessnock Flying-Fox Camp Management Plan'* (the Plan). The review also involved updating the Plan to be more consistent with the NSW Department of Planning, Industry & Environment's (DPIE) updated *'Flying-fox Camp Management Plan Template 2019'*.

The purpose of this Plan is to undertake appropriate camp management in accordance with the Flying-fox Camp Management Policy 2015 (NSW) (hereafter referred to as the Policy). The Plan will enable appropriate land management as per NSW legislation to reduce the impact of Flying-fox camps on Cessnock residents. The Plan is operational for a period of 10 years (2017 - 2027) and will be reviewed and updated periodically during this time. The Plan addresses the known camps, one of which is causing community concern, but will also be applicable in the event of Flying-foxes establishing new camps on public lands within the LGA.

There are three (3) identified Flying-fox camps known to exist in the Cessnock LGA (Refer to **Figure 1**), with only the East Cessnock Camp currently occupied. The Blackhill and Millfield camps have not been occupied since at least 2012. Unlike the East Cessnock Camp, these two historic camps are located on private land in less populated, rural parts of the LGA. The management measures outlined in this Plan, only apply to the East Cessnock Flying-fox Camp and any new camps that may become established on public land, during the period that this Plan is operational.

Figure 1: Location of Flying-fox Camps within the LGA

1.3 Objectives

Cessnock City Council, DPIE, and the NSW Department of Education have developed this Plan to provide a clear framework for the management of the East Cessnock Flying-fox Camp and any new camps that may become established on public lands within the LGA.

The objectives of the Plan are to:

- minimise impacts to the community, while conserving flying-foxes and their habitat
- enable land managers and other stakeholders to use a range of suitable management responses to sustainably manage flying-foxes

The Plan provides details on the camps, Flying-fox species and ecology, community inputs, management opportunities and an agreed set of management actions designed to achieve the above stated objectives. The objectives of the Plan are consistent with the Policy.

1.4 Roles and Responsibilities

For any new camps that form on Public Lands within the LGA, the roles and responsibilities would be similar to those outlined below for the East Cessnock Flying-fox Camp. There are a number of organisations that have either a responsibility or role, in the management of issues related to the East Cessnock Flying-fox Camp.

NSW Department of Planning, Industry and Environment

The NSW Department of Planning, Industry and Environment (Crown Lands) is the primary land owner responsible for managing the East Cessnock site and subsequently final decisions about how to manage the flying-foxes occupying Crown Land, fall with this Department.

The Biodiversity & Conservation Division (BCD) is responsible for administering the *Biodiversity Conservation Act 2016* (BC Act), and for ensuring the impact of any action affecting threatened species is properly assessed. Any application by Crown Lands under the BC Act to disrupt the flying-foxes roosting site (the camp) would be assessed by the BCD.

Cessnock City Council

The East Cessnock Flying-Fox Camp at times extends onto Cessnock City Council managed land (Akira Avenue Park), and as the representative organisation of the local community Cessnock City Council plays an active role in developing management actions for the site. The Plan is being facilitated by Council on behalf of the Land Managers.

NSW Department of Education

The Cessnock East Public School is adjacent to the camp and on occasion has had flying-foxes in its boundary trees. The school is an interested stakeholder in the Plan and community engagement and will be responsible for any proposed management actions within the school grounds.

Wildlife Rehabilitators

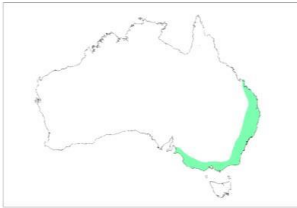

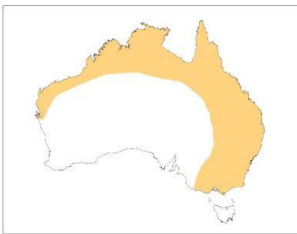



Injured or distressed flying-foxes are rescued and cared for by licenced wildlife rehabilitators.

2 Flying-Foxes in Cessnock

2.1 Flying-fox Species in Cessnock

There are three species that have been recorded at the East Cessnock Flying-fox Camp (refer to **Table 1**). The Plan refers to the three species, except when specifically addressing the threatened species, the Grey-headed Flying-fox. Further information on each of these species can be found in **Appendix 1**.

Table 1: Flying-fox species Recorded in Cessnock

Species	Range and Photo	Status
Grey-headed Flying-fox (<i>Pteropus poliocephalus</i>)	 	Listed as Vulnerable under <i>Environment Protection & Biodiversity Conservation Act 1999</i> and <i>Biodiversity Conservation Act 2016</i>
Little Red Flying-fox (<i>Pteropus scapulatus</i>)	 	-
Black Flying-fox (<i>Pteropus alecto</i>)	 	-

2.2 East Cessnock Flying-fox Camp

Flying-foxes are wild animals and highly dynamic in their migratory movements, search for food and selection process for suitable roosting habitat. There is very little understanding on how or why Flying-foxes select certain roosting areas, but research suggests that food shortages, and proximity to secure food sources and human settlements are significant factors. The number and size of Flying-fox camps is constantly changing throughout NSW. Council is aware of three (3) Flying-fox camps in the LGA, only one (1) of which is currently occupied. The following section provides information on the currently occupied, East Cessnock Flying Fox Camp (last occupancy 2019).

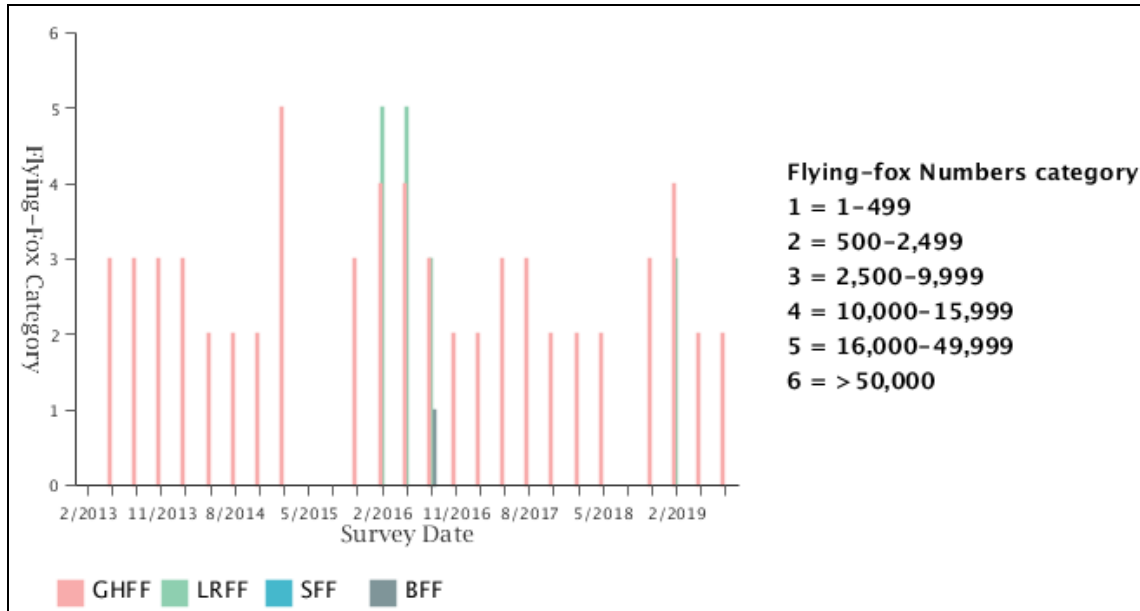
The two remaining historical camps, being Blackhill and Millfield have not been occupied since at least 2012. These two (2) camps are located on privately owned land in more rural parts of the LGA. The management actions outlined in this plan do not apply to the Blackhill or Millfield historical camps. However, the Plan does apply to any new Flying-fox camps that form on public lands within the LGA.

The East Cessnock Flying-fox Camp is predominantly located on Crown Land between Maitland Road and Old Maitland Roads, but at times has expanded into neighbouring land managed by Cessnock City Council i.e. Akira Avenue Park and the Crown Land to the south-eastern side of Maitland Road. Additionally, the Camp extends to the boundary with the Cessnock East Public

School and animals have been found within school grounds. This site has been identified as a permanent Flying-fox maternal roost camp, since 2011.

The CSIRO Census results for the East Cessnock Flying-Fox Camp as at 13 November 2019 are shown on **Figure 2**.

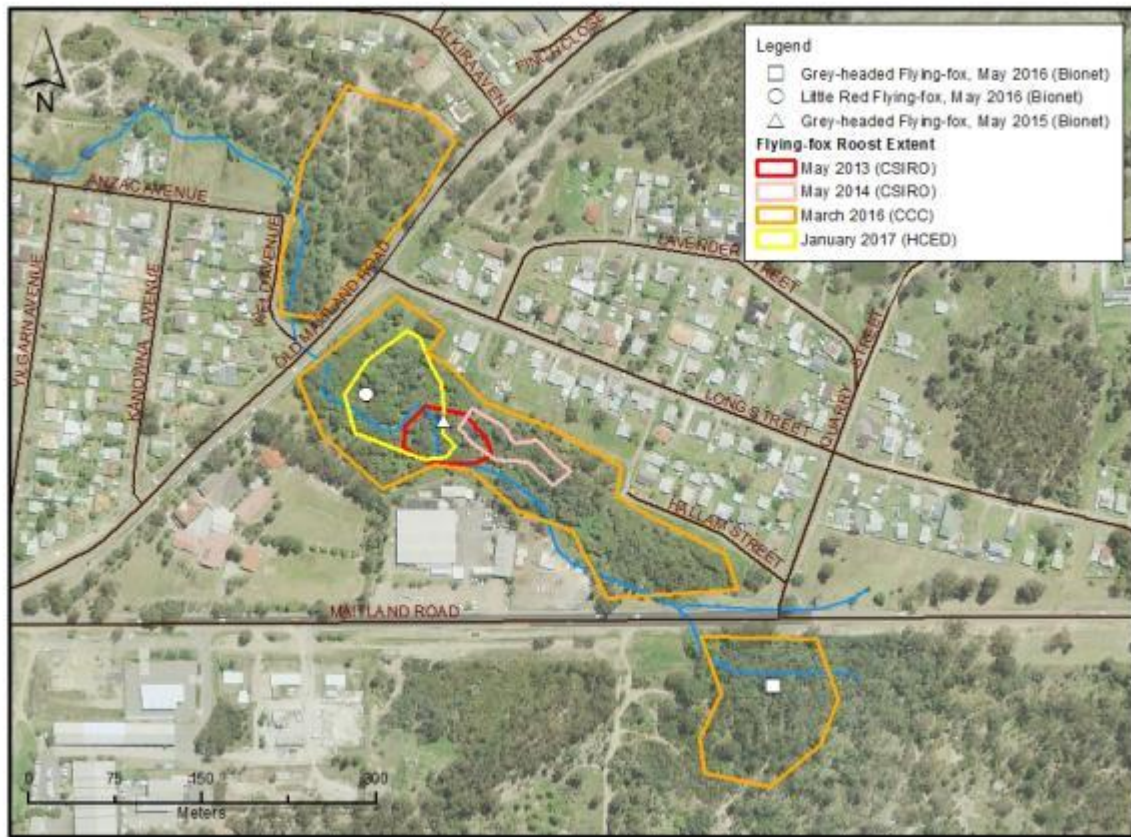
Figure 2: CSIRO Census results for the East Cessnock Flying Fox Camp



Grey-headed flying-foxes first visited the East Cessnock site in late 2011 and the site has been seasonally occupied since this time. The appearance of Grey-headed flying-foxes at the site in 2011 correlated with food shortages in other areas of the Hunter, so this may be an important refuge site. Little Red Flying-foxes arrived in December 2015 and left in August 2016. This is the first time this species has been recorded on site. The Little Red Flying-foxes generally occupied the centre of the Camp and from February 2016 through to May 2016 their population increased to in excess of 35,000 individuals. During this period, the occupation of the area by Little Red flying-foxes forced the existing 12,000 Grey Headed Flying-foxes to occupy Council managed, Akira Avenue Park and the Crown Land on the south-eastern side of Maitland Road (for the first time). Following the Little Red's departure from the site, the Grey Headed Flying-foxes returned to the original occupancy area.

The maximum known previous extent of the camp is shown on **Figure 3**. This area is not always fully occupied at any one time; and at times the Camp has been completely vacant.

Figure 3: East Cessnock Flying-fox Camp boundary (and historical Flying-fox roosting extent based on CSIRO Census results)



Vegetation Communities

A Vegetation Assessment of the Camp (including field surveys) was undertaken by MJD Environmental on behalf of Council in October 2019. This Vegetation Assessment identified the presence of four vegetation communities within the East Cessnock Flying Fox Camp. **Table 2** outlines the vegetation communities observed within the Camp. One (1) of the four (4) communities is commensurate with an Endangered Ecological Community (EEC) listed under the BC Act.

Table 2: Vegetation Communities at East Cessnock Flying-fox Camp (MJD Environmental, 2019)

Vegetation Map Unit (Bell 2008)	Vegetation Community (REMS Unit)	EEC	Plant Community Type (PCT)
108 Paperbark Depression Forest	N/A	-	1726: Flax-leaved Paperbark – Tall Sedge shrub land of the Sydney Basin
14h Riparian Apple – Grey Gum Dune Forest	14 Wollombi Redgum-River Oak Forest	-	1557: Rough-barked Apple – Forest Oak – Grey Gum grassy woodland on sandstone ranges of the Sydney Basin
17c Lower Hunter Beyer's Ironbark Low Forest	17 Lower Hunter Spotted Gum Ironbark Forest	Lower Hunter Spotted Gum – Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions (EEC under the BC Act)	1592: Spotted Gum – Red Ironbark – Grey Gum shrub – grass open forest of the Lower Hunter
17a Lower Hunter Spotted Gum Red Ironbark Forest			

The Flying-fox colony predominantly favours the Paperbark Depression Forest towards the centre of the site. The distribution of the vegetation communities found at the camp are provided in the Vegetation Assessment Report in **Appendix 2**.

Flying-fox Habitat

Roosting Areas

Dominant and preferred roosting vegetation within the Flying Fox Camp includes mature *Melaleuca linariifolia* and, *Casuarina glauca*. Flying Foxes predominantly roost in Melaleucas on site, Grey Headed Flying-foxes were observed roosting within a confined area on the western side of the reserve over the natural waterbody. The dense and swampy under-storey vegetation appears to provide protection and cooler temperatures with the soil holding some moisture (due to an ephemeral creek running through the site).

The average height of the Melaleuca trees is around 15m, and the Rough Barked Apple trees are taller at almost 25m, which provide a dense mid-storey that enables the flying-foxes to move up and down the trees depending on the prevalent weather conditions.

Foraging Areas

The number of flying-foxes present in a camp is primarily driven by the amount and quality of food available in the local area, relative to that available within migration distance (Tidemann 1999; Eby 1991; Roberts et al 2012). Flying-foxes typically feed within 20 km of their roost (Tidemann 1999), and digital maps of feeding habitat for Grey-headed Flying-foxes have been used to summarise feeding resources within 20 km of the East Cessnock camp (Eby and Law 2008).

Approximately 55% of land within 20 km of the East Cessnock site supports native forests and woodlands in patches ranging in size from small remnants to extensive tracts in conservation reserves and state forests. Less than 3% of native vegetation has been identified as rainforest containing fruiting trees and vines known to be consumed by flying-foxes. Rainforest fruits in these habitats provide highly restricted feeding opportunities for the animals during late summer and autumn. By contrast, flowering trees visited by the flying-foxes occur in >95% of the forested land within 20km of East Cessnock. This resource includes large tracts of some of the most productive vegetation types for nectar-feeding animals found in south east Australia, notably Spotted Gum-Ironbark forests (Eby and Law 2008).

Fifteen species of trees in the flower diet of Grey-headed flying-foxes occur within feeding range of the East Cessnock camp (refer to **Table 3**). They vary considerably in the amount of nectar they secrete, the frequency and duration of flowering, their seasonal flowering schedules and the area of distribution. Interactions between these characteristics determine their influence on the size and species composition of the population of flying-foxes roosting at East Cessnock.

In general, a high proportion of diet species distributed across a wide area flower from late spring to autumn. The diversity of this resource base supports a consistent presence of animals in the warmer months despite variations in the species that flower in any year. Population size should fluctuate considerably in relation to nectar abundance. In years when the widely-distributed and productive Broad-leaved Ironbark flowers well (approximately 40% of years), the number of animals present in late spring and summer should be inflated. More frequent flowering of Turpentine should also attract relatively large numbers of flying-foxes during spring.

However, the most dramatic shifts in population size at East Cessnock are driven by the flowering patterns of Spotted Gum. This is the most common species of tree in the lower Hunter. It produces abundant nectar for periods of up to 6 months, starting as early as late January and continuing into winter (Law and Chidel 2007). Mass flowering events occur approximately once every 4 years, and sparse flowering occurs more frequently (Pook et al. 1997; B. Dowling pers comm). Large numbers of both Grey-headed Flying-foxes and Little Red Flying-foxes migrate to the Hunter Valley in response to mass flowerings of Spotted Gum, traveling distances of several hundred kilometres (Eby 1991) and flying-fox camps in Sydney diminish in size or empty when these events occur.

Native vegetation in the area is unlikely to support populations through winter in years when the Spotted Gum doesn't flower due to the highly-restricted distribution of diet plants that flower in those months. Nonetheless, it is possible for over-wintering populations to be supported by urban plantings, particularly in years of wide-spread food scarcity in native forests.

Table 3: Characteristics of flowering trees in the diet of Grey-headed Flying-foxes that occur within 20 km of the East Cessnock camp. Nectar abundance is scored in 4 categories from 0 to 1; the approximate frequency of flowering is also scored in 4 categories relating to % of years; duration of flowering is scored in months. Species likely to play a significant role in determining the number of flying-foxes present in the camp, as assessed by nectar abundance and area of distribution, are highlighted in grey. Species found in <1% of native vegetation have been excluded. See Eby and Law (2008) for further details.

Species	Common Name	% Area of Native Vegetation	Flowering Characteristics			Bi-monthly Flowering Schedule					
			Nectar Abundance	Frequency (% yrs)	Duration (mth)	Dec-Jan	Feb-Mar	Apr-May	Jun-Jul	Aug-Sep	Oct-Nov
<i>Corymbia maculate</i>	Spotted Gum	60%	1	0.25	4-6		X	X	X		
<i>Eucalyptus fibrosa</i>	Broad-leaved Ironbark	45%	0.7	0.4	2	X					X
<i>E. saligna</i>	Sydney Blue Gum	15%	0.7	0.7	1	X	X				
<i>Syncarpia glomulifera</i>	Turpentine	25%	0.5	0.7	2					X	X
<i>Angaphora costata</i>	Smooth-barked Apple	20%	0.3	0.4	1						X
<i>A. floribunda</i>	Rough-barked Apple	10%	0.5	0.4	1	X					
<i>C. gummifera</i>	Red Bloodwood	5%	1	0.4	2	X	X				
<i>E. amenoides</i>	White Mahogany	10%	0.3	0.7	1	X					X
<i>E. deanei</i>	Mountain Blue Gum	10%	0.7	0.7	1	X	X				
<i>E. moluccana</i>	Grey Box	5%	0.3	0.7	2		X				
<i>E. parramattensis</i>	Parramatta Gum	5%	0.5	0.4	2	X					
<i>E. pilularis</i>	Blackbutt	2%	1	0.4	2	X	X				
<i>E. punctata</i>	Large-fruited Grey Gum	55%	0.3	0.7	1	X	X				
<i>E. siderophloia</i>	Grey Ironbark	10%	1	0.7	2	X					X
<i>E. tereticornis</i>	Forest Red Gum	10%	1	1	2					X	X
						10	7	1	1	2	6

Overflow Roosting Areas

A number of potential roosting habitat species (native and exotic) have been identified and are summarised in **Table 4**. The potential flying fox camp overflow areas are shown in **Figure 4**.

Table 4: Description of Potential Roosting Overflow Locations

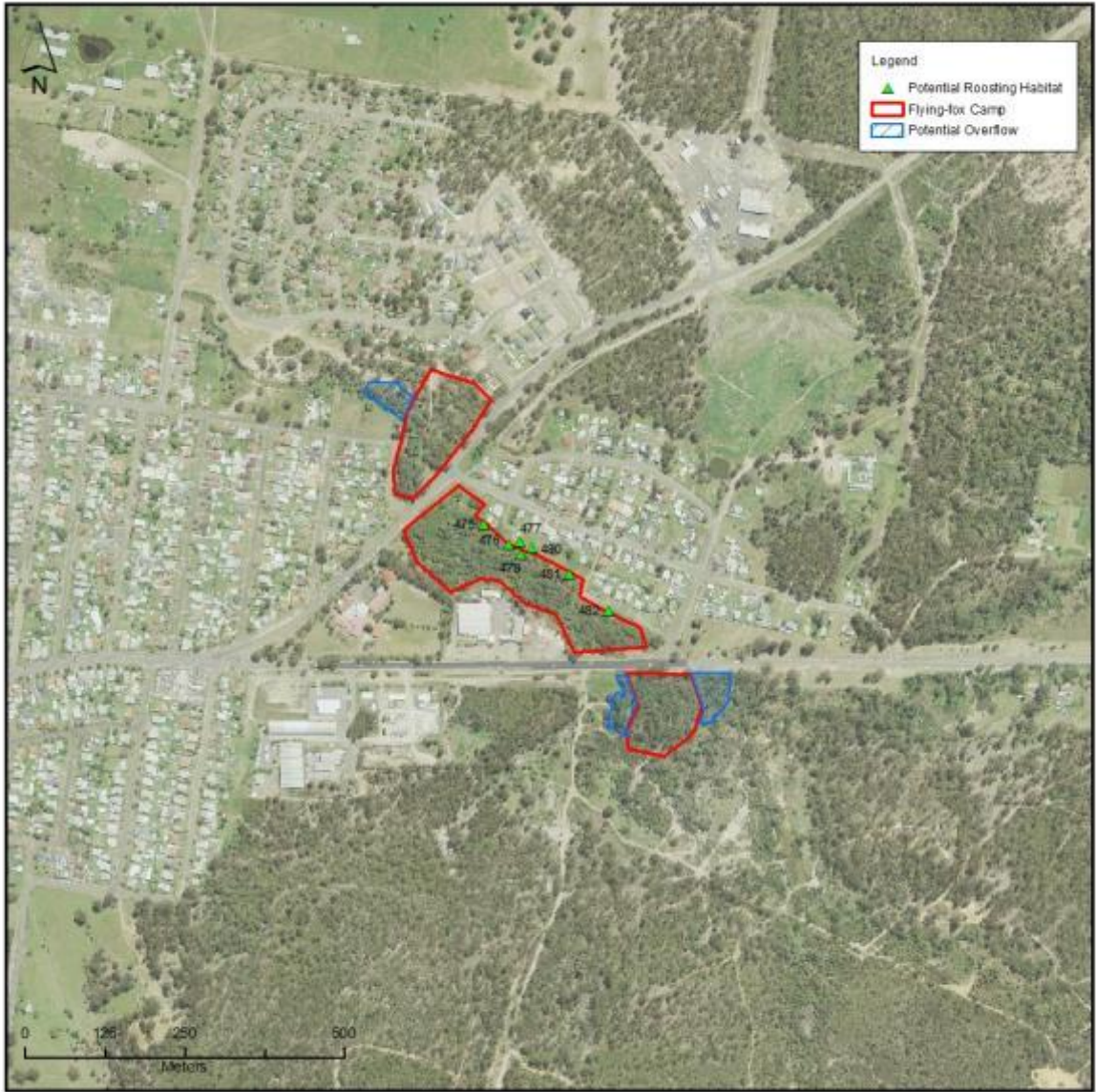
Site Number	Species	Roosting/foraging habitat and condition	Roosting/foraging habitat/impact on residential areas and schools
475	<i>Angophora floribunda</i> along periphery of reserve and defoliated <i>Melaleuca linariifolia</i>	The site is approximately 20 metres has been defoliated by Little Reds.	Flying foxes may roost closer to residential areas, when the camp is at capacity
476	Poplar Tree	Mature Poplar Tree on Crown Land adjacent to the property boundary	Flying Foxes known to roost in the tree when camp is at full capacity
477	Poplar Tree	Mature Poplar trees on Private property	Potential roosting habitat on private land
477	Camphor Laurel	Potential roosting habitat. Scattered Camphor Laurel throughout reserve core. Spread of Camphor Laurels on the periphery of the reserve likely	Potential roosting habitat when Camphor Laurels reach maturity.
478	<i>Melaleuca linariifolia</i> and <i>Melaleuca spp.</i>	Potential roosting habitat - mature and established Paperbarks	Approximately 60 metres from reserve to dwelling
480	<i>Eucalyptus tereticornis</i>	Foraging habitat important winter flowering tree	Approximately 10 metres from the property boundary
481	<i>Eucalyptus fibrosa</i> and <i>Melaleuca nodosa</i> dominant	Foraging habitat on periphery of the reserve. Unlikely Flying Foxes will feed on species at the Camp site	<i>Eucalyptus fibrosa</i> approximately 10 metres from the back property boundary.
481	<i>Angophora floribunda</i> and <i>Melaleuca linariifolia</i>	Flying Foxes have roosted throughout this section of the reserve causing visible defoliation. The trees on the periphery of the reserve a currently too small to support roosting.	Located approximately 15 metres from the northern property boundary

It is likely that in the event of large Flying-fox numbers returning to the site, the camp would continue expanding through the bushland at the southern end of the existing Camp, with little fracturing, but this is not certain, as Flying-foxes are wild animals, and not enough is known about their preferences for roosting activities.

It is acknowledged that undertaking some level of site restoration within the current Camp boundary, so the site can accommodate large numbers of animals, should reduce the possibility of camp expansion or splintering, and the increased impact on a broader range of the community.

The continued maintenance of the Asset Protection Zone is recommended, not only to protect houses from threat of fire, but to reduce any direct impacts on the households from the roosting Flying-foxes.

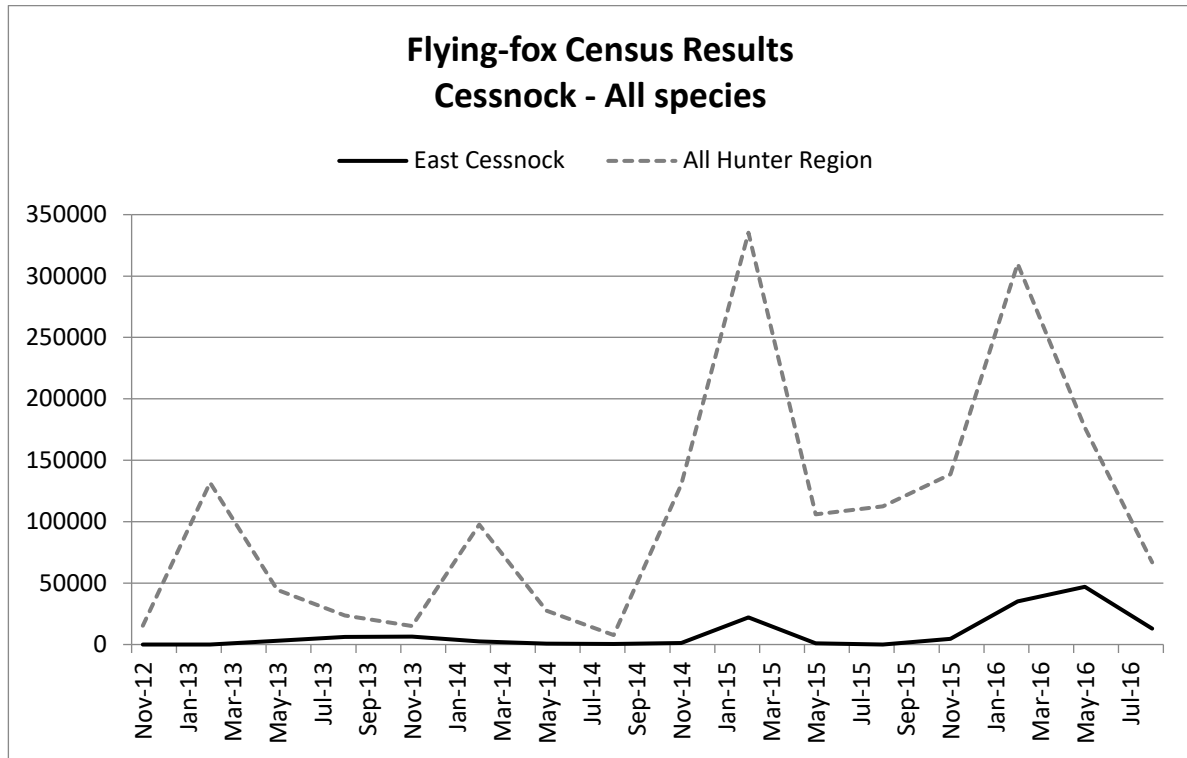
Figure 4: Potential Flying-fox Camp overflow areas based on vegetation and proximity to water



Flying-fox Population at the East Cessnock Flying-fox Camp

Figure 5 shows the numbers of the three species of Flying-fox and the population in the broader Hunter Region.

Figure 5: Graph of Flying-fox census results for the East Cessnock Flying-fox Camp compared to the Region (source: CSIRO National Flying-fox census)



The location and extent of the camp has changed over time. The Flying-foxes appear to have a preference to roost in the Melaleuca trees within the widest part of the Camp. A small number of animals have also been observed roosting in Rough Barked Apple trees.

Due to the Asset Protection Zone maintained on the reserve, the closest roosting animals are to private property is 15-20m, with most animals roosting further than 50m from properties.

Land Tenure, Zoning and Land Use

Details of the land tenure surrounding the camp is shown in **Figure 6**. The majority of the camp is located on Crown Land. Council owns the small portion of the camp located north of Old Maitland Road (i.e. Akira Avenue Park).

The land zoning related to the East Cessnock Flying-fox Camp is complex, with the Camp extent moving across multiple land tenure and zoning categories. The Camp is predominantly located on land zoned Light Industrial with overflow areas designated as either Public Recreation or Rural Landscape. **Figure 7** shows the current land zoning for the East Cessnock Flying-fox Camp and surrounds.

Figure 6: Land tenure of the East Cessnock Flying-fox Camp and surrounds

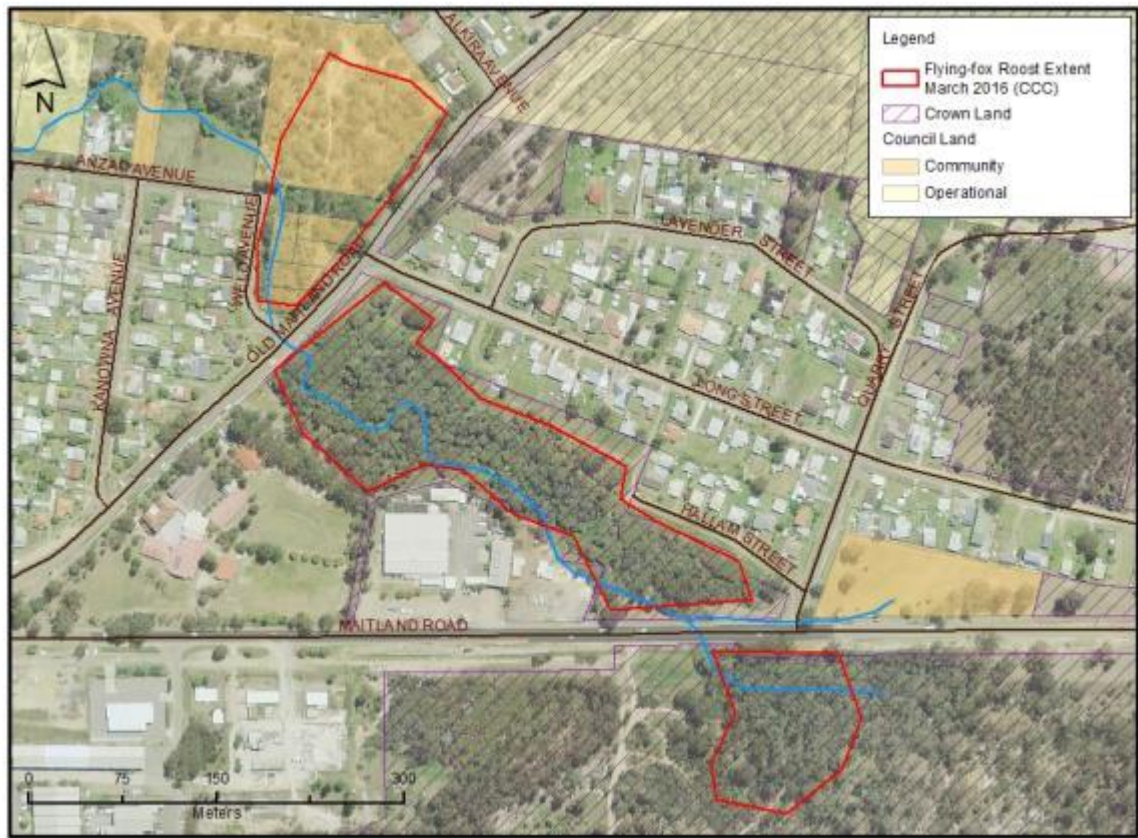
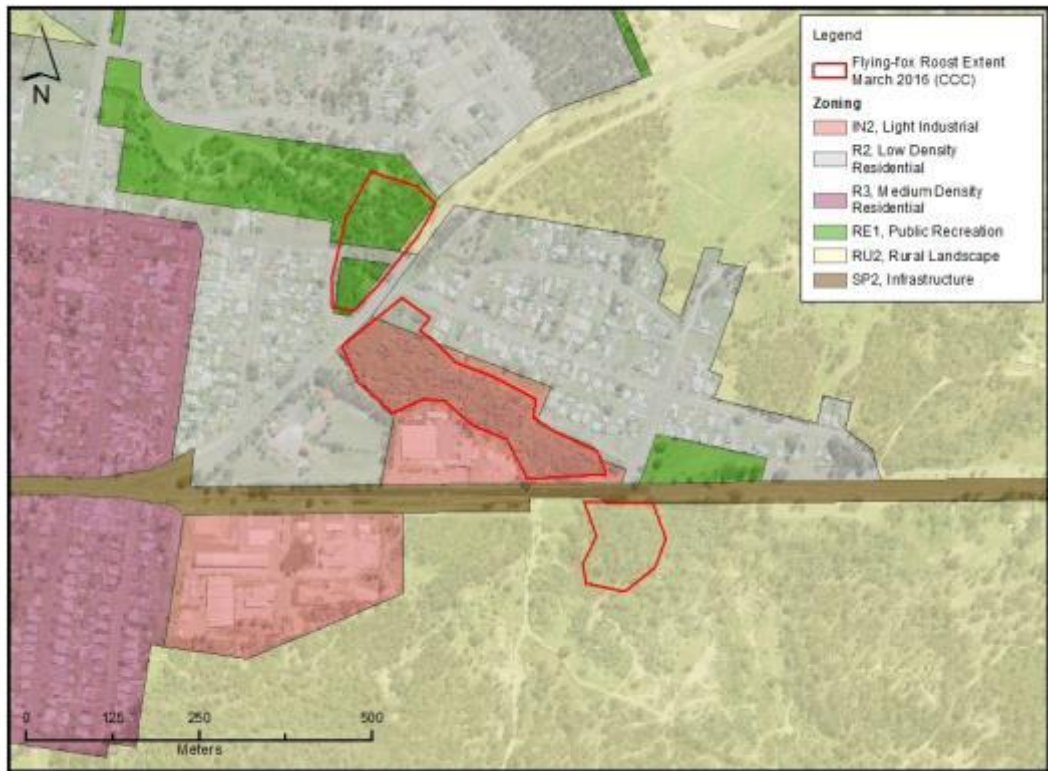
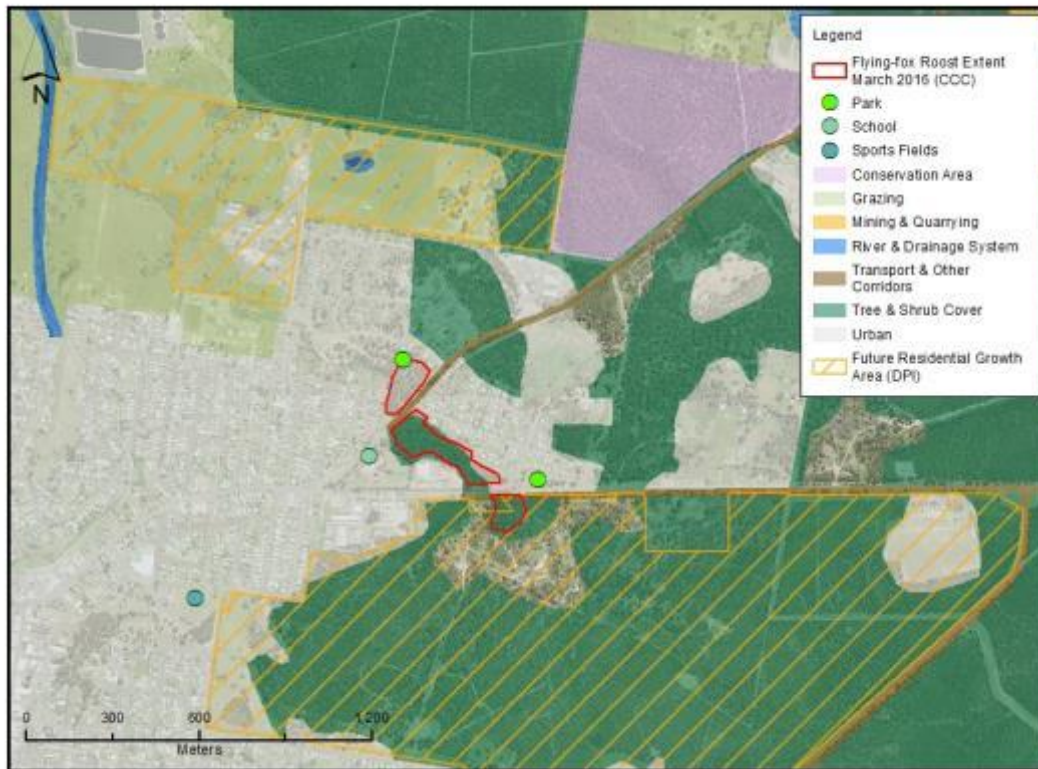


Figure 7: Land zoning of the area surrounding the East Cessnock Flying Fox Camp



The Camp is predominantly located on Crown land adjacent to residential developments and a school, details of the surrounding land use shown on **Figure 8**.

Figure 8: Land Use of area surrounding the East Cessnock Flying-fox Camp



Community Interests and Issues Related to the Camp

Flying-foxes were first noted in East Cessnock in 2011. Although no complaints were lodged at that time, Council staff first noted the animals being present in November, and primarily being located between 1 Long Street and Cessnock East Public School.

Council first received correspondence on the issue in January 2012 and the complainant specifically noted the impact of faeces on property, and in swimming pools.

During 2012-16, a relatively small number of community complaints were received, all were forwarded to the Department of Industry – Lands & Forestry (now DPIE) for action. In April 2012 a Notice of Motion was moved by Council to contact the State Member, Clayton Barr and Federal Member, Joel Fitzgibbon and “ask for their assistance with the problem developing at East Cessnock regarding the Bats and how our Council can help relieve the area of these animals without breaking any laws”.

It is acknowledged there is a section of the community that does not want Flying-foxes roosting in the reserve, and during 2016, three separate attempts were made to start fires in the reserve with the express aim of dispersing the animals, all attempts failed and were responded to by the local Fire Brigade.

The following list is a collation of the issues related to the camp that have been reported by the community. The list has been compiled from information collected via a range of reporting and consultation methods. Further discussion about community engagement efforts and outcomes can be found in **Section 4**.

Reported issues include:

- noise as flying-foxes depart or return to the camp
- noise from the camp during the day
- flying-foxes hanging close to the pathway between Long Street and the school (reports have been received about children walking into the road to avoid the animals)
- faecal drop on outdoor areas, cars and washing lines

- smell
- fear of disease
- health and/or wellbeing impacts (e.g. associated with lack of sleep, anxiety)
- reduced general amenity
- damage to vegetation
- increased need for bush regeneration and associated costs
- impacts on other fauna species
- impacts on businesses
- property devaluation

The majority of issues recorded are related to Long Street and Hallam Street.

Not all of the community regards the Flying-fox Camp in a negative light, with a number of comments being received through recent community engagement suggesting the following issues should be considered by the Council and the DPIE (Crown Lands).

- Threatened species in need of protection
- Plant more trees elsewhere so they do not have to be so close to residential dwellings
- Education is required for community to understand ecological significance of Flying-foxes
- Flying-foxes are nomadic and will move on in their own time.
- Provide vital seed and pollen dispersal across the landscape

Management Activities to Date

In response to the community concern, the following activities were undertaken by various stakeholders.

Cessnock City Council

In February and March 2015 the community directly affected by the Camp collectively sent 24 letters to Council noting the impact the Camp was having on the community. The issue and letters were addressed by Council and the Mayor met with residents. The matter was subsequently referred to the former Department of Industry - Lands & Forestry, as the Authority responsible for the management of the land where the Camp is located. Following this meeting, Council sent out a media release with information on the issue and the action taken.

Cessnock City Council, until April 2016, had referred all enquiries and complaints from community members regarding the East Cessnock Camp to the former Department of Industry - Lands & Forestry (at their request). Council had, up until that time, lobbied on numerous occasions to State and Federal governments seeking assistance for the community through the development of a Camp Management Plan by the land manager (Crown Lands).

Late 2016, Cessnock City Council, with the support from the former NSW Department of Industry - Lands & Forestry (now DPIE) successfully applied for State Government Funding to develop a Flying-fox Camp Management Plan for the East Cessnock Camp. The Plan was adopted in 2017 and has been operational since this time. As part of the 2019 review and update of the Plan, Council opted to extend the Plan to cover any new camps that may become established on Public Lands within the LGA.

In 2019, Cessnock City Council received a number of grants under the Flying-Fox Grant Program which was facilitated by Local Government NSW. Two of the grants were for subsidy funding, Council received a total of \$15,000 to facilitate subsidy funding for residents towards the purchase and installation of air conditioners. Council also received a total of \$15,000 to facilitate subsidy funding for residents to put towards the purchase of clothes dryers. Council is currently reviewing the applications received for these subsidies.

NSW Department of Planning, Industry and Environment (Crown Lands)

Crown Lands maintains an Asset Protection Zone (APZ) adjacent to Long and Hallam Streets as part of fire management requirements. The APZ is slashed twice per year to reduce the risk of bush fire impacting upon adjoining residential property. In January 2015, a minor extension (widening) to the APZ adjoining 2 Hallam St occurred, involving the removal of undergrowth and a tree.

The Department continues to respond and investigate complaints pertaining to the Reserve including dangerous tree complaints, bush fire complaints and weed complaints.

NSW Department of Education / Cessnock East Public School

Staff and students have undergone professional development training related to Flying-foxes to increase understanding of the species and why they roost in trees near the school grounds. To date the Flying-foxes have only encroached on the school grounds for a short period in January 2016 when no students were on site, so there has been no requirement for direct management activities to limit impacts on the grounds.

2.3 Potential New Camps in the Cessnock LGA (or Unknown Existing Camps)

Any new Flying-fox camps that are established on **Public Lands** within the Cessnock LGA, will fall under the controls of this Plan and any management activities required to be undertaken will be drawn from the management actions included in **Table 12**.

3 Context

3.1 Flying-fox Population Statistics

Scientific Committee Recommendation for Listing as a Nationally Vulnerable Species

Advice to the Federal Minister for the Environment and Heritage from the Threatened Species Scientific Committee (TSSC) on Amendments to the list of Threatened Species under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) recommended Grey Headed Flying-foxes should be listed as Vulnerable due to the decline in the National Population over the preceding years¹.

The Committee noted population size data obtained by fly-out count surveys contain a degree of error that is difficult to quantify (related to the survey methodology; and the comparability of the survey results for the purpose of calculating trends in population size or species abundance). Fly-out counts are acknowledged by the scientific community to be the best method currently available of obtaining reliable and reproducible estimates of abundance (if not actual population counts) for flying-foxes. The available data for 1989 and 1998-2001 has been obtained using the same survey techniques that are widely acknowledged to be appropriate for estimating the abundance of this species.

The surveys of 1998-2001 have been much more comprehensive than the 1989 survey in terms of the number of roosts and extent of geographical range included. Despite the significantly increased knowledge of the species roost sites and survey effort, the estimates of abundance obtained indicate a decline in the abundance of the species. Using the maximum estimate from the 1998-2001 surveys (400,000) and the minimum estimate of abundance in 1989 (566,000), the rate of decline since 1989 has been in the order of 30%.

A number of experts commented that the projected habitat clearance in northern NSW is the primary ongoing threat to Grey-headed Flying-foxes. One expert stated that annually reliable winter resources are limited in distribution to a narrow coastal strip in northern NSW and Queensland². These coastal areas are targeted for intensive residential development to cater for a projected 25% increase in the human population over the next decade. It was this argument that convinced the Editorial Panel of the Bat Action Plan to identify Grey-headed Flying-foxes as vulnerable.

The data available from the fly-out counts conducted should be regarded as estimates of abundance, rather than precise population counts.

3.2 Regional Context

The Hunter & Central Coast Region is home to 58 known Flying-fox Camps (refer to **Figure 9**), 53 of which have been observed with Flying-foxes roosting in them since 2012. It is highly likely that there are additional Camps throughout the vegetated areas (private land and National Parks / State Forest) of the region that are well away from human settlements and are currently unaccounted for in the CSIRO National Flying-fox Camp Census.

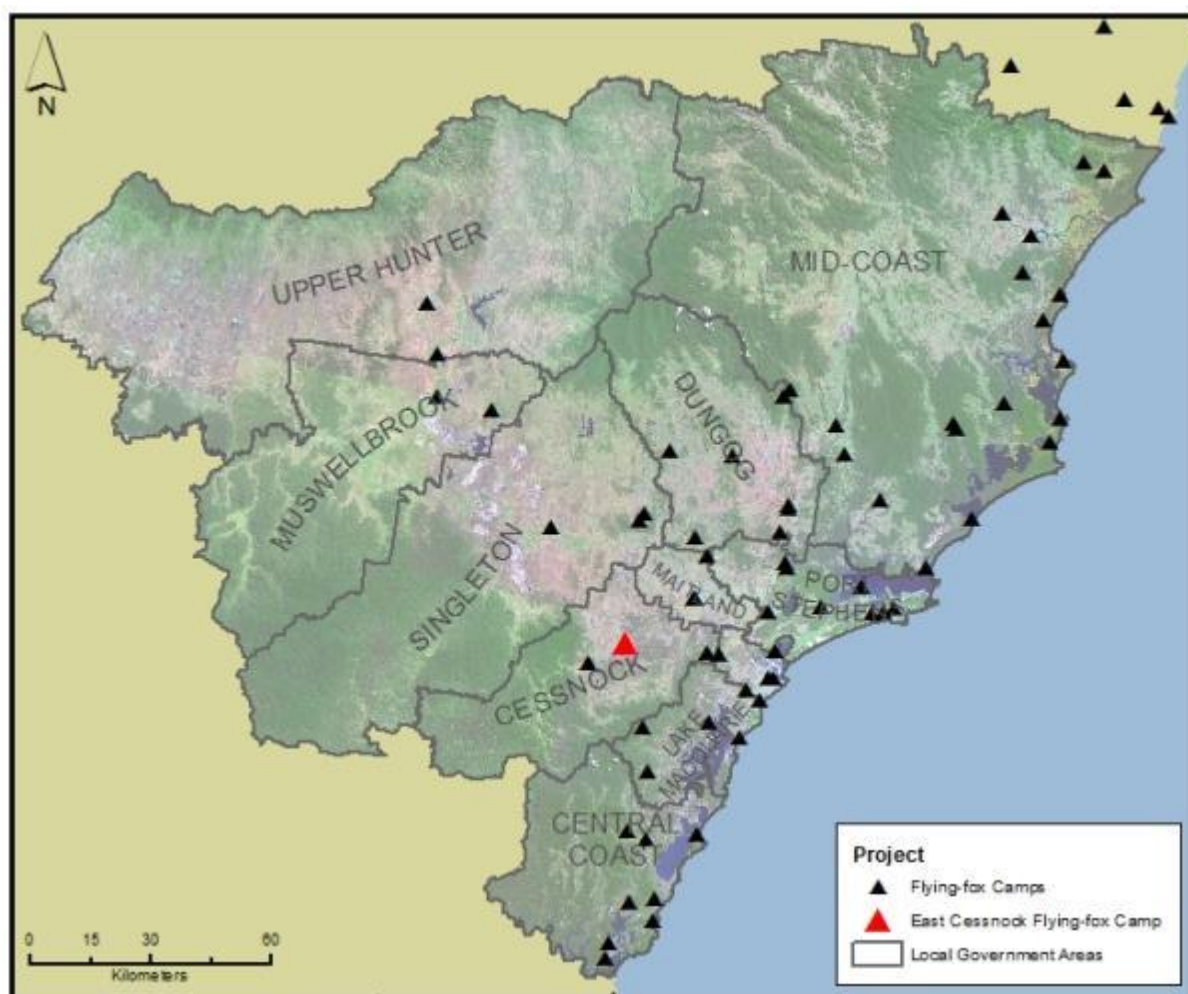
The 2013 "*Grey-headed Flying-fox Management Strategy for the Lower Hunter*" developed by GEOLink stated that in the lower Hunter there were 6 Camps considered critical to Flying-fox survival in the Lower Hunter (these being: Millfield, Martinsville, Morisset, Blackbutt Reserve, Anna

¹ <http://www.environment.gov.au/biodiversity/threatened/conservation-advice/pteropus-poliocephalus>, accessed 27 March 2017.

² Paragraphs 2.46 and 2.47 from: Parliament of the Commonwealth of Australia (2017), *Living with fruit bats, Inquiry into flying-fox management in the eastern states*, House of Representatives Standing Committee on the Environment and Energy

Bay, Medowie and Tocal). None of these Critical sites are managed via a Camp Management Plan and are currently not subject to conflict with Human settlements.

Figure 9: Known Flying-fox Camps throughout the Hunter & Central Coast region



The 2013 Strategy also stated that a further six Camps (Black Hill, Belmont, Glenrock, Hannan Street, Italia Road and Raymond Terrace) were not critical to the survival of grey-headed flying-foxes in the Lower Hunter. Changes in Flying-fox roosting patterns in recent years have resulted in the Black Hill and Hannan Street camps no longer being utilised. The Raymond Terrace Camp is now listed as a Nationally Significant site given the number of Flying-foxes now utilising the site for roosting and mating / maternity activities.

During 2012-2017 Flying-fox roosting patterns changed rapidly throughout the region, with a number of previously important Camps now being abandoned, and small Camps becoming much more significant for roosting and breeding of Flying-foxes. The development of local Camp Management Plans, and a Regional Strategy will assist Councils to address community concerns and assist in reducing the possibility of new areas of conflict arising from increased development within the Hunter Region.

Ongoing research into Flying-fox behaviours appears to indicate that food shortages precede the abandonment of traditional camps, and the creation of new camps. Following the 2010 Flying-fox food shortage, the number of Camps in Sydney increased from 7 to 22. Occupancy of these new camps did not appear to reduce when food supply increased, suggesting that once roosting and feeding patterns change, the roosting behaviour has been adapted and in most cases does not revert back to previous behaviours. This has also been played out in the Hunter region.

Overall the location and scale of Flying-fox Camps in NSW has changed significantly since 2002, when Camps were mostly found in the North of the State. In 2015, following both food shortages,

and preferred food flowering events, the Flying-fox populations spread both South and west, with a number of new camps being created inland and on the NSW South Coast. Since 2015, the majority of new Camps created have been in vegetated areas quite close to human populations.

Regional Flying-fox Foraging Preferences

Flying-foxes have a preference for different native plants for food foraging, diet plants in the region are productive in each bi-month, although species richness varies through the year (refer to **Table 5**). Broad seasonal patterns in the number of productive species are in keeping with other regional areas (Eby & Law 2008). The greatest proportion of dietary species flower in Dec /Jan (14 spp, 52%) and species richness reaches low levels from late autumn to early spring (4 spp, 15%).

Table 5: Bi-monthly flowering phenologies of GHFF diet plants found in the Lower Hunter region (source: Geolink 2013)

Species	Dec-Jan	Feb-Mar	Apr-May	Jun-Jul	Aug-Sep	Oct-Nov
<i>Angophora costata</i>						X
<i>A. floribunda</i>	X					
<i>Banksia integrifolia</i>			X	X	X	
<i>Corymbia eximia</i>						X
<i>C. gummifera</i>		X				
<i>C. maculata</i>		X	X	X		
<i>Eucalyptus acmenoides</i>	X					X
<i>E. albens</i>				X	X	
<i>E. amplifolia</i>						X
<i>E. botryoides</i>	X					
<i>E. camaldulensis</i>	X					
<i>E. deanii</i>	X	X				
<i>E. fibrosa</i>	X					X
<i>E. longifolia</i>			X			
<i>E. moluccana</i>		X				
<i>E. paniculata</i>	X					X
<i>E. parramattensis</i>	X					
<i>E. pilularis</i>	X	X				
<i>E. piperita</i>	X					
<i>E. punctata</i>	X	X				
<i>E. resinifera</i>	X	X				
<i>E. robusta</i>			X	X		
<i>E. saligna</i>	X	X				
<i>E. siderophloia</i>	X					X
<i>E. tereticornis</i>					X	X
<i>M. quinquenervia</i>		X	X			
<i>S. glomulifera</i>					X	X

Based on the information included in **Table 5**, there are only 6 species of tree that flower in winter that are preferential food sources for Flying-foxes, as such these species should be subject to protection to assist with Flying-fox survival in the region.

Additionally, a large number of fruit trees are preferred feed trees for Flying-foxes, with 38 species of rainforest trees and lianas in the fruit diet of Grey Headed Flying-foxes fall within the Lower Hunter region (refer to **Table 6**). The regional list comprises members of 27 families and 31 genera. Four genera are represented by more than one species. The most species rich genus is *Ficus* (6 spp.).

Table 6: Fruits in the diet of GHFF that occur in the Lower Hunter region (source: Geolink 2013)

Family Name	Species Name	Common Name
GYMNOSPERMAE		
Podocarpaceae	<i>Podocarpus elatus</i>	Plum Pine
ANGIOSPERMAE		
Apocynaceae	<i>Melodinus australis</i>	Southern Melodinus
Arecaceae	<i>Archontophoenix cunninghamiana</i>	Bangalow Palm
	<i>Livistona australis</i>	Cabbage Palm
Avicenniaceae	<i>Avicennia marina</i>	Grey Mangrove
Caprifoliaceae	<i>Sambucus australasica</i>	Yellow Elderberry
Chenopodiaceae	<i>Rhagodia candolleana</i>	Seaberry Saltbush
Cunoniaceae	<i>Schizomeria ovata</i>	Crabapple
Ebenaceae	<i>Diospyros pentamera</i>	Myrtle Ebony
Ehretiaceae	<i>Ehretia acuminata</i>	Koda
Elaeocarpaceae	<i>Elaeocarpus obovatus</i>	Hard Quandong
	<i>E. reticulatus</i>	Blueberry Ash
Escalloniaceae	<i>Polyosma cunninghamii</i>	Featherwood
Icaciniaceae	<i>Pennantia cunninghamii</i>	Brown Beech
Meliaceae	<i>Melia azedarach</i>	White Cedar
Monimiaceae	<i>Hedycarya angustifolia</i>	Native Mulberry
Moraceae	<i>Ficus coronata</i>	Creek Sandpaper Fig
	<i>F. fraseri</i>	Sandpaper Fig
	<i>F. macrophylla</i>	Moreton Bay Fig
	<i>F. obliqua</i>	Small-leaved Fig
	<i>F. rubiginosa</i>	Rusty Fig

Based on the foraging modelling, and that the East Cessnock Camp is only populated periodically, the Camp will experience significant food shortages during the winter months each year and is the likely cause of the animals leaving the site each winter. The chance of large (short term) population increases in January – to April due to flowering events should be expected.

If Council wanted to reduce possible impacts on Flying-foxes due to food shortages in Winter months (and potentially reduce conflict with residents due to Flying-foxes foraging in back yards) the opportunity exists to undertake planting and restoration of reserves that support winter flowering plant species, such as *Banksia integrifolia*, *Casurina maculata*, *Eucalyptus albens*, and *Eucalyptus robusta*.

Management Actions at other Flying-fox Camps

There are 58 known Flying-fox Camps across the region, with occupation of the camps varying each season and across each year.

All Councils in the Hunter & Central Coast are currently³ proceeding on the basis that Flying-fox management activities will not include Level 3 actions (dispersal or culling). There is an active understanding amongst Council staff and senior managers that any move to disperse Flying-foxes from one Camp will undoubtedly place stress on other Camps in the region, or more likely (based on research on previous dispersal activities) create a splinter Camp nearby and ultimately cause a new residential area to be in conflict with the Flying-foxes.

The region, Local Councils, Hunter Local Land Services, DPIE and wildlife rehabilitators worked together to develop regionally consistent community engagement and education products in the hope that this can assist residents to understand why the Flying-foxes are in the region, how long they will stay on their migration, and ways that people can manage their property and level of

³ Correct as at time of Camp Management Plan development

interaction with them. Further information and resources produced as part of this project can be found at littleaussiebat.com.au.

4 Community Engagement

Cessnock City Council undertook a comprehensive community engagement process in the facilitation of the Plan. Details of the community engagement are provided below.

4.1 East Cessnock Flying Fox Steering Group

Following Council's resolution to facilitate the development of the plan a formal request to the former Department of Industry – Lands & Forestry (now DPIE) and former NSW Office of Environment and Heritage (OEH) (now DPIE) was made to participate in the process. In addition Cessnock East Primary School, the NSW Department of Education (as a land manager) were invited to participate in the group. An initial meeting was convened in April 2016 to scope the project and identify desired outcomes. A number of subsequent meetings were held to progress the development of the plan and various others were invited to participate. The East Cessnock Camp Management Plan Steering Group consists now of the following regular participants;

- Former Department of Industry - Lands & Forestry (now DPIE) is the primary land manager. Development of the Camp management plan is a collaboration between the department and Council.
- Former NSW Office of Environment and Heritage (now DPIE) – holds management and conservation responsibility over Grey Headed Flying-foxes
- Cessnock East Public School – Adjacent to site and needs to manage impacts and safety of students.
- NSW Department of Education – State Government Department responsible for management of schools
- Bat Support Group – wildlife carers that respond to calls of animal welfare
- Resident representative – adjacent property owner directly impacted by the Flying-fox colony
- Cessnock City Council - has responsibilities to the community and environment of the area for which it is responsible in accordance with *the Local Government Act 1993*. Council is also responsible for administering local laws, plans and policies, and appropriately managing assets (including land) for which it is responsible.

The group have met to discuss a range of issues surrounding the camp, provide direction on the implementation of Flying-fox engage survey (to maximise community participation), identify matters for consideration of the Plan.

4.2 Stakeholders / Interest Groups

There are a range of other stakeholders / Interest Groups who are directly or indirectly affected by the East Cessnock flying-fox camp, or who are interested in its management, these are shown in **Table 7**.

Table 7: Interested Stakeholders

Stakeholder / Interest Groups	Interest / Reported Impacts
All community members	Affected by location of Camp and roosting and foraging of animals.
Residents living in the Cessnock area directly impacted by the camp	Directly affected by roosting animals
Business owners	Affected by location of Camp and roosting and foraging of animals.
Civic leaders and influencers (including local, state and federal politicians)	Civic leaders need to be responsive to community concerns and manage legislative risk through Councils management activities.
Indigenous community	Significance of flying-foxes in local indigenous heritage
Hospitals / medical practices / Dept. of Health	Interested in human health issues related to flying-fox / human contact.
Equine facilities and vets	Equine facility managers and local vets should be aware of Hendra virus risk and appropriate mitigation measures. Where feasible, all horse owners within 20 km of the camp should be included in such communications.
Orchardists and fruit growers	Fruit growers may be impacted by flying-foxes raiding orchards.
Airports	Airport managers have a responsibility to reduce the risk of wildlife-aircraft strike.
Wildlife rehabilitators and conservation organisations Wildlife rehabilitators and conservation organisations have an interest in flying-fox welfare and conservation of flying-foxes and their habitat.	Bat Support Group - aims to work peacefully and positively with the community, land managers and government bodies to enable bats to live and thrive in the region. Provides support to bats through: Promotion, Protection, Information, Nurture and Conservation activities. Hunter Wildlife Rescue - involved in census counts and responding to heat stress events LandCare groups - involved in habitat rehabilitation Bird Observer Groups - provide data on flowering gum events - indicates possible arrival of flying-foxes Landholders interested in wildlife conservation and habitat creation/ rehabilitation
Researchers/CSIRO Researchers have an interest in flying-fox behaviour, biology and conservation.	CSIRO - manages national flying-fox monitoring program
Media <ul style="list-style-type: none"> Regional / local Hunter Valley News Cessnock Advertiser Newcastle Morning Herald ABC Local Radio 2NUR FM 	Work proactively with local media to deliver timely and correct information to the Cessnock East community.
Local Government NSW (LGNSW) LGNSW is an industry association that represents the interests of councils in NSW.	The Flying-Foxes Grants Program has been established to help councils manage flying-fox camps in their areas, consistent with the Policy.
Fire & Rescue NSW	Protection of Camp from fire. Development of suitable guidelines relating to responding to fires in Flying-fox Camps

4.3 Engagement Methods

Extensive effort was made to engage with the community regarding the East Cessnock flying-fox camp, specifically to:

- understand the issues directly and indirectly affecting the community
- raise awareness within the community about flying-foxes
- correct misinformation and allay fears
- share information and invite feedback about management actions and responses to date
- seek ideas and feedback about possible future management options
- invite people to join advisory and/or planning committees.

The types of engagement undertaken included:

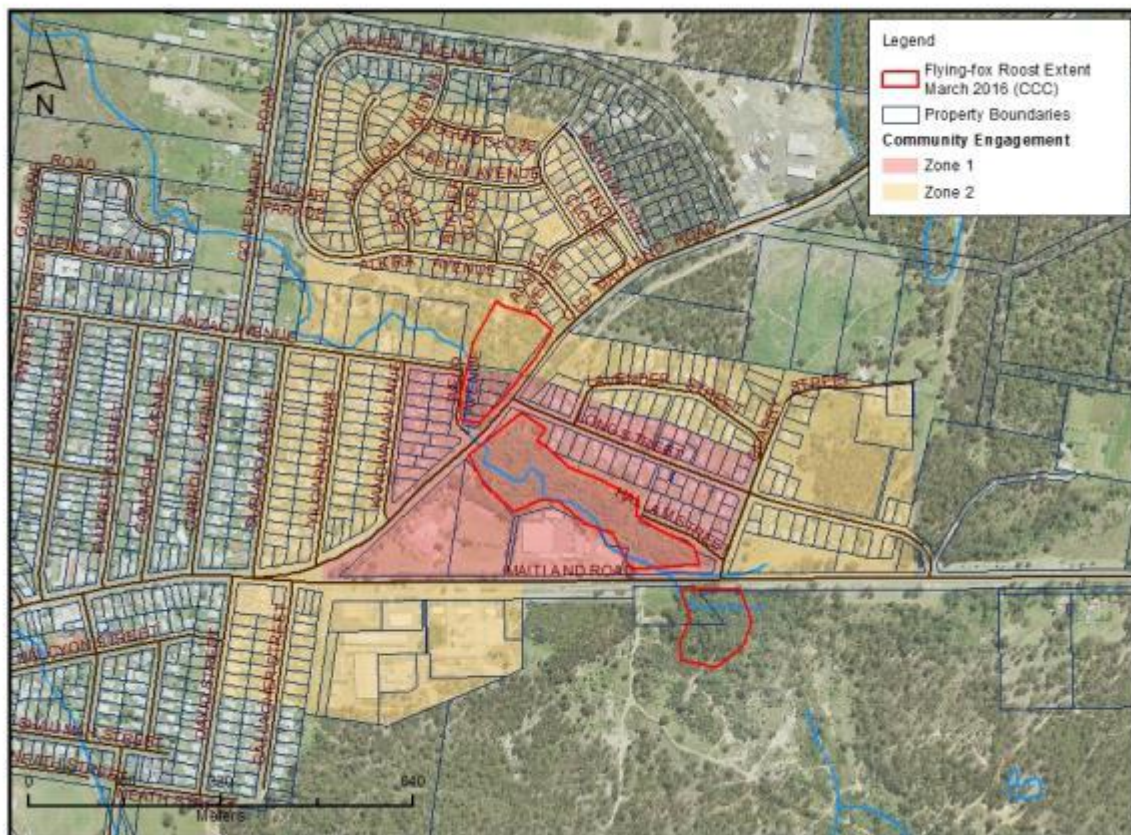
- promotion of contact details of responsible officers

- FAQ for frontline Council, OEH and DPI staff (now DPIE)
- telephone conversations (record issues and complaints)
- direct contact with adjacent residents including letters, brochures, fact sheets and emails
- face-to-face meetings and telephone calls with adjacent residents / kitchen table discussions/ one to one and small groups / open house
- online survey (Flying-fox Engage)
- media (radio, television, print, social media) / managed by CCC / OEH (DPIE) / consistent messaging from both organisations
- brochures and other educational material / OEH developed materials (now DPIE) / NSW Health Fact Sheets
- CCC website pages and links
- on-site signage where appropriate
- face-to-face opportunities in shopping centres, community centres and community events (listening posts, information stalls)
- targeted presentations to relevant associations and community environment groups

The "Flying-fox Engage " online survey was the key engagement tool to enable Council to receive direct feedback from the community on their experiences of living near Flying-foxes and the values they place on them. This also provided some insight to Council on the management actions they would find acceptable to be employed on the site.

To assist Council to understand where different responses were coming from (i.e. determine if concerns of residents closer to the Camp are different from those further away) the zones were established as shown in **Figure 10**. Details of the analysis of responses are provided in **Section 4.4**.

Figure 10: Flying-fox Engage Survey zones to map responses



4.4 Community Feedback on Management Options

The main community feedback related to the development of the Camp Management Plan was received through the Flying-fox Engage online survey program.

Flying-fox Engage is an innovative engagement decision support system. The online consultation tool was launched on the 31 August 2016 with the website www.flyingfoxengage.com/eastcessnock remaining open for submissions until 17 October 2016.

During this consultation period the Flying-fox Engage website received 227 valid submissions.

The tool employs a relatively simple survey methodology that poses 12 questions to users, the responses to these questions then produces a ranked list of preferred management options that reflect the values of the survey respondent. The list is then able to be interrogated by the user to manually reorder the preferred list. Collated responses to the survey questions are summarised in **Table 8**.

Table 8: Collated responses to the questions posed in the Flying Fox Engage online survey

Question	Responses												
How important is it to you that the flying-fox camp management option reduces the impact of noise and odour from flying-foxes roosting at the camp on nearby residents?	<p>How important is it to you that the flying-fox camp management option reduces the impact of the flying-fox excrement on the property of nearby residents?</p> <table border="1"> <thead> <tr> <th>Importance Level</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>not at all important</td> <td>8%</td> </tr> <tr> <td>slightly important</td> <td>7%</td> </tr> <tr> <td>moderately important</td> <td>7%</td> </tr> <tr> <td>very important</td> <td>9%</td> </tr> <tr> <td>extremely important</td> <td>69%</td> </tr> </tbody> </table>	Importance Level	Percentage	not at all important	8%	slightly important	7%	moderately important	7%	very important	9%	extremely important	69%
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moderately important	7%												
very important	9%												
extremely important	69%												
How important is it to you that the flying-fox camp management option does not move the flying-fox camp to other areas that may also be near residents or businesses?	<p>How important is it to you that the flying-fox camp management option ensures the risk of disease transmission remains low?</p> <table border="1"> <thead> <tr> <th>Importance Level</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>not at all important</td> <td>7%</td> </tr> <tr> <td>slightly important</td> <td>6%</td> </tr> <tr> <td>moderately important</td> <td>5%</td> </tr> <tr> <td>very important</td> <td>9%</td> </tr> <tr> <td>extremely important</td> <td>73%</td> </tr> </tbody> </table>	Importance Level	Percentage	not at all important	7%	slightly important	6%	moderately important	5%	very important	9%	extremely important	73%
Importance Level	Percentage												
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slightly important	6%												
moderately important	5%												
very important	9%												
extremely important	73%												
How important is it to you that the flying-fox camp management option has a low financial cost to residents living near the flying-fox camp?	<p>How important is it to you that the flying-fox camp management option has a low financial cost to Council ratepayers?</p> <table border="1"> <thead> <tr> <th>Importance Level</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>not at all important</td> <td>9%</td> </tr> <tr> <td>slightly important</td> <td>8%</td> </tr> <tr> <td>moderately important</td> <td>11%</td> </tr> <tr> <td>very important</td> <td>9%</td> </tr> <tr> <td>extremely important</td> <td>63%</td> </tr> </tbody> </table>	Importance Level	Percentage	not at all important	9%	slightly important	8%	moderately important	11%	very important	9%	extremely important	63%
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not at all important	11%												
slightly important	9%												
moderately important	20%												
very important	13%												
extremely important	47%												

Question	Responses																								
How important is it to you that the flying-fox camp management option can be implemented quickly?	How important is it to you that the flying-fox camp management option provides a long-term solution?																								
<p>A horizontal bar chart with five categories: not at all important (11%), slightly important (9%), moderately important (11%), very important (9%), and extremely important (60%). The bars are colored blue, green, yellow, orange, and red respectively.</p> <table border="1"> <thead> <tr> <th>Importance Level</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>not at all important</td> <td>11%</td> </tr> <tr> <td>slightly important</td> <td>9%</td> </tr> <tr> <td>moderately important</td> <td>11%</td> </tr> <tr> <td>very important</td> <td>9%</td> </tr> <tr> <td>extremely important</td> <td>60%</td> </tr> </tbody> </table>	Importance Level	Percentage	not at all important	11%	slightly important	9%	moderately important	11%	very important	9%	extremely important	60%	<p>A horizontal bar chart with five categories: not at all important (5%), slightly important (1%), moderately important (6%), very important (10%), and extremely important (78%). The bars are colored blue, green, yellow, orange, and red respectively.</p> <table border="1"> <thead> <tr> <th>Importance Level</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>not at all important</td> <td>5%</td> </tr> <tr> <td>slightly important</td> <td>1%</td> </tr> <tr> <td>moderately important</td> <td>6%</td> </tr> <tr> <td>very important</td> <td>10%</td> </tr> <tr> <td>extremely important</td> <td>78%</td> </tr> </tbody> </table>	Importance Level	Percentage	not at all important	5%	slightly important	1%	moderately important	6%	very important	10%	extremely important	78%
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A quick assessment of the responses suggest that people are being directly affected by noise, smell, and faecal drop and they would like these impacts to stop, but don't want to see other areas of the community faced with their issues, and don't want to see direct costs to them or significant costs to Council to undertake management actions.

Based on the responses to the questions, Flying-fox Engage was able to rank the various management options that match the responses. Details of the preferred management actions before and after re-ranking is provided in **Table 9**.

Table 9: Top 10 Community ranked Management Options based on Flying-fox Engage responses

Rank	Initial Result (values based ranking)	Re-ranked result (emotion based ranking)
1	Education, advice and feedback programs - Level 1 off-site, supporting action	Education, advice and feedback programs - Level 1 off-site, supporting action
2	Subsidising property modification to reduce the impacts of flying-foxes - Level 1 management action	Subsidising property modification to reduce the impacts of flying-foxes - Level 1 management action
3	Health and safety guidelines to manage incidents related to the camp - Level 1 off-site, supporting action	Culling flying-foxes to reduce numbers at a camp site
4	Guidelines for carrying out operations adjacent to camps - Level 1 off-site, supporting action	Do Nothing - Level 1 management action
5	Subsidising services to reduce the impacts of flying-foxes - Level 1 management action	Health and safety guidelines to manage incidents related to the camp - Level 1 off-site, supporting action
6	Revegetate and manage land to create alternative flying-fox habitat - Level 1 management action	Active dispersal of a flying-fox camp using disturbance - Level 3 management action
7	Research to improve knowledge of flying-fox ecology - Level 1 off-site, supporting action	Actively nudging the camp to a nearby location using disturbance - Level 2 management action
8	Routine maintenance to improve the condition of the site - Level 1 management action	Guidelines for carrying out operations adjacent to camps - Level 1 off-site, supporting action
9	Do Nothing - Level 1 management action	Passive dispersal of a flying-fox camp through changing water management - Level 3 management action
10	Land-use planning - Level 1 off-site, supporting action	Research to improve knowledge of flying-fox ecology - Level 1 off-site, supporting action

As shown in **Table 9**, initial values based ranking suggests the community would be comfortable with only Level 1 actions (those actions that provide limited impact on the animals and community, and have reduced costs). Yet after the ability to re-rank preferences so they no longer match their values, Culling (an illegal activity) and other Level 3 Actions are moved higher on the preference list.

When considering just those residents within 300m of the Camp (directly impacted), the responses are provided in **Table 10**.

Table 10: Top 10 ranked Management Options based on Flying-fox Engage responses from directly affected residents

Rank	Initial Result (values based ranking)	Re-ranked result (emotion based ranking)
1	Health and safety guidelines to manage incidents related to the camp - Level 1 off-site, supporting action	Buffers without vegetation removal - Level 2 management action
2	Research to improve knowledge of flying-fox ecology - Level 1 off-site, supporting action	Early dispersal before a camp is established at a new location - Level 2 management action
3	Guidelines for carrying out operations adjacent to camps - Level 1 off-site, supporting action	Do Nothing - Level 1 management action
4	Routine maintenance to improve the condition of the site - Level 1 management action	Passive dispersal of a flying-fox camp through changing water management - Level 3 management action
5	Revegetate and manage land to create alternative flying-fox habitat - Level 1 management action	Health and safety guidelines to manage incidents related to the camp - Level 1 off-site, supporting action
6	Land-use planning - Level 1 off-site, supporting action	Subsidising services to reduce the impacts of flying-foxes - Level 1 management action
7	Subsidising services to reduce the impacts of flying-foxes - Level 1 management action	Passive dispersal of a flying-fox camp through selective vegetation removal - Level 3 management action
8	Early dispersal before a camp is established at a new location - Level 2 management action	Guidelines for carrying out operations adjacent to camps - Level 1 off-site, supporting action
9	Education, advice and feedback programs - Level 1 off-site, supporting action	Subsidising property modification to reduce the impacts of flying-foxes - Level 1 management action
10	Subsidising property modification to reduce the impacts of flying-foxes - Level 1 management action	Revegetate and manage land to create alternative flying-fox habitat - Level 1 management action

It is noted that the values based responses from directly affected residents saw almost all of the preferred responses as Level 1 actions. After re-ranking, some level 2 and 3 options were moved higher in the preference list, but culling was not included, nor were dispersal activities ranked as high as with the broader community views.

The results from this engagement activity were utilized by Cessnock City Council, the former Department of Industry – Lands & Forestry and OEH when developing the Management Actions that will be employed at the East Cessnock Flying-fox Camp.

5 Legislation and Policy

5.1 State Legislation

Flying Fox Camp Management Policy 2015

The *Flying-fox Camp Management Policy 2015* (the Policy) has been developed to empower land managers, principally local councils, to work with their communities to manage flying-fox camps effectively. It provides the framework within which the Department will make regulatory decisions. In particular, the Policy strongly encourages local councils and other land managers to prepare Camp Management Plans for sites where the local community is affected.

Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) replaced the Threatened Species Conservation Act 1995 on 25 August 2017.

The purpose of the BC Act includes the conservation of biodiversity at the bioregional and state scales. Under this Act, a person who harms or attempts to harm an animal of a threatened species, an animal that is part of a threatened ecological community, or a protected animal, is guilty of an offence.

The grey-headed flying-fox is listed as threatened under the BC Act (see also Why the grey-headed flying-fox is listed as threatened).

A biodiversity conservation licence under Part 2 of the BC Act may be required if the proposed action is likely to result in one or more of the following:

- a. harm to an animal that is a threatened species, or part of a threatened population
- b. the picking of a plant that is a threatened species, or part of a threatened population or ecological community
- c. damage to habitat of a threatened species, population or ecological community
- d. damage to a declared area of outstanding biodiversity conservation value.

If the Department assesses a biodiversity conservation licence application and determines that a significant impact is unlikely, a biodiversity conservation licence will be granted.

The Department regulates flying-fox camp management through two options provided to land managers:

- authorisation under the [Flying-fox Camp Management Code of Practice](#) for public land managers
- licensing for public and private land managers.

The Code of Practice provides a defense under the BC Act for public land managers, as long as camp management actions are carried out in accordance with the Code of Practice.

Proposed actions that would otherwise constitute an offence under the BC Act can be authorised under another law.

Prevention of Cruelty to Animals Act 1979

It may be an offence under this Act if there is evidence of unreasonable/unnecessary torment associated with management activities.

Environmental Planning and Assessment Act 1979

The objects of the Environmental Planning and Assessment Act 1979 (EP&A Act) are to encourage proper management, development and conservation of resources, for the purpose of the social and economic welfare of the community and a better environment. It also aims to share responsibility for environmental planning between different levels of government and promote public participation in environmental planning and assessment.

The EP&A Act is administered by the Department of Planning, Industry and Environment.

Development control plans under the Act should consider flying-fox camps so that planning, design and construction of future developments is appropriate, to avoid future conflict.

Development under Part 4 of the Act does not require licensing under the BC Act.

Where public authorities such as local councils undertake development under Part 5 of the EP&A Act (known as 'development without consent' or 'activity'), assessment and licensing under the BC Act may not be required; however, a full consideration of the development's potential impacts on threatened species will be required in all cases.

Where flying-fox camps occur on private land, landowners are not eligible to apply for development under Part 5 of the EP&A Act. Private landowners should contact council to explore management options for camps that occur on private land.

5.2 Commonwealth

Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) provides protection for the environment, specifically matters of national environmental significance (MNES). A referral to the Commonwealth Department of the Environment and Energy (DEE) is required under the EPBC Act for any action that is likely to significantly impact on an MNES.

MNES under the EPBC Act that relate to flying-foxes include:

- world heritage sites (where those sites contain flying-fox camps or foraging habitat)
- wetlands of international importance (where those wetlands contain flying-fox camps or foraging habitat)
- nationally threatened species and ecological communities.

The grey-headed flying-fox (GHFF) is listed as a vulnerable species under the EPBC Act, meaning it is an MNES. It is also considered to have a single national population. DEE has developed the Referral guideline for management actions in GHFF and SFF4 camps (DoE 2015) (the Guideline) to guide whether referral is required for actions pertaining to the GHFF.

The Guideline defines a nationally important GHFF camp as one that has either:

- contained $\geq 10,000$ GHFF in more than one year in the last 10 years
- been occupied by more than 2500 GHFF permanently or seasonally every year for the last 10 years.

Provided management at nationally important camps follows the mitigation standards below, DEE has determined that a significant impact on the population is unlikely, and referral is not likely to be required.

⁴ spectacled flying-fox (*P. conspicillatus*)

Referral will be required if a significant impact to any other MNES is considered likely as a result of management actions outlined in the Plan. Self-assessable criteria are available in the Significant Impact Guidelines 1.1 (DoE 2013) to assist in determining whether a significant impact is likely; otherwise consultation with DEE will be required.

Mitigation standards

- The action must not occur if the camp contains females that are in the late stages of pregnancy or have dependent young that cannot fly on their own.
- The action must not occur during or immediately after climatic extremes (heat stress event⁵, cyclone event⁶), or during a period of significant food stress⁷.
- Disturbance must be carried out using non-lethal means, such as acoustic, visual and/or physical disturbance or use of smoke.
- Disturbance activities must be limited to a maximum of 2.5 hours in any 12-hour period, preferably at or before sunrise or at sunset.
- Trees are not felled, lopped or have large branches removed when flying-foxes are in or near to a tree and likely to be harmed.
- The action must be supervised by a person with knowledge and experience relevant to the management of flying-foxes and their habitat, who can identify dependent young and is aware of climatic extremes and food stress events. This person must assess the relevant conditions and advise the proponent whether the activity can go ahead consistent with these standards.
- The action must not involve the clearing of all vegetation supporting a nationally important flying-fox camp. Sufficient vegetation must be retained to support the maximum number of flying-foxes ever recorded in the camp of interest.

These standards have been incorporated into mitigation measures detailed in Section 9.2. If actions cannot comply with these mitigation measures, referral for activities at nationally important camps is likely to be required.

⁵ A 'heat stress event' is defined for the purposes of the Australian Government's [Referral guideline for management actions in GHFF and SFF camps](#) as a day on which the maximum temperature does (or is predicted to) meet or exceed 38°C.

⁶ A 'cyclone event' is defined as a cyclone that is identified by the Australian Bureau of Meteorology (www.bom.gov.au/cyclone/index.shtml).

⁷ Food stress events may be apparent if large numbers of low body weight animals are being reported by wildlife carers in the region.

6 Flying-fox Ecology and Threats

6.1 Ecological Role

Flying-foxes are considered 'keystone' species given their contribution to the health, longevity and diversity among and between vegetation communities. These ecological services ultimately protect the long-term health and biodiversity of Australia's bushland and wetlands. In turn, native forests act as carbon sinks (Roxburgh et al. 2006), provide habitat for other animals and plants, stabilise river systems and catchments, add value to production of hardwood timber, honey and fruit (e.g. bananas and mangoes; Fujita 1991), and provide recreational and tourism opportunities worth millions of dollars each year (DES 2018). Further information on Flying-fox ecology and threats to flying-foxes is provided in **Appendix 3**.

6.2 Flying-foxes and Heat Stress

Heat Stress affects Flying-foxes when temperatures reach 42 degrees or more. Over the past two decades, a number of documented heat stress events have resulted in significant Flying-fox mortality.

There is conflicting advice about how or whether to intervene during a heat stress event at a Flying-fox camp, it should be noted that human presence in a camp at such times can increase the stress and activity level of Flying-foxes present potentially leading to greater harm. Any response to a heat stress event should be undertaken as an organised and monitored response. It is recommended that data is collected after the heat stress event and provided to scientists able to analyse the data and the help BCD share best practices management techniques as they are developed.

To intervene during a heat stress event, one must be licensed to rehabilitate fauna under NSW legislation. Any licence must specifically endorse the person or group as being able to care for Flying-foxes.

When ambient temperatures rise above 35 degrees, Flying-foxes tend to alter their behaviour to reduce exposure to heat. A range of behaviours may be exhibited, depending on multiple variables in their environment. The impacts of heat stress events are likely to vary site by site and can depend on conditions in the preceding days. Ambient temperature alone may thus not be a sound indicator of a heat stress event. Flying-fox behaviour may provide more reliable information. As flying-foxes experience heat stress, they are likely to exhibit a series of behaviours indicating progressive impact of that stress including:

- Clustering or clumping;
- Panting;
- Licking wrists and wing membranes; and
- Descending to lower levels of vegetation or to the ground.

Some of these behaviors may occur outside of a heat stress event.

7 Human and Animal Health

Flying-foxes, like all animals, carry pathogens that may pose human health risks. Many of these are viruses that cause only minor infections with no clinical signs in flying-foxes themselves, but may cause significant disease in other animals that are exposed. In Australia the most well-defined of these include Australian bat lyssavirus (ABLV), Hendra virus and Menangle virus. Specific information on these viruses is provided in **Appendix 4**.

Outside of an occupational cohort, including wildlife carers and vets, human exposure to these viruses is extremely rare and similarly, transmission rates and incidence of human infection are very low. In addition, Hendra virus infection in humans apparently requires transfer from an infected intermediate equine host and direct transmission from bats to humans has not been reported. Thus, despite the fact that human infection with these agents can be fatal, the probability of infection is extremely low, and the overall public health risk is judged to be low (Qld Health 2016).

Direct contact with faecal material should be avoided and general hygiene measures taken to reduce the low risk of gastrointestinal and other disease. Contamination of water supplies by any animal excreta (birds, amphibians and mammals such as flying-foxes) poses a health risk to humans. Household tanks should be designed to minimise potential contamination, such as using first flush diverters to divert contaminants before they enter water tanks. Trimming vegetation overhanging the catchment area (e.g. the roof of a house) will also reduce wildlife activity and associated potential contamination. Tanks should also be appropriately maintained and flushed, and catchment areas regularly cleaned to remove potential contaminants.

7.1 Disease and Flying-fox Management

A recent study at several camps before, during and after disturbance (Edson et al. 2015) showed no statistical association between Hendra virus prevalence and flying-fox disturbance; however, the consequences of chronic or ongoing disturbance and harassment and its effect on Hendra virus infection were not within the scope of the study and are therefore unknown.

The effects of stress are linked to increased susceptibility and expression of disease in both humans (AIHW 2012) and animals (Henry & Stephens-Larson 1985; Aich et al. 2009), including reduced immunity to disease. Therefore, it can be assumed that management actions that may cause stress (e.g. dispersal), particularly over a prolonged period or at times where other stressors are increased (e.g. food shortages, habitat fragmentation, etc.), are likely to increase the susceptibility and prevalence of disease within the flying-fox population, and consequently the risk of transfer to humans.

Furthermore, management actions or natural environmental changes may increase disease risk by:

- forcing flying-foxes into closer proximity to one another, increasing the probability of disease transfer between individuals and within the population
- resulting in abortions and/or dropped young if inappropriate methods are used during critical periods of the breeding cycle. This will increase the likelihood of direct interaction between flying-foxes and the public, and potential for disease exposure
- adoption of inhumane methods with the potential to cause injury which would increase the likelihood of the community coming into contact with injured/dying flying-foxes.

The potential to increase disease risk should be carefully considered as part of a full risk assessment when determining the appropriate level of management and the associated mitigation measures required.

8 Camp Management Options

The NSW Flying-fox Camp Management Policy 2015 and Camp Management Plan Template 2019 provide details on acceptable management activities to manage and mitigate human / bat conflict at Camp Sites. The management actions are grouped into three levels, these are discussed below.

8.1 Level 1 Actions - Routine Camp Management

Education and Awareness Programs

This management option involves undertaking a comprehensive and targeted flying-fox education and awareness program to provide accurate information to the local community about flying-foxes.

Such a program would include managing risk and alleviating concern about health and safety issues associated with flying-foxes, options available to reduce impacts from roosting and foraging flying-foxes, an up-to-date program of works being undertaken at the camp, and information about flying-fox numbers and flying-fox behaviour at the camp.

Residents should also be made aware that faecal drop and noise at night is mainly associated with plants that provide food, independent of camp location. Staged removal of foraging species such as fruit trees and palms from residential yards, or management of fruit (e.g. bagging, pruning) will greatly assist in mitigating this issue. Approval from Council may be required for the removal of some trees.

Collecting and providing information should always be the first response to community concerns in an attempt to alleviate issues without the need to actively manage flying-foxes or their habitat. Where it is determined that management is required, education should similarly be a key component of any approach.

Property Modification without Subsidies

The managers of land on which a flying-fox camp is located would promote or encourage the adoption of certain actions on properties adjacent or near to the camp to minimise impacts from roosting and foraging flying-foxes (note that approval may be required for some activities, refer to Section 4 for further information):

- Create visual/sound/smell barriers with fencing or hedges. To avoid attracting flying-foxes, species selected for hedging should not produce edible fruit or nectar-exuding flowers, should grow in dense formation between two and five metres (Roberts 2006) (or be maintained at less than five metres). Vegetation that produces fragrant flowers can assist in masking camp odour where this is of concern.
- Manage foraging trees (i.e. plants that produce fruit/nectar-exuding flowers) within properties through pruning/covering with bags or [wildlife friendly netting](#), early removal of fruit, or tree replacement.
- Cover vehicles, structures and clothes lines where faecal contamination is an issue, or remove washing from the line before dawn/dusk.
- Move or cover eating areas (e.g. barbecues and tables) that are close to a camp or foraging tree to avoid droppings by flying-foxes.
- Install double-glazed windows, insulation and use air-conditioners when needed to reduce noise disturbance and smell associated with a nearby camp.
- Follow horse husbandry and property management guidelines provided at the [Hendra virus webpage](#) (DPIE 2019d).
- Include suitable buffers and other provisions (e.g. covered car parks) in planning of new developments.
- Consider removable covers for swimming pools and ensure working filters and regular chlorine treatment.
- Appropriately manage rainwater tanks, including installing first-flush systems.

- Avoid disturbing flying-foxes during the day as this will increase camp noise.

The cost would be borne by the person or organisation who modifies the property; however, opportunities for funding assistance (e.g. environment grants) may be available for management activities that reduce the need to actively manage a camp.

Property modification subsidies

Fully funding or providing subsidies to property owners for property modifications may be considered to manage the impacts of the flying-foxes. Providing subsidies to install infrastructure may improve the value of the property, which may also offset concerns regarding perceived or actual property value or rental return losses.

The level and type of subsidy would need to be agreed to by the entity responsible for managing the flying-fox camp.

Service Subsidies

This management option involves providing property owners with a subsidy to help manage impacts on their property and the lifestyle of residents. The types of services that could be subsidised include clothes washing, cleaning outside areas and property, car washing or power bills. Rate reductions could also be considered.

Critical thresholds of flying-fox numbers at a camp and distance to a camp may be used to determine when subsidies would apply.

Routine Camp Maintenance and Operational Activities

Examples of routine camp management actions are provided in the Policy. These include:

- removal of tree limbs or whole trees that pose a genuine health and safety risk, as determined by a qualified arborist
- weed removal, including removal of terrestrial and aquatic weeds under the Commonwealth *Biosecurity Act 2015*, or species listed as undesirable by a council
- trimming of understorey vegetation or the planting of vegetation
- minor habitat augmentation for the benefit of the roosting animals
- mowing of grass and similar grounds-keeping actions that will not create a major disturbance to roosting flying-foxes
- application of mulch or removal of leaf litter or other material on the ground.

Protocols should be developed for carrying out operations that may disturb flying-foxes, which can result in excess camp noise. Such protocols could include limiting the use of disturbing activities to certain days or certain times of day in the areas adjacent to the camp and advising adjacent residents of activity days. Such activities could include lawn-mowing, using chainsaws, whipper-snippers, using generators and testing alarms or sirens.

Revegetation and Land Management to Create Alternative Habitat

This management option involves revegetating and managing land to create alternative flying-fox roosting habitat through improving and extending existing low conflict camps or developing new roosting habitat in areas away from human settlement.

Selecting new sites and attempting to attract flying-foxes to them has had limited success in the past, and ideally, habitat at known camp sites would be dedicated as a flying-fox reserve. However, if a staged and long-term approach is used to make unsuitable current camps less attractive, while concurrently improving appropriate sites, it is a viable option (particularly for the transient and less selective LRFF). Supporting further research into flying-fox camp preferences may improve the potential to create new flying-fox habitat.

When improving a site for a designated flying-fox camp, preferred habitat characteristics detailed in **Sections 2 & 3** should be considered.

Foraging trees planted amongst and surrounding roost trees (excluding in/near horse paddocks) may help to attract flying-foxes to the desired site. They will also assist with reducing foraging impacts in residential areas. Consideration should be given to tree species that will provide year-round food, increasing the attractiveness of the designated site. Depending on the site, the potential negative impacts to a natural area will need to be considered if introducing non-indigenous plant species.

The presence of a water source is likely to increase the attractiveness of an alternative camp location. Supply of an artificial water source should be considered if unavailable naturally; however, this may be cost-prohibitive.

Potential habitat mapping using camp preferences (see **Sections 2 & 3**) and suitable land tenure can assist in initial alternative site selection. A feasibility study would then be required prior to site designation to assess the likelihood of success and determine the warranted level of resource allocated to habitat improvement.

Provision of artificial roosting habitat

This management option involves constructing artificial structures to augment roosting habitat in current camp sites or to provide new roosting habitat. Trials using suspended ropes have been of limited success as flying-foxes only used the structures that were very close to the available natural roosting habitat. It is thought that the structure of the vegetation below and around the ropes is important.

Protocols to manage incidents

This management option involves implementing protocols for managing incidents or situations specific to particular camps. Such protocols may include 'bat watch' patrols at sites that host vulnerable people, management of pets at sites popular for walking dogs, or preparation for heat stress incidents (when the camp is subjected to extremely high temperatures leading to flying-foxes changing their behaviour and/or dying).

Participation in research

This management option involves participating in research to improve knowledge of flying-fox ecology to address the large gaps in our knowledge about flying-fox habits and behaviours and why they choose certain sites for roosting. Further research and knowledge sharing at local, regional and national levels will enhance our understanding and management of flying-fox camps.

Appropriate land use planning

Land use planning instruments may be able to be used to ensure adequate distances are maintained between future residential developments and existing or historical flying-fox camps. While this management option will not assist in the resolution of existing land use conflict, it may prevent issues for future residents.

Property acquisition

Property acquisition may be considered if negative impacts cannot be sufficiently mitigated using other measures. This option will clearly be extremely expensive; however, is likely to be more effective than dispersal and in the long-term may be less costly.

Do nothing

The management option to 'do nothing' involves not undertaking any management actions in relation to the flying-fox camp and leaving the situation and site in its current state.

8.2 Level 2 Actions - In-situ Management

Creation of buffers can be effective as management actions to nudge flying-fox populations away from urban settlements. The intention is to create a physical or visual separation from the camp

and actively manage vegetation structure and composition to discourage flying-foxes from roosting close to built areas. Actions include:

- clearing or trimming canopy trees at the camp boundary to create a buffer
- disturbing animals at the boundary of the camp to encourage roosting away from human settlement; and
- Noise attenuation fencing.

8.3 Level 3 Actions – Disturbance or Dispersal

Nudging

Noise and other low-intensity active disturbance restricted to certain areas of the camp can be used to encourage flying-foxes away from high conflict areas. This technique aims to actively 'nudge' flying-foxes from one area to another, while allowing them to remain at the camp site.

Unless the area of the camp is very large, nudging should not be done early in the morning as this may lead to inadvertent dispersal of flying-foxes from the entire camp site. Disturbance during the day should be limited in frequency and duration (e.g. up to four times per day for up to 10 minutes each) to avoid welfare impacts. As with dispersal, it is also critical to avoid periods when dependent young are present (as identified by a flying-fox expert).

Dispersal

Dispersal aims to encourage a camp to move to another location, through either disturbance or habitat modification.

There is a range of potential risks, costs and legal implications that are greatly increased with dispersal (compared with in situ management as above). These include:

- impact on animal welfare and flying-fox conservation
- splintering the camp into other locations that are equally or more problematic
- shifting the issue to another area
- impact on habitat value
- effects on the flying-fox population, including potential increase in disease susceptibility and associated public health risk
- impacts to nearby residents associated with ongoing dispersal attempts
- excessive initial and/or ongoing effort and financial investment required
- negative public perception and backlash
- unsuccessful management requiring multiple attempts, which may exacerbate all of the above.

Dispersal activities are typically unsuccessful as outlined in **Appendix 5**.

8.4 Unlawful Activities

Culling

Culling is addressed here as it is often raised by community members as a preferred management method; however, culling is contrary to the objects of the BC Act and will not be permitted as a method to manage flying-fox camps.

Culling is not considered a viable Camp Management action as it is:

- not a preferred management option by the majority of the Cessnock community,
- scientifically ineffective (due to the mobility of the species); and

- it is illegal.

8.5 Site-specific analysis of camp management options

Table provides details on the various management options available, an assessment of cost and effectiveness of the action to address the various conflict issues. The Table also provides details of the assessment undertaken by DPIE – Crown Lands and Cessnock City Council as to the suitability of the actions to be included in the Camp Management Plan. **Section 8.6** provides details of the management actions that will be undertaken through the implementation of the Plan.

Table 11: Analysis of management options

Management Option	Relevant Impacts	Cost	Advantages	Disadvantages	Suitability Determination
Level 1 Actions					
Education and awareness programs	Fear of disease Noise Smell Faecal drop	\$	Low cost, promotes conservation of FFs, contributes to attitude change which may reduce general need for camp intervention, increasing awareness and providing options for landholders to reduce impacts can be an effective long-term solution, can be undertaken quickly, will not impact on ecological or amenity value of the site.	Education and advice itself will not mitigate all issues, and may be seen as not doing enough.	This action was deemed suitable. Responses from Flying Fox Engage indicated a strong desire from the community for more information on Flying Foxes.
Property modification (e.g. car cover, pool cover, clothesline cover, air conditioners, double glaze windows, etc.)	Noise Smell Faecal drop Health/wellbeing Property devaluation Lost rental return	\$-\$	Property modification is one of the most effective ways to reduce amenity impacts of a camp without dispersal (and associated risks), relatively low cost, promotes conservation of FFs, can be undertaken quickly, will not impact on the site, may add value to the property.	May be cost-prohibitive for private landholders, unlikely to fully mitigate amenity issues in outdoor areas.	This action was deemed suitable for residents adjacent to the Camp
Fully-fund/subsidise property modification	Noise Smell Faecal drop Health/wellbeing Property devaluation Lost rental return	\$-\$	Potential advantages as per property modification, but also overcomes issue of cost for private landholders.	Costs to the land manager will vary depending on the criteria set for the subsidy including proximity to site, term of subsidy, level of subsidy. Potential for community conflict when developing the criteria, and may lead to expectations for similar subsidies for other issues.	This action has limited applicability due to funding constraints. Should funding become available, this option can be further explored. This was the second preference from Flying Fox Engage survey.
Service subsidies (e.g. rate rebates, access to water gurney, etc.)	Noise Smell Faecal drop Health/wellbeing Property devaluation Lost rental return	\$-\$	May encourage tolerance of living near a camp, promotes conservation of FFs, can be undertaken quickly, will not impact on the site, would reduce the need for property modification.	May be costly across multiple properties and would incur ongoing costs, may set unrealistic community expectations for other community issues, effort required to determine who would receive subsidies.	Due to lack of funding, this option is not suitable in the short term. Should funding become available in the longer term, this action will be reconsidered.

Management Option	Relevant Impacts	Cost	Advantages	Disadvantages	Suitability Determination
Routine camp management	Health/wellbeing	\$	Will allow property maintenance, likely to improve habitat, could improve public perception of the site, will ensure safety risks of a public site can be managed. Weed removal has the potential to reduce roost availability and reduce numbers of roosting FFs. To avoid this, weed removal should be staged and alternative roost habitat planted, otherwise activities may constitute a Level 3 action. Weeding should only be undertaken when the camp is empty or when Flying-fox numbers are low (generally May to July).	Will not generally mitigate amenity impacts for nearby landholders.	This action was deemed suitable. Weed removal should be staged and alternative roost and understory habitat planted, otherwise weeding activities may constitute a Level 3 action. Weeding should be undertaken when the camp is empty or when Flying-fox numbers are low (generally May to July).
Revegetation and Land Management to Create Alternative Habitat	All	\$-\$	If successful in attracting FFs away from high conflict areas, will assist in mitigating all impacts, generally low cost, can be undertaken quickly, and promotes FF conservation.	Takes time for alternative habitat to become established enough to provide suitable Flying-fox roosting habitat	This action was deemed suitable. Council is currently preparing to engage a consultant to prepare a habitat augmentation plan for the area south-east of Maitland Road.
Provision of artificial roosting habitat	All	\$-\$	If successful in attracting FFs away from high conflict areas, artificial roosting habitat in low conflict areas will assist in mitigating all impacts, generally low cost, can be undertaken quickly, promotes FF conservation.	Would need to be combined with other measures (e.g. buffers/alternative habitat creation) to mitigate impacts, previous attempts have had limited success.	This action was not deemed suitable
Protocols to manage incidents	Health/wellbeing	\$	Low cost, will reduce actual risk of negative human/pet-FF interactions, promotes conservation of FFs, can be undertaken quickly, will not impact the site.	Will not generally mitigate amenity impacts.	This action will be included as a risk management response by all responsible land managers
Research	All	\$	Supporting research to improve understanding may contribute to more effectively mitigating all impacts, promotes FF conservation.	Generally cannot be undertaken quickly, management trials may require further cost input.	This action was deemed more suitable to be included in a regional strategy or plan
Appropriate land-use planning	All	\$	Likely to reduce future conflict, promotes FF conservation. Identification of degraded sites that may be suitable for long-term rehabilitation for FFs could facilitate offset strategies should clearing be required under Level 2 actions.	Will not generally mitigate current impacts, land-use restrictions may impact the landholder.	This action was deemed suitable
Property acquisition	All for specific property owners Nil for broader community	\$\$\$	Will reduce future conflict with the owners of acquired property.	Owners may not want to move, only improves amenity for those who fit criteria for acquisition, very expensive.	This action was not deemed suitable due to excessive cost

Management Option	Relevant Impacts	Cost	Advantages	Disadvantages	Suitability Determination
Do nothing	Nil	Nil	No resource expenditure.	Will not mitigate impacts and unlikely to be considered acceptable by the community.	Due to commitment of Land Managers and Council, this action is not suitable, despite being ranked No. 4 by Flying Fox Engage responses.
Level 2 Actions					
Buffers through vegetation removal	Noise Smell Health/wellbeing Property devaluation Lost rental return	\$-\$	Will reduce impacts, promotes FF conservation, can be undertaken quickly, limited maintenance costs.	Will impact the site, may not reduce some impacts such as odour, vegetation removal may not be favoured by the community.	This action was deemed suitable, however its applicability to the East Cessnock site is limited due to the presence of Endangered Ecological Communities /Threatened Species and existing land uses.
Buffers without vegetation removal (visual deterrents such as bright colours, smell deterrents such as python excrement, noise emitters, and canopy sprinklers)	Noise Smell Health/wellbeing Damage to vegetation Property devaluation Lost rental return	\$	Successful creation of a buffer will reduce impacts, promotes FF conservation, can be undertaken quickly, options without vegetation removal may be preferred by the community.	May impact the site, buffers will not generally eliminate impacts, maintenance costs may be significant, often logistically difficult, limited trials so likely effectiveness unknown.	This action was deemed suitable, however its applicability to the East Cessnock site is limited due to established land use patterns.
Level 3 Actions					
Nudging	All	\$-\$	If nudging is successful this may mitigate all impacts.	Costly, FFs will continue attempting to recolonise the area unless combined with habitat modification/ deterrents.	Not deemed suitable due to excessive cost.

Management Option	Relevant Impacts	Cost	Advantages	Disadvantages	Suitability Determination
Passive dispersal through vegetation management	All at that site but not generally appropriate for amenity impacts only (see Section 8)	\$\$– \$\$\$	If successful can mitigate all impacts at that site, compared with active dispersal: less stress on FFs, less ongoing cost, less restrictive in timing with ability for evening vegetation removal.	Costly, will impact site, risk of removing habitat before outcome known, potential to splinter the camp creating problems at other locations (although less than active dispersal), potential welfare impacts, disturbance to community, negative public perception, unknown conservation impacts, unpredictability makes budgeting and risk assessment difficult, may increase disease risk (see Section 7.1), potential to impact on aircraft safety.	Not deemed suitable due to the nature of the vegetation (Endangered Ecological Community), the likelihood of shifting the problem onto another section of the community, and cost
Passive dispersal through water management	All at that site but not generally appropriate for amenity impacts only (see Section 8)	\$\$– \$\$\$	Potential advantages as per with passive dispersal through vegetation removal, however likelihood of success unknown.	Potential disadvantages as per passive dispersal through vegetation removal, however likelihood of success unknown.	Not deemed suitable for the site due to the impacts on threatened vegetation communities
Active dispersal	All at that site but not generally appropriate for amenity impacts only (see Section 8)	\$\$\$	If successful can mitigate all impacts at that site, often stated as the preferred method for impacted community members.	May be very costly, often unsuccessful, ongoing dispersal generally required unless combined with habitat modification, potential to splinter the camp creating problems in other locations, potential for significant animal welfare impacts, disturbance to community, negative public perception, unknown conservation impacts, unpredictability makes budgeting and risk assessment difficult, may increase disease risk (see Section 7.1), potential to impact on aircraft safety.	Not deemed suitable due to excessive cost and low likelihood of success.
Early dispersal before a camp is established at a new location	All at that site	\$\$– \$\$\$	Potential advantages as per other dispersal methods, but more likely to be successful than dispersal of a historic camp.	Potential disadvantages as per other dispersal methods, but possibly less costly and slightly lower risk than dispersing a historic camp. Potential to increase pressure on FFs that may have relocated from another dispersed camp, which may exacerbate impacts on these individuals.	Not applicable to this Camp, however the plan should address the potential likely sites that may be established in the future.

8.6 Planned Management Approach

The planned management actions included in **Table 12** have been determined after consideration of community views, ecological requirements and legislative / policy controls. The Actions have been grouped into the major thematic areas of:

- Governance
- Routine Management
- Infrastructure
- Restoration & Rehabilitation
- Monitoring
- Flying-fox Species Management
- Resident Assistance
- Community Education

The actions included in **Table 12** are directly linked to the management actions discussed in **Table 11**, but have been directly tailored to actions that will be planned for implementation at the East Cessnock Flying-fox Camp or any new camps that are created on public lands, depending on conditions and funding provision. Responsibility for the implementation of these actions will be shared across the various land managers as required; details of these responsibilities are included in the table.

Table 12: Management Actions

Action ID	Issue	Actions & guidelines	Responsibility	Trigger / Catalyst for commencement	Budget
1. Resident Assistance					
1.1	Car / Clothes-line / swimming pool covers / high pressure cleaners	Provision of these items based upon selection criteria during times of high population occupancy	Cessnock City Council	More than 25,000 Flying-foxes roosting in camp	This was funded under the Flying-Fox Grants Program in 2017/18. Dependent on external funding
1.2	Air conditioners and clothes dryer subsidies	Provision of these items based upon selection criteria	Cessnock City Council	Availability of external funding	In 2019 Council received a total of \$30,000 to subsidize the purchase of these items for residents living in close proximity to the camp. Dependent on external funding. -
1.3	Assistance with costs for tree removal – waiving Council Tree Removal Application Fee	Based on limited species, and proximity to camp	Cessnock City Council	More than 25,000 Flying-foxes roosting in camp and all tree removals have been undertaken with the appropriate sg1 licence	Unknown

Action ID	Issue	Actions & guidelines	Responsibility	Trigger / Catalyst for commencement	Budget
1.4	Financial assistance with s91 licence fees	Only applicable to properties based upon selection criteria including proximity to camp and safety requirements.	Cessnock City Council	More than 25,000 Flying-foxes roosting in camp.	Unknown
1.5	Waiving DA application fees for carports and garages	Only applicable to properties based upon selection criteria including proximity to camp and safety requirements.	Cessnock City Council	More than 25,000 Flying-foxes roosting in camp	Unknown
2. Community Education					
2.1	Advice on backyard vegetation management	Advice on which trees residents may wish to remove (introduced or naturalised foraging species such as Cocos Palms, Poplars and Silky Oaks) Advice on trees to plant if residents want to encourage bats to forage in their properties. Advice on native fragrant trees that will assist to screen smells from Camp	Cessnock City Council Hunter Joint Organisation of Councils	Included in Regional Flying-fox educational kit	Funded through NSW Environmental Trust 2017-19
2.2	Health and disease management	Develop consistent regional information regarding health concerns	DPIE (BCD) New England Health Hunter Joint Organisation of Councils	Included in Regional Flying-fox educational kit	Funded through NSW Environmental Trust 2017-19
2.3	Lifecycle and nomadic timing of bat arrival	Develop consistent regional information regarding Flying-fox nomadic behaviour	DPIE (BCD) Hunter Joint Organisation of Councils	Included in Regional Flying-fox educational kit	Funded through NSW Environmental Trust 2017-19
2.4	Implement Regional Flying-fox educational kit	Develop a community education kit to assist residents to understand Flying-fox movement patterns and reduce conflicts with Camps	Hunter Joint Organisation of Councils Cessnock City Council	completed	Funded through NSW Environmental Trust 2017-19
2.5	How to manage dead or injured Flying-foxes	Information on who to call when sick, injured or dead Flying-foxes are seen	Wildlife Carer Group Cessnock City Council	Immediate action required	Within existing budget
3. Restoration & Rehabilitation					
3.1	Assess native recruitment potential away from boundary	Assessment of vegetation condition improvement in core of site, to make boundary less attractive for roosting (seek to plant <i>Casuarina glauca</i>)	Works to be authorised by DPIE – Crown Lands.	No defined trigger due to long term nature of actions	Unknown – no specific budget. Applications for funding may be submitted by DPIE - Crown Lands or third parties (with consent) for environmental restoration works under the Crown Reserves Improvement Fund (CRIF)

Action ID	Issue	Actions & guidelines	Responsibility	Trigger / Catalyst for commencement	Budget
3.2	Rehabilitation of damaged areas (from Flying-fox occupation)	Removal of damaged vegetation and establishment of replacement vegetation.	Works to be authorised by DPIE – Crown Lands	Death or permanent damage to numerous trees.	Unknown (dependant on tree size and location)
3.3	Plant appropriate foraging species in areas of the Camp away from residential properties	strategically plant endemic foraging habitat trees away from residential areas along the southern side of the reserve.	Works to be authorised by DPIE – Crown Lands	No defined trigger due to long term nature of actions	Unknown – and no specific budget. Applications for funding may be submitted by DPIE – Crown Lands or third parties (with consent) for environmental restoration works under the Crown Reserves Improvement Fund (CRIF)
4. Infrastructure					
4.1	Signage	Interpretive Signage	Cessnock City Council / Stakeholder Group	Dependent upon delivery of Regional Flying-fox education project and funding availability	Signage was installed at East Cessnock Flying Fox Camp in 2018.
4.2	Footpath management	Risk of persons walking on to road rather than along footpath due to Flying-fox proximity.	Cessnock City Council	Camp Encroachment on Old Maitland Road	Unknown
5. Flying-fox Species Management					
5.1	Flying-fox carer response	Respond to calls of injured or dead Flying-foxes	Wildlife Rehabilitators	Resident calls, natural disasters	Within existing budget
5.2	Carer alerts (notification of upcoming events, e.g. management activities, heat stress, etc.)	Notification of residents and Carers of any events that will impact on Camp Site or Flying-fox population.	DPIE (BCD) Cessnock City Council	As required	Within existing budget
5.3	Animal Care in heat stress events	Follow guidelines set by DPIE about what intervention is allowable	DPIE (BCD) Cessnock City Council Rural Fire Service	As required	Within existing budget
6. Routine Management					

Action ID	Issue	Actions & guidelines	Responsibility	Trigger / Catalyst for commencement	Budget
6.1	Weed Control	Noxious and environmental weed control throughout the Camp area - targeting exotic tree species known to act as potential roosting and foraging habitat (e.g. Camphor Laurel as most on site are immature or have not reached maximum height). Weed removal should be staged and alternative roost and understory habitat planted, otherwise activities may constitute a Level 3 action. Weeding should only be undertaken when the camp is empty (generally May to July).	Works to be authorised by DPIE – Crown Lands	As needed	Dependant on funding from DPIE / state grants
6.2	Fire Management	Hazard reduction planning and maintenance	DPIE – Crown Lands	Existing responsibility, to be completed as per approved Department program	Within existing bush fire budget
6.3	Dangerous Trees	Assessments for potentially dangerous trees	DPIE – Crown Lands	When reported	Within existing budget
6.4	Buffer (Asset Protection Zones) Maintenance	Assessed as part of Bushfire risk.	DPIE – Crown Lands	Ongoing as per approved Department program	Within existing bush fire budget
6.5	Mowing	Routine mowing in and around camp and school	East Cessnock Public School	As needed	Within existing budget
6.6	Cleaning of Excrement	Use of high pressure water cleaners to remove faecal matter from school grounds	East Cessnock Public School	Undertaken on school grounds as required	Within existing budget
7. Monitoring					
7.1	Flying-fox Census	Quarterly Flying-fox animal counts to assist with determining likely national population	CSIRO	Quarterly monitoring as part of National Program	Funded by CSIRO
7.2	Wildlife / Rehabilitation carer data collection	Collection and provision of count information, and other data collected when responding to calls	Wildlife Carer Group	As responding to issues at the Camp	NA
7.3	Hunter Bird Observers data collection	Collection and provision of count information, and other data collected	Hunter Bird Observers	When aware of flowering event that may signal an increase in flying-fox population	NA
7.3	Cessnock City Council management data	Collection and dissemination of data related to Flying-foxes, and vegetation that may impact on local or regional Flying-fox populations	Cessnock City Council	As made aware of issues	Within existing budget
8. Governance					

Action ID	Issue	Actions & guidelines	Responsibility	Trigger / Catalyst for commencement	Budget
8.1	Land Use Planning	Review Land Use Planning provisions that impact on the Camp site (e.g. Re-zoning the site from an industrial zone to an appropriate environmental zone, DCP)	Cessnock City Council	Incorporating into Standard Planning Review processes	NA
8.2	Camp Management Plan review	Review periodically	Stakeholder Group	Undertake next review in 2024	NA
8.3	Protocol Development	Fire	Fire & Rescue NSW	To be developed immediately if not already in place	NA
		Heat Stress	Office of Environment & Heritage / Wildlife Carers		
		Community Response to dead / injured animals	Wildlife Carers		
		School	East Cessnock Public School		
		Hospital	New England Health		
		Equine	Hunter Local Land Services		
		Viticulture	Vigneron Association		

Stop Work Triggers

The management program will cease and will not recommence or progress to subsequent levels without consulting DPIE if:

- any of the animal welfare triggers occur on more than two days during the program, such as unacceptable levels of stress
- there is a flying-fox injury or death
- a new camp/camps appear to be establishing
- impacts are created or exacerbated at other locations
- there appears to be potential for conservation impacts (e.g. reduction in breeding success identified through independent monitoring)
- standard measures to avoid impacts (detailed in Section 8.2) cannot be met.

Management may also be terminated at any time if:

- unintended impacts are created for the community around the camp
- allocated resources are exhausted.

9 Assessment of Impacts to Flying-Foxes

9.1 Flying-fox Habitat to be Affected

Based on the actions included in **Table 1**, it is expected there would be little to no negative impacts on the Flying-fox population that utilises the East Cessnock Flying-fox Camp or any newly established camps on public land.

The majority of actions approved in this Camp Management Plan are considered Level 1 (routine management actions), as the Land Managers have determined the cost and ongoing issues with level 3 management actions including nudging, dispersal or culling are inappropriate for the East Cessnock Site or any newly established camps on public land. Level 3 Actions such as camp disturbance or dispersal and will not be undertaken whilst this current Camp Management Plan is in force.

It is expected that if funding can be secured for restoration and rehabilitation (where there is a demonstrated need) the quality and condition of the site will increase, and encourage flying-foxes to move away from the margins of the site and nearby residential properties. The plan also provides for ongoing maintenance of the Asset Protection Zone (buffer) to residences located along the site boundary. These measures can be implemented at a time when flying-foxes are not present, and therefore will not disturb or harm individual flying-foxes.

Due to the presence of an Endangered Ecological Community, and being in proximity to a number of observed threatened species (in addition to the Grey Headed Flying-fox), further assessment of significance should be undertaken prior to any physical works being implemented on site.

9.2 Standard Measures to Avoid Impacts

All Management Activities

The following mitigation measures will be complied with at all times during Plan implementation:

- All personnel will be appropriately experienced, trained and inducted. Induction will include each person's responsibilities under this Plan.
- All personnel will be briefed prior to the action commencing each day and debriefed at the end of the day.
- Works will cease and the Department consulted in accordance with the 'stop work triggers' section of the Plan.
- Large crews will be avoided where possible.
- The use of loud machinery and equipment that produces sudden impacts/noise will be limited. Where loud equipment (e.g. chainsaws) is required they will be started away from the camp and allowed to run for a short time to allow flying-foxes to adjust.
- Activities that may disturb flying-foxes at any time during the year will begin as far from the camp as possible, working towards the camp gradually to allow flying-foxes to habituate.
- Any activity likely to disturb flying-foxes so that they take flight will be avoided during the day during the sensitive GHFF (i.e. when females are in their final trimester or the majority are carrying pups, generally August – December) and avoided altogether during crècheing (generally November/December to February).
- Where works cannot be done at night after fly-out during these periods, it is preferable they are undertaken in the late afternoon close to or at fly-out. If this is also not possible, a person experienced in flying-fox behaviour will monitor the camp for at least the first two scheduled actions (or as otherwise deemed to be required by that person) to ensure impacts are not excessive and advise on the most appropriate methods (e.g. required buffer distances, approach, etc.).

- The Department will be contacted immediately if Little Red Flying-Foxes are present between March and October or are identified as being in their final trimester/with dependent young.
- Non-critical maintenance activities (including weeding) will ideally be scheduled when the camp is naturally empty. Where this is not possible (e.g. at permanently occupied camps) they will be scheduled for the best period for that camp (e.g. when the camp is seasonally lower in numbers and breeding will not be interrupted, or during the non-breeding season, generally May to July).
- Works will not take place in periods of adverse weather including strong winds, sustained heavy rains, extreme heat, cold temperatures or during periods of likely population stress (e.g. food shortages). Wildlife carers will be consulted to determine whether the population appears to be under stress.
- Works will be postponed on days predicted to exceed 35°C (or ideally 30°C), and for one day following a day that reached $\geq 35^{\circ}\text{C}$. If an actual heat stress event has been recorded at the camp or at nearby camps, a rest period of several weeks will be scheduled to allow affected flying-foxes to fully recover. See the webpage about [Responding to heat stress in flying-fox camps](#).
- Evening works may commence after fly-out. Noise generated by the works should create a first stage disturbance, with any remaining flying-foxes taking flight. Works should be paused at this stage to monitor for any remaining flying-foxes (including crècheing young, although December – February should be avoided for this reason) and ensure they will not be impacted. All Level 1 and 2 works (including pack-up) will cease by 0100 to ensure flying-foxes returning early in the morning are not inadvertently dispersed. Works associated with Level 3 actions may continue provided flying-foxes are not at risk of being harmed.
- If impacts at other sites are considered, in the Department's opinion, to be a result of management actions under this Plan, assistance will be provided by the proponent to the relevant land manager to ameliorate impacts. Details of this assistance are to be developed in consultation with the Department.
- Any proposed variations to works detailed in the Plan must be approved, in writing, by the Department before any new works occur.
- The Department may require changes to methods or cessation of management activities at any time.
- Ensure management actions and results are recorded to inform future planning. See the webpage about [Monitoring, evaluating and reporting on flying-fox camp management actions](#).

Human Safety

It is the responsibility of the land manager and contractors to conduct a risk assessment and determine workplace health and safety requirements; however, minimum requirements are provided below.

- All personnel to wear protective clothing including long sleeves and pants; additional items such as eye protection and a hat are also recommended. People working under the camp should wash their clothes daily. Appropriate hygiene practices will be adopted such as washing hands with soap and water before eating/smoking.
- All personnel who may come into contact with flying-foxes will be vaccinated against ABLV with current titre.
- A wash station will be available on-site during works along with an anti-viral antiseptic (e.g. Betadine) should someone be bitten or scratched.
- Details of the nearest hospital or doctor who can provide post-exposure prophylaxis will be kept on-site.

10 Evaluation and Review

The Plan will have a scheduled review next in 2024, which will include evaluation of management actions against measures shown in **Table 12**.

The following will trigger a reactive review of the Plan:

- Flying-fox population in excess of 80,000 animals (counted utilising approved CSIRO monitoring methodology)
- changes to relevant policy/legislation
- new management techniques becoming available
- outcomes of research that may influence the Plan
- incidents associated with the camp.

Results of each review will be included in reports to Council, and the DPIE (BCD).

If the Plan is to remain current, a full review including stakeholder consultation and expert input will be undertaken in the final year of the Plan's life prior to being re-submitted to DPIE (BCD).

11 Plan administration

This Camp Management Plan has been developed in partnership by Cessnock City Council, DPIE, and the NSW Department of Education. As land managers and the organisations responsible for servicing the local community, the Plan will be jointly managed by all parties as detailed below.

11.1 Monitoring of the camp

Cessnock City Council and DPIE – Crown Lands will continue to assist the CSIRO to undertake their quarterly Flying-fox census activities. Wildlife rehabilitators can access the site as required to attend to the animals, and record information of relevance to Council, DPIE (BCD) and CSIRO.

Additional monitoring and data collection will occur as opportunities arise.

11.2 Reporting

Quarterly reports (following publication of the CSIRO Census Count) will be developed by Cessnock City Council and provided to Council and DPIE – Crown Lands providing details on management activities at the site, and the Flying-fox population during the quarter.

11.3 Funding commitment

Cessnock City Council, DPIE – Crown Lands and the Department of Education, all have responsibilities to ensure appropriate funding is available to undertake management actions included in this plan. The Plan will operate from 2017 – 2027 and therefore each organisation should ensure ongoing funding, and forward planning for management actions be included in their annual budget development.

It is expected that an annual work plan, including budget items will be developed by the project team and implemented as required.

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Appendix 1 - Flying-fox Species Profiles

Flying-fox Species utilising the East Cessnock Camp

Three species of Flying-fox have been observed roosting at the Cessnock East Flying-fox Camp, details on each species follows.

Grey-headed flying-fox (*Pteropus poliocephalus*)

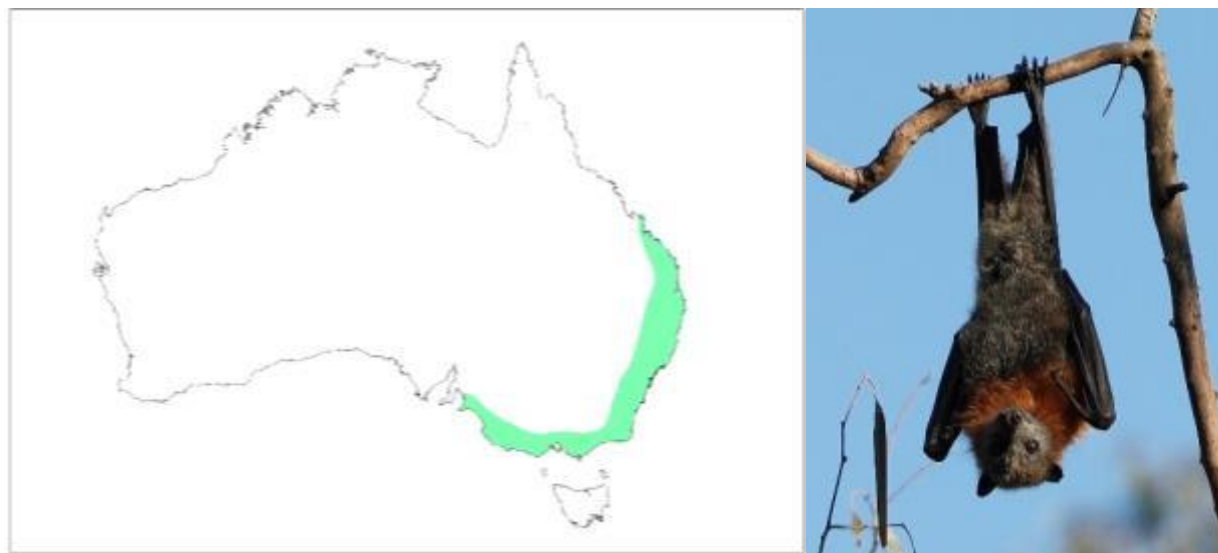


Figure 1: *Grey-headed flying-fox indicative species distribution, adapted from OEH 2015*

The grey-headed flying-fox (GHFF) (Figure 1) is found throughout eastern Australia, generally within 200 kilometres of the coast, from Finch Hatton in Queensland to Melbourne, Victoria (OEH 2015d). This species now ranges into South Australia and has been observed in Tasmania (DoE 2016a). It requires foraging resources and camp sites within rainforests, open forests, closed and open woodlands (including melaleuca swamps and banksia woodlands). This species is also found throughout urban and agricultural areas where food trees exist and will raid orchards at times, especially when other food is scarce (OEH 2015a).

All the GHFF in Australia are regarded as one population that moves around freely within its entire national range (Webb & Tidemann 1996; DoE 2015). GHFF may travel up to 100 kilometres in a single night with a foraging radius of up to 50 kilometres from their camp (McConkey et al. 2012). They have been recorded travelling over 500 kilometres over 48 hours when moving from one camp to another (Roberts et al. 2012). GHFF generally show a high level of fidelity to camp sites, returning year after year to the same site, and have been recorded returning to the same branch of a particular tree (SEQ Catchments 2012). This may be one of the reasons flying-foxes continue to return to small urban bushland blocks that may be remnants of historically-used larger tracts of vegetation.

The GHFF population has a generally annual southerly movement in spring and summer, with their return to the coastal forests of north-east NSW and south-east Queensland in winter (Ratcliffe 1932; Eby 1991; Parry-Jones & Augee 1992; Roberts et al. 2012). This results in large fluctuations in the number of GHFF in NSW, ranging from as few as 20% of the total population in winter up to around 75% of the total population in summer (Eby 2000). They are widespread throughout their range during summer, but in spring and winter are uncommon in the south. In autumn they occupy primarily coastal lowland camps and are uncommon inland and on the south coast of NSW (DECCW 2009).

There is evidence the GHFF population declined by up to 30% between 1989 and 2000 (Birt 2000; Richards 2000 cited in OEH 2011a). There is a wide range of ongoing threats to the survival of the GHFF, including habitat loss and degradation, deliberate destruction associated with the

commercial horticulture industry, conflict with humans, infrastructure-related mortality (e.g. entanglement in barbed wire fencing and fruit netting, power line electrocution, etc.) and competition and hybridisation with the BFF (DECCW 2009). For these reasons it is listed as vulnerable to extinction under NSW and federal legislation (see Section 4).

Little red flying-fox (*Pteropus scapulatus*)



Figure 2: *Little red flying-fox indicative species distribution, adapted from OEH 2015a*

The little red flying-fox (LRFF) (Figure 2) is widely distributed throughout northern and eastern Australia, with populations occurring across northern Australia and down the east coast into Victoria.

The LRFF forages almost exclusively on nectar and pollen, although will eat fruit at times and occasionally raids orchards (Australian Museum 2010). LRFF often move sub-continental distances in search of sporadic food supplies. The LRFF has the most nomadic distribution, strongly influenced by availability of food resources (predominantly the flowering of eucalypt species) (Churchill 2008), which means the duration of their stay in any one place is generally very short.

Habitat preferences of this species are quite diverse and range from semi-arid areas to tropical and temperate areas, and can include sclerophyll woodland, melaleuca swamplands, bamboo, mangroves and occasionally orchards (IUCN 2015). LRFF are frequently associated with other *Pteropus* species. In some colonies, LRFF individuals can number many hundreds of thousands and they are unique among *Pteropus* species in their habit of clustering in dense bunches on a single branch. As a result, the weight of roosting individuals can break large branches and cause significant structural damage to roost trees, in addition to elevating soil nutrient levels through faecal material (SEQ Catchments 2012).

Throughout its range, populations within an area or occupying a camp can fluctuate widely. There is a general migration pattern in LRFF, whereby large congregations of over one million individuals can be found in northern camp sites (e.g. Northern Territory, North Queensland) during key breeding periods (Vardon & Tidemann 1999). LRFF travel south to visit the coastal areas of south-east Queensland and NSW during the summer months. Outside these periods LRFF undertake regular movements from north to south during winter–spring (July–October) (Milne & Pavey 2011).

Black flying-fox (*Pteropus alecto*)



Figure 3 *Black flying-fox indicative species distribution (adapted from DPIE 2019a)*

The black flying-fox (BFF) (Figure 3) has traditionally occurred throughout coastal areas from Shark Bay in Western Australia, across northern Australia, down through Queensland and into New South Wales (Churchill 2008; DPIE 2019a). Since it was first described there has been a substantial southerly shift by the BFF (Webb & Tidemann 1995).

They forage on the fruit and blossoms of native and introduced plants (Churchill 2008; DPIE 2019a), including orchard species at times.

BFF are largely nomadic animals with movement and local distribution influenced by climatic variability and the flowering and fruiting patterns of their preferred food plants. Feeding commonly occurs within 20 kilometres of the camp site (Markus & Hall 2004).

BFF usually roost beside a creek or river in a wide range of warm and moist habitats, including lowland rainforest gullies, coastal stringybark forests and mangroves. During the breeding season, camp sizes can change significantly in response to the availability of food and the arrival of animals from other areas.

**Appendix 2 – East Cessnock Flying-Fox Camp Vegetation
Assessment Report**



East Cessnock Flying Fox Camp Vegetation Assessment Report

Prepared for
Cessnock City Council

Final V2 / November 2019

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DOCUMENT STATUS

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Approval for use:



Adam Cavallaro

20 November 2019

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EXECUTIVE SUMMARY

MJD Environmental was engaged by Cessnock City Council to conduct a Vegetation Assessment of the East Cessnock Flying Fox Camp, Cessnock, NSW. This Vegetation Assessment seeks to inform future management actions of vegetation required within the East Cessnock Flying Fox Camp. These actions include vegetation management and resulting licenses if necessary, weed control, and to guide future actions. This vegetation assessment will also be used to inform a revegetation and habitat augmentation program in the southern end of the study area (south of Maitland Rd).

The vegetation field assessment found:

- Four vegetation communities (Bell 2008), three PCTs and one TEC:

Vegetation Mapp Unit (Bell 2008)	Plant Community Type (PCT)	TEC	Area (ha)
108 Paperbark Depression Forest	1726: Flax-leaved Paperbark - Tall Sedge shrubland of the Sydney Basin	N/A	3.38
14h Riparian Apple - Grey Gum Dune Forest	1557: Rough-barked Apple - Forest Oak - Grey Gum grassy woodland on sandstone ranges of the Sydney Basin	N/A	9.89
17c Lower Hunter Beyer's Ironbark Low Forest	1592: Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest of the Lower Hunter	Lower Hunter Spotted Gum – Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions (EEC under the BC Act)	1.46
17a Lower Hunter Spotted Gum Red Ironbark Forest			0.40

- A total of 72 native flora and 37 exotic species;
- A total of five WoNs including four vine species and one woody species;
- A total of 22 Biosecurity Weeds including eight vine species, 11 woody species, two grass species & one other species;
- Majority of weed species abundance and cover occur within PCT 1726: *Flax-leaved Paperbark - Tall Sedge shrubland* followed by PCT 1557: *Rough-barked Apple - Forest Oak - Grey Gum grassy woodland*. These weed species were found to be smothering and out competing native plant species;
- Access tracks occur throughout PCT 1592: *Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest* and PCT 1557: *Rough-barked Apple - Forest Oak - Grey Gum grassy woodland* contributing to the degradation of remnant native vegetation;
- High concentrations of the roosting Grey-headed Flying Fox have resulted in a high mortality rate of the canopy species, with the remaining individuals exhibiting signs of stress and damage;
- Where the canopy is lacking or has been severely impacted by the Flying Fox, a high weed presence was observed;
- No hollow bearing trees; and
- Five *Eucalyptus parramattensis* subsp. *decadens* listed as *Vulnerable* under the State Biodiversity Conservation Act and the Federal Environment Protection and Biodiversity Conversation Acts.

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APPENDICES

Appendix A Flora List	
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GLOSSARY OF TERMS AND ABBREVIATIONS

Term/ Abbreviation	Meaning
BC Act	Biodiversity Conservation Act
Bio Act	Biosecurity Act
CCC	Cessnock City Council
DoEE	Commonwealth Department of the Environment and Energy
DPIE	Department Planning, Industry and Environment
EEC	Endangered Ecological Community
EPA Act	NSW Environmental Planning and Assessment Act 1979
EPBC Act	Commonwealth Environment Protection and Biodiversity Conservation Act 1999
ha	hectare
Native Vegetation	Native vegetation includes all the vegetation that is indigenous to Australia, covering individuals as well as communities that existed prior to European Settlement.
OEH	Former NSW Office of Environment and Heritage
Weed	Non native plant species that have moved into areas of native vegetation.

1 Introduction

MJD Environmental was engaged by Cessnock City Council to conduct a Vegetation Assessment of the East Cessnock Flying Fox Camp, Cessnock. The Flying Fox Camp is located within Lots 1A, 2A, 3A, 4A, 5A DP 4924, Lot 311 DP 566724, Lot 7002 DP 1122236, Lot 174 DP 755215 & Lot 7302 DP 1137271 Cessnock, NSW, (Refer to **Figure 1**), hereafter referred to as the 'study area'.

1.1 Aims & Objectives

The aim of the Vegetation Assessment is to inform future management actions of vegetation required within the East Cessnock Flying Fox Camp Management Plan. These actions include:

- vegetation management and resulting licenses if necessary
- weed control, and to guide future actions (if vegetation is determined to be degrading etc.)

The information will also be used to inform a revegetation and habitat augmentation program in the southern end of the study area (south of Maitland Rd).

The objectives are as follows:

- Detailed EEC determination for vegetation communities;
- Vegetation condition assessment;
- Weed mapping throughout the nominated study area (noxious and environmental);
- Vegetation condition and cover abundance of growth form and weeds (noxious and environmental) and non-natives;
- Hollow bearing tree count; and
- Habitat assessment.

1.2 Site Particulars

The following nomenclature has been used in this report (Refer to **Figure 1**):

- Study Area – Refers to Lots 1A, 2A, 3A, 4A, 5A DP 4924, Lot 311 DP 566724, Lot 7002 DP 1122236, Lot 174 DP 755215 & Lot 7302 DP 1137271

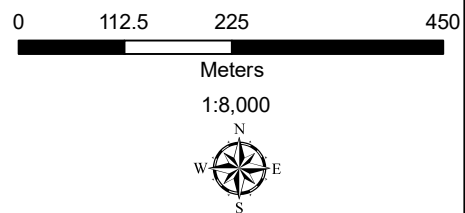
Locality	The Study Area is situated in Cessnock NSW.
Land Title	Lots 1A, 2A, 3A, 4A, 5A DP 4924, Lot 311 DP 566724, Lot 7002 DP 1122236, Lot 174 DP 755215 & Lot 7302 DP 1137271
LGA	Cessnock City Council
Area	Study Area – 16.18ha (approx.)
Zoning	The Study Area is currently predominantly zoned IN2 Light Industrial followed by RE1 Public Recreation, RU2 Rural Landscape and R2 Low Density Residential (DPE 2018). The Camp encompasses Council owned Akira Avenue Park (between Akira Ave and Anzac Ave) and the Crown Land to the south-eastern side of Maitland Road. The East Cessnock Flying-fox Camp is predominantly located on the Long St Crown Reserve (adjacent to residential developments and a school), but at times has expanded into neighbouring land managed by Cessnock City Council. Additionally, the Camp extends to the boundary with the Cessnock East Public School and animals have been recorded roosting within school grounds.
Boundaries	The Study Area is bound to the north, west and east by existing residential development. To the south, Maitland Rd, followed by unoccupied Rural Landscape.
Current Land Use	The land currently contains undeveloped vegetated lands (Tree & Shrub Cover) including wetland areas, public recreation areas (Akira Avenue Park) and unoccupied rural landscape.
Topography	The land is generally flat throughout the study area with a distinctive depression within the core of Long St Crown Reserve. The land varied between 73-79m ASL.



East Cessnock Flying Fox Camp
FIGURE 1: SITE LOCATION

Legend

Study Area



MJD Environmental

Aerial: LPI WMS Imagery (accessed 14/10/2019) |
 Data: MJD Environmental, LPI (2019) |
 Datum/Projection: GDA 1994 MGA Zone 56 | Date:
 14/10/2019 | Version 1 | GIS19068 - Vegetation
 Assessment Flying Fox Camp, East Cessnock |
 This plan should not be relied upon for critical
 design dimensions.

2 Methodology

The vegetation assessment was undertaken to confirm and describe flora and vegetation communities present within the study area. A modified Biodiversity Assessment Method (BAM) Floristic Plot was utilised to collect data to identify vegetation within the study area.

2.1 Database searches

A review of ecological information was undertaken to provide context and understanding of ecological values occurring within the study area. Information reviewed included:

- Online database searches involving a 10-km buffer around the study area were undertaken from the NSW BioNet Atlas (Accessed 14th October 2019); and
- Commonwealth Protected Matters of National Significance online search tool initially on 14th October 2019.

The searches provided a current list of potentially occurring threatened flora and fauna and migratory species under both the BC Act and EPBC Act.

2.2 Vegetation Survey

2.2.1 Plot Surveys

A modified Biodiversity Assessment Method (BAM) Floristic Plot was utilised to collect data to identify vegetation within the study area.

The following methods were used to inform the vegetation survey associated with the Vegetation Assessment:

- Broad vegetation identification, delineation and stratification into vegetation zones carried out by detailed random meander methods (Cropper 1993);
- Collection of plot/transect based full floristic data as per Section 5 of the BAM, recording the following;
 - Identification of all flora species to genus where identification attributes were present;
 - Composition, Structure, modified Function attributes within 20x20m plots;
 - modified Function attributes within 20x20m plots (Tree stem class, HTE, Litter).
- Collection of study area landscape attributes that included, landform, aspect, soil type, detailed descriptions of the vegetation condition, current land use and the impacts currently observed within the study area.

2.2.2 Rapid Data Point Survey

Rapid Data Point Surveys of 10x10m were carried out to gain a better understanding of the vegetation within the study area. This method was used to verify heterogeneity across vegetation communities. Attributes collected included species and cover abundance.

2.2.3 Opportunistic Threatened Flora Observations

No formal threatened flora survey was undertaken for threatened species. The study area was traversed by two MJD Environmental ecologists (9th October 2019) for the purposes of producing a description of native vegetation present and to assess the potential for threatened flora species to occur within the study area. Threatened flora assessment was informed by a random meander survey covering the whole study area. (Refer to **Table 3**).

A full compilation of flora species recorded during survey is provided as **Appendix 2**.

2.2.4 Vegetation Condition Assessment

The condition of the vegetation was assessed during vegetation/floristic surveys through opportunistic observation and random meandering. Vegetation condition assessment was also recorded during weed mapping density surveys.

2.3 Weed Density Mapping

A weed assessment walkover was conducted on 9th October 2019 over the entire study area by an MJD Environmental ecologist. Surveys were undertaken over the entirety of the study area to map any Weeds of National Significance (WoNs) and weeds listed under the Biosecurity Act 2015. Digital mapping was utilised within the study area using GLO™ 2 GLONASS GPS and a handheld Android tablet. Weed density polygons were further refined using aerial photographic interpretation 0.075m resolution imagery. Areas of significant weed patches were mapped and placed in density categories of

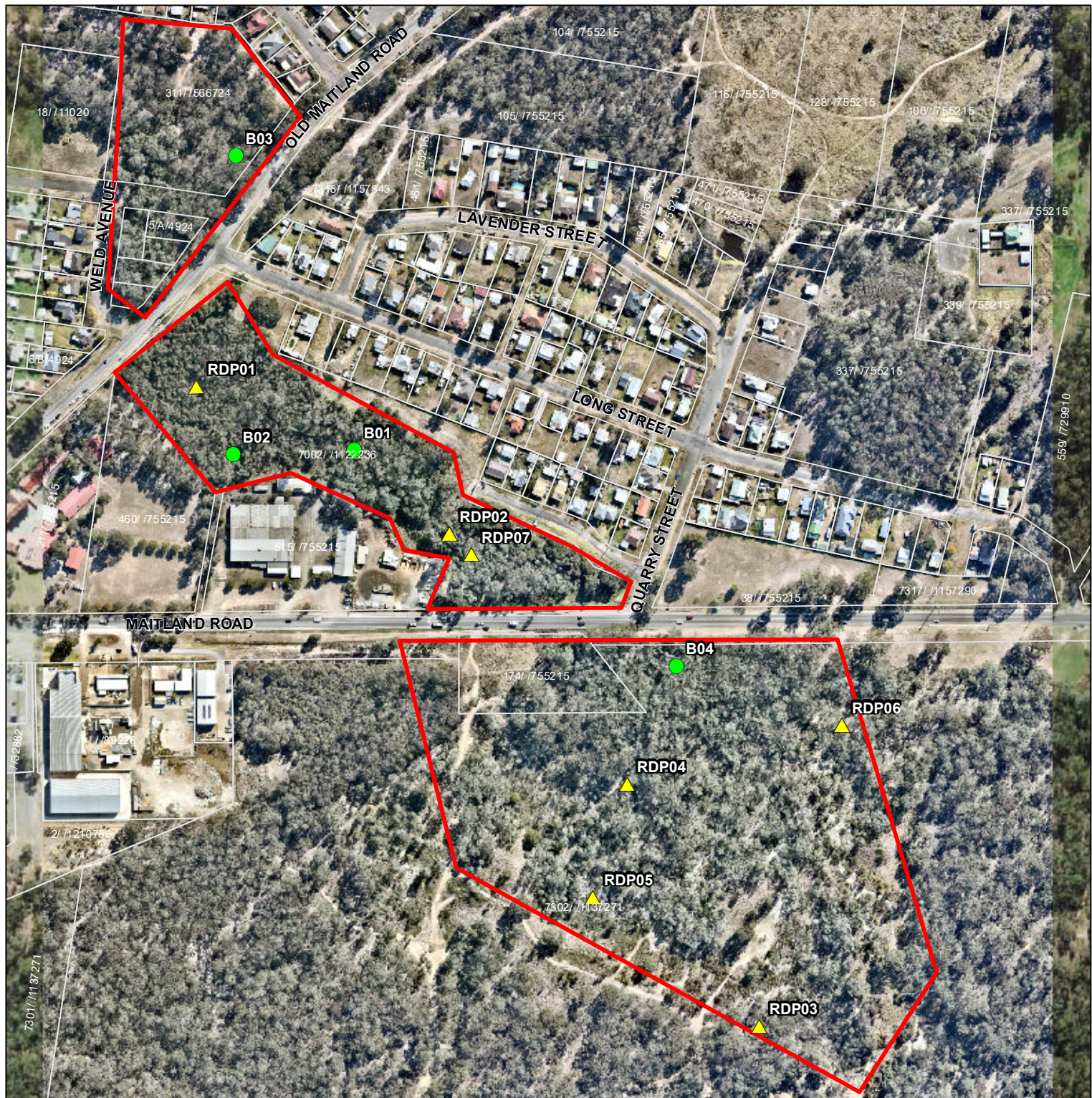
- <5%
- 5-15%
- 15-30%
- 30-50%
- 50-70%
- >70%

Weed species were also noted and further categorised into growth form of 'Vines' & 'Woody'.

2.4 Habitat Assessment

An assessment of the relative habitat value present within the study area was undertaken. This assessment focused primarily on the identification of specific habitat types and resources in the study area favoured by known threatened species from the locality. The assessment also considered the potential value of the study area (and surrounds) for all major guilds of native flora and fauna. Habitat assessment included:

- presence, size and types of tree hollows;
- presence of rocks, logs, caves, rocky outcrops, leaf litter, overhangs and crevices;
- vegetation complexity, structure and quality;
- presence of freshwater or estuarine aquatic habitats, noting permanency;
- connectivity to adjacent areas of habitat;
- extent and types of disturbance;
- presence of foraging opportunities such as flowering eucalypts, fruits, seeds or other nectar bearing native plants; and
- presence and abundance of various potential prey species.



East Cessnock Flying Fox Camp

FIGURE 2: SURVEY EFFORT

0 62.5 125 250

Meters

1:4,400



Legend

- BAM Plot
- ▲ Rapid Plot
- Study Area
- Cadastral Boundaries

MJD Environmental

Aerial: NearMap (2019) | Data: MJD
Environmental, LPI (2019) |
Datum/Projection: GDA 1994 MGA Zone
56 | Date: 14/10/2019 | Version 1 |
GIS\19068 - Vegetation Assessment
Flying Fox Camp, East Cessnock | This
plan should not be relied upon for critical
design dimensions.

2.5 Survey Team and Effort

Surveys were carried out over a single day by MJD Environmental staff Adam Cavallaro and Phoebe Smith.

2.6 Survey Weather Conditions

Table 1 Weather conditions

Date	Min Temp (°C)	Max Temp (°C)	Rain (mm)	Wind (km/h) 9am / 3pm	Sunrise-Sunset
9 October 2019*	5.2	20.9	0	SW 17 to SSE 24	0622-1902

<http://www.bom.gov.au/climate/dwo/201910/html/IDCJDW2027.201910.shtml>

<http://www.ga.gov.au/bin/geodesy/run/sunrisenset>

3 Results

3.1 Flora Species

In total 109 flora species were recorded within the study area during surveys undertaken by MJD Environmental. Flora species detected within the study area included 37 exotic species and 72 native species. (Refer to **Appendix 1**)

3.2 Vegetation Communities

A total of four vegetation communities have been recorded and mapped within the Study Area. Of these one is commensurate with a Threatened Ecological Community (TEC) listed under the BC Act 2016. (Refer to **Figure 3**).

The following table outlines the vegetation communities observed within the study area, survey effort and area of occupation.

Table 2 Vegetation communities

Vegetation Map Unit (Bell 2008)	Vegetation Community (REMS Unit)	TEC	Plant Community Type (PCT)	Area (ha)
108 Paperbark Depression Forest	N/A	-	1726: Flax-leaved Paperbark - Tall Sedge shrubland of the Sydney Basin	3.38
14h Riparian Apple - Grey Gum Dune Forest	14 Wollombi Redgum-River Oak Forest	-	1557: Rough-barked Apple - Forest Oak - Grey Gum grassy woodland on sandstone ranges of the Sydney Basin	9.89
17c Lower Hunter Beyer's Ironbark Low Forest	17 Lower Hunter Spotted Gum Ironbark Forest	Lower Hunter Spotted Gum – Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions (EEC under the BC Act)	1592: Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest of the Lower Hunter	1.46
17a Lower Hunter Spotted Gum Red Ironbark Forest				0.40

Paperbark Depression Forest



Plate 1: Paperbark Depression Forest

Area 5.58ha

Description

The Paperbark Depression Forest is the dominant vegetation community within the lower elevations of the study area.

This vegetation community is characterised by an open to closed canopy of *Melaleuca linariifolia* (Flax-leaved Paperbark) with the occasional emergent of *Angophora floribunda* (Rough-barked Apple). The canopy varies in foliage cover as a result of the occupation of the study area by the Flying Fox. The areas in which obvious high concentrations of the Flying Fox have been roosting has resulted in a high mortality rate of the canopy species, with the remaining individuals exhibiting signs of stress and damage.

The midstorey has a very low species diversity primarily juvenile *Melaleuca linariifolia* species and the occasional *Melia azedarach* (White Cedar) where a closed canopy occurs.

The groundlayer density and species diversity is typically dependent on the level of soil moisture present or in some instances wetland like depressions supporting a high sedge and macrophyte foliage cover.

The groundlayer vegetation where a persistent canopy exists and soil moisture is low to moderate is primarily made up of *Gahnia clarkei* (Tall Saw Sedge), *Carex appressa* (Tall Sedge) with the fern cover of *Hypolepis muelleri* (Harsh Ground Fern). Very few other species were observed in these areas due to the high densities of the sedge species.

The lower depressions where water appears to permanently reside, native species observed were commonly associated with coastal floodplain wetlands. There are two main depressions within the central part of the study area where species such as *Machaerina articulata* (Jointed Twig-rush), *Carex appressa*, *Cyprus gunnii*, *Persicaria decipiens* (Slender Knotweed) and *Triglochin* spp. (Arrowgrass) were observed. These areas are often bordered by *Melaleuca linariifolia*.

It is of note that where there is a lack of canopy, native ground species are generally in very low abundance with only common species (*Gahnia clarkei*) observed scattered amongst the high density of weed species.

The native vine *Parsonsia straminea* (Common Silkpod) was observed scattered throughout this area.

Where the canopy is lacking or has been severely impacted by the Flying Fox, a high weed presence was observed. The high threat woody weed species *Ligustrum sinense* (Small-leaved Privet) and *Cinnamomum camphora* (Camphor Laurel) dominate these areas with *Solanum mauritianum* (Tobacco Bush), *Ligustrum lucidum* (Large-leaved Privet) and *Cestrum parqui* (Green Cestrum) scattered throughout. In addition, *Asparagus asparagoides* (Bridal Creeper) and *Tradescantia fluminensis* (Trad) were observed in the lower ground stratum (Refer to **Figures 4-8**).

Weeds were observed in the closed canopy areas at lower densities with additional weed species observed such as *Rubus fruticosus* agg. (Blackberry) and *Lonicera japonica* (Japanese Honeysuckle).

Canopy Layer	To 12m with a 10- 60% Projected Foliage Cover (PFC). Dominant species <i>Melaleuca linariifolia</i> and <i>Angophora floribunda</i> .
Ground Cover	Up to 2m with a PFC. of 20-75%. The groundcover layer was characterised by a predominant sedge and macrophyte layer of <i>Gahnia clarkei</i> , <i>Carex appressa</i> , <i>Baumea articulata</i> , <i>Persicaria decipiens</i> and the fern <i>Hypolepis muelleri</i>

Plant Community Type Determination

PCT Name	1726 Flax-leaved Paperbark - Tall Sedge shrubland of the Sydney Basin
Vegetation Formation	KF_CH9 Forested Wetland
Vegetation Class	Coastal Swamp Forest
Species relied upon for Id of vegetation type	<i>Melaleuca linariifolia</i> , <i>Carex appressa</i> , <i>Juncus usitatus</i> , <i>Entolasia marginata</i> (Bordered Panic).
Threatened Ecological Community	N/A
%cleared of PCT	41% cleared (BioNet Vegetation Classification 2019)
Justification of assigning PCT	<p>The PCT assignment of 1726 to the vegetation within the subject land is based on the following key attributes:</p> <ul style="list-style-type: none"> Key diagnostic species within the canopy is present within remnant vegetation observed within the study area: the groundcover does also present some key diagnostic species.

Riparian Apple -Grey Gum Dune Forest



Plate 2: Riparian Apple- Grey Gum Dune Forest

Area

9.89ha

Description

The vegetation described as Riparian Apple -Grey Gum Dune Forest is primarily found in the southern parcel of the study area (Regrowth variant) and very narrow patch just north of Maitland Rd.

The canopy is dominated by *Angophora floribunda* with a sub-dominance of *Eucalyptus punctata* (Grey Gum). The vegetation consists of young to moderately aged cohorts of canopy trees which appears to be a result of regrowth/revegetation of formerly cleared lands. There is the very occasional mature *E. punctata* present in the southern lands.

The midstorey is generally characterised by re-establishing vegetation with dense pockets of native midstorey scattered across the study area. The vegetation south of Maitland Rd has a low diversity of mid storey species that consist of *Acacia parvipinnula* (Silver-stemmed Wattle), *Bursaria spinosa* (Blackthorn), *Melaleuca nodosa* (Prickly-leaved Paperbark), *Breynia oblongifolia* (Coffee Bush), *Acacia longifolia* subsp. *longifolia* (Sydney Golden Wattle) and a very low abundance of *Persoonia linearis* (Narrow-leaved Geebung) and *Jacksonia scoparia* (Dogwood).

There is a very small patch of this vegetation north of Maitland Rd that consist of a midstorey of *Bursaria spinosa*, *Banksia spinulosa* (Hairpin Banksia), *Breynia oblongifolia*, *Jacksonia scoparia* and *Acacia longifolia* subsp. *longifolia*.

The groundcover varies in density and species richness with most of the southern area having a rather homogenous persistent cover of *Lomandra longifolia* (Spiny-headed Mat-rush), *Gahnia aspera* (Rough Saw-sedge), *G. clarkei*, *Imperata cylindrica* (Blady Grass), *Entolasia stricta* (Wiry Panic) and *Dianella revoluta* subsp. *revoluta* (Blueberry Lily).

The groundcover in the central area consists of *Gahnia clarkei*, *Pteridium esculentum* (Common Bracken), *Imperata cylindrica* and *Lobelia purpurascens* (Whiteroot).

There are a number of exotic species spread throughout this community, including; *Lantana camara* (Lantana), *Ligustrum sinense*, *L. lucidum*, *Olea europaea* subsp. *cuspidata* (African Olive), *Cinnamomum camphora*, *Lonicera japonica*, *Chloris gayana* (Rhodes Grass) and *Rubus fruticosus* agg. (Refer to **Figures 4-8**).

Canopy Layer	To 15m with a 25- 40% Projected Foliage Cover (PFC). Dominant species <i>Angophora floribunda</i> with a sub-dominance of <i>Eucalyptus punctata</i> .
Midstorey Layer	To 5m with a 10- 30% Projected Foliage Cover (PFC). Dominant species <i>Acacia parvipinnula</i> , <i>Bursaria spinosa</i> , <i>Melaleuca nodosa</i> , <i>Breynia oblongifolia</i> , <i>Acacia longifolia</i> subsp. <i>longifolia</i>
Ground Cover	Up to 1.5m with a PFC. of 20-75%. The groundcover layer was characterised by a predominant sedge and macrophyte layer of <i>Lomandra longifolia</i> , <i>Gahnia aspera</i> , <i>G. clarkei</i> , <i>Imperata cylindrica</i> , <i>Entolasia stricta</i> and <i>Dianella revoluta</i> subsp. <i>revoluta</i>

Plant Community Type Determination

PCT Name	1557: Rough-barked Apple - Forest Oak - Grey Gum grassy woodland on sandstone ranges of the Sydney Basin
Vegetation Formation	KF_CH2A Wet Sclerophyll Forests (grass sub-formation)
Vegetation Class	Northern Hinterland Wet Sclerophyll Forest
Species relied upon for Id of vegetation type	<i>Angophora floribunda</i> , <i>Eucalyptus punctata</i> , <i>Bursaria spinosa</i> , <i>Persoonia linearis</i> , <i>Breynia oblongifolia</i> , <i>Themeda triandra</i> , <i>Microlaena stipoides</i> and <i>Pteridium esculentum</i>
Threatened Ecological Community	N/A
%cleared of PCT	35% cleared (BioNet Vegetation Classification 2019)
Justification of assigning PCT	<p>The PCT assignment of 1557 to the vegetation within the subject land is based on the follow key attributes:</p> <ul style="list-style-type: none"> Key diagnostic species within the canopy are present within remnant vegetation observed within the study area. The midstorey is often lacking but where it still persists key species are present: the groundcover does also present with all key diagnostic species. The study area is located predominantly within the Beresfield soil landscape with northern sections located with the Shamrock Hill soil landscape. Both of these landscapes have an association with the lithology noted in the PCT description.

Lower Hunter Beyer's Ironbark Low Forest



Plate 3: Lower Hunter Beyer's Ironbark Low Forest

Area 1.46ha

Description

The vegetation observed in the northern section of the study area is characterised by a relatively low-density canopy cover of *Eucalyptus beyeriana* (Beyer's Ironbark) and *E. punctata*. Other less frequently observed species include *Eucalyptus moluccana* (Grey Box). The canopy is predominantly a young to moderately aged cohort with a juvenile cohort re-establishing in the area. It is evident that this area has been cleared in the past.

The mid-storey varies from very dense regrowth to a sparse cover. Midstorey species observed in this vegetation include *Acacia elongata* (Swamp Wattle), *A. falcata* (Hickory Wattle), *Melaleuca nodosa*, *Bursaria spinosa* and *Callistemon pinifolius* (Pine-leaved Bottlebrush). There is also a sub-shrub layer of *Grevillea montana*, *Pimelea linifolia* (Slender Rice-flower), *Daviesia ulicifolia* (Gorse Bitter Pea) and *Melaleuca thymifolia* (Thyme Honey-myrtle).

Where the mid-storey and sub-shrub layer is less prevalent it has provided opportunity for a predominantly grassy understorey to established. Species observed include; *Themeda triandra* (Kangaroo Grass), *Aristida warburgii* A. *ramosa* (Purple Wiregrass), *Dianella longifolia* (Blue Flax-Lily), *Lomandra confertifolia* (Mat-rush) and *L. multiflora* (Many-flowered Mat-rush).

There are only a very small number and density of exotic species spread throughout that include *Lantana camara*, *Ipomoea indica* (Purple Morning Glory) and *Asparagus asparagoides* (Refer to **Figures 4-8**).

Canopy Layer To 12m with a 15- 25% Projected Foliage Cover (PFC). Dominant species *Eucalyptus beyeriana* and *Eucalyptus punctata*.

Midstorey Layer	To 5m with a 10- 30% Projected Foliage Cover (PFC). Dominant species <i>Acacia parvipinnula</i> , <i>A. falcata</i> , <i>Melaleuca nodosa</i> , <i>Breynia oblongifolia</i> and <i>Daviesia ulicifolia</i>
Ground Cover	Up to <1m with a PFC. of 20-75%. The groundcover layer was characterised by a predominant sedge and macrophyte layer of <i>Grevillea montana</i> , <i>Themeda triandra</i> , <i>Imperata cylindrica</i> , <i>Entolasia stricta</i> and <i>Lomandra confertifolia</i>

Plant Community Type Determination

PCT Name 1592: Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest of the Lower Hunter

Vegetation Formation KF_CH5A Dry Sclerophyll Forests (Shrub/grass sub-formation)

Vegetation Class Hunter-Macleay Dry Sclerophyll Forest

Species relied upon for Id of vegetation type *Eucalyptus beyeriana*, *Eucalyptus punctata*, *Daviesia ulicifolia*, *Bursaria spinosa*, *Themeda triandra*, *Microlaena stipoides*, *Joycea pallida*, *Lomandra multiflora*, *Lobelia purpurascens* and *Glycine clandestina*.

Threatened Ecological Community PCT 1592 is commensurate with *Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin Bioregion* which is listed as an Endangered Ecological Community under the *Biodiversity Conservation Act 2016*

%cleared of PCT 44% cleared (BioNet Vegetation Classification 2019)

Justification of assigning PCT The PCT assignment of 1592 regarding vegetation within the study area is based on the follow key attributes:

- Key diagnostic species within the canopy are present within remnant vegetation observed within the study area. The midstorey is often lacking but where it still persists key species are present: the groundcover does also present with all key diagnostic species.
- The study area is located predominantly within the Beresfield soil landscape with northern sections located with the Shamrock Hill soil landscape. Both of these landscapes have an association with the lithology noted in the PCT description.
- The study area is within the Lower Hunter and is located within flats in the landscape.

Lower Hunter Spotted Gum Red Ironbark Forest



Plate 4: Lower Hunter Spotted Gum Red Ironbark Forest

Area 0.4ha

Description

The vegetation observed as narrow bands along the edge of the Paperbark Depression Forest is characterised by a relatively moderate density canopy cover of *Eucalyptus fibrosa* (Red Ironbark), *E. punctata* with the occasional occurrence of the threatened species *E. parramattensis* subsp. *decadens* (Parramatta Red Gum) (western edge). The canopy is predominantly a young to moderately aged cohort with a juvenile cohort re-establishing in the area. The areas appear to be a transition zone between lower damp areas and the increasing elevations observed on each side of the study area.

The mid-storey is generally dense with a persistent cover of *Melaleuca decora* and *M. nodosa* regrowth. There are a small number of mid storey species present in these areas that include *Acacia parvipinnula*, *Breynia oblongifolia*, *Bursaria spinosa* and *Denhamia silvestris* (Narrow-leaved Orangebark)

The ground layer is rather sparse where the mid-storey and sub-shrub layer is less prevalent it has provided opportunity for a more grassy understorey to establish. Species observed include; *Themeda triandra*, *Aristida warburgii*, *A. ramosa*, *Dianella longifolia*, *Lomandra confertifolia* and *L. multiflora*.

There are only a very small number of exotic species spread throughout this area including; *Lantana camara* (Lantana) and *Asparagus asparagoides* (Bridal Creeper) (Refer to **Figures 4-8**).

Canopy Layer To 15m with a 20- 30% Projected Foliage Cover (PFC). Dominant species *Eucalyptus fibrosa* with a sub-dominance of *Eucalyptus punctata*.

Midstorey Layer To 5m with a 10- 30% Projected Foliage Cover (PFC). Dominant species *Acacia parvipinnula*, *Melaleuca decora*, *Melaleuca nodosa*, *Breynia oblongifolia*,

Ground Cover Up to <1m with a PFC. of 5-10%. The groundcover layer was characterised by a predominant of grasses and sedges *Themeda triandra*, *Aristida warburgii* A. *ramosa*, *Dianella longifolia*, *Lomandra confertifolia* and *L. multiflora*.

Plant Community Type Determination

PCT Name 1592: Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest of the Lower Hunter

Vegetation Formation KF_CH5A Dry Sclerophyll Forests (Shrub/grass sub-formation)

Vegetation Class Hunter-Macleay Dry Sclerophyll Forest

Species relied upon for Id of vegetation type *Eucalyptus fibrosa*, *Eucalyptus punctata*, *Daviesia ulicifolia*, *Bursaria spinosa*, *Themeda triandra*, *Microlaena stipoides* and *Aristida vagans*

Threatened Ecological Community PCT 1592 is commensurate with *Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin Bioregion* which is listed as an Endangered Ecological Community under the *Biodiversity Conservation Act 2016*

%cleared of PCT 44% cleared (Bionet 2018)

Justification of assigning PCT The PCT assignment of 1592 to the vegetation within the subject land is based on the follow key attributes:

- Key diagnostic species within the canopy are present within remnant vegetation observed within the study area. The midstorey is often lacking but where it still persists key species are present: the groundcover does also present with all key diagnostic species.
- The study area is located predominantly within the Beresfield soil landscape with northern sections located with the Shamrock Hill soil landscape. Both of these landscapes have an association with the lithology noted in the PCT description.
- The study area is within the Lower Hunter and is located within flats in the landscape.

3.2.1 Significant Vegetation Communities

The following section outlines the justification for the determination that vegetation communities within the study area that are commensurate with Threatened Ecological Communities listed under the Biodiversity Conservation Act against the scientific determination, listing advice and identification guidelines

Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions

Is the site in the central or lower Hunter Valley?

Yes, the study area is located within Cessnock LGA situated within the lower Hunter Valley.

Is the vegetation open forest or woodland or consist of a dense thicket of saplings?

Yes, the vegetation is considered a young open forest/woodland with a grassy understorey. The mid-storey varies from very dense regrowth thickets of species including *Melaleuca nodosa*, *M. decora* and *Acacia* spp. to a sparse cover. Where the mid-storey and sub-shrub layer is less prevalent it has provided opportunity for a predominantly grassy understorey to establish.

Does the tree layer contain Spotted Gum or Broad-leaved Ironbark?

Yes, *Eucalyptus fibrosa* (Red Ironbark) is a dominant species in one area of this mapped community. Although, the area mapped as *Lower Hunter Beyer's Ironbark Low Forest* does not comprise Spotted Gum or Broad-leaved Ironbark, instead this area has a dominance of *Eucalyptus beyeriana* and *Eucalyptus punctata*. However, the vegetation community shares affinities with LHSGIF including location and species composition.

3.3 Significant Flora Results

A single threatened flora species was observed within the study area during vegetation surveys - the BC and EPBC Act listed Vulnerable *Eucalyptus parramattensis* subsp. *decadens*. A total of five individuals were recorded (Refer to **Figure 3**).

3.4 Current Vegetation Conditions

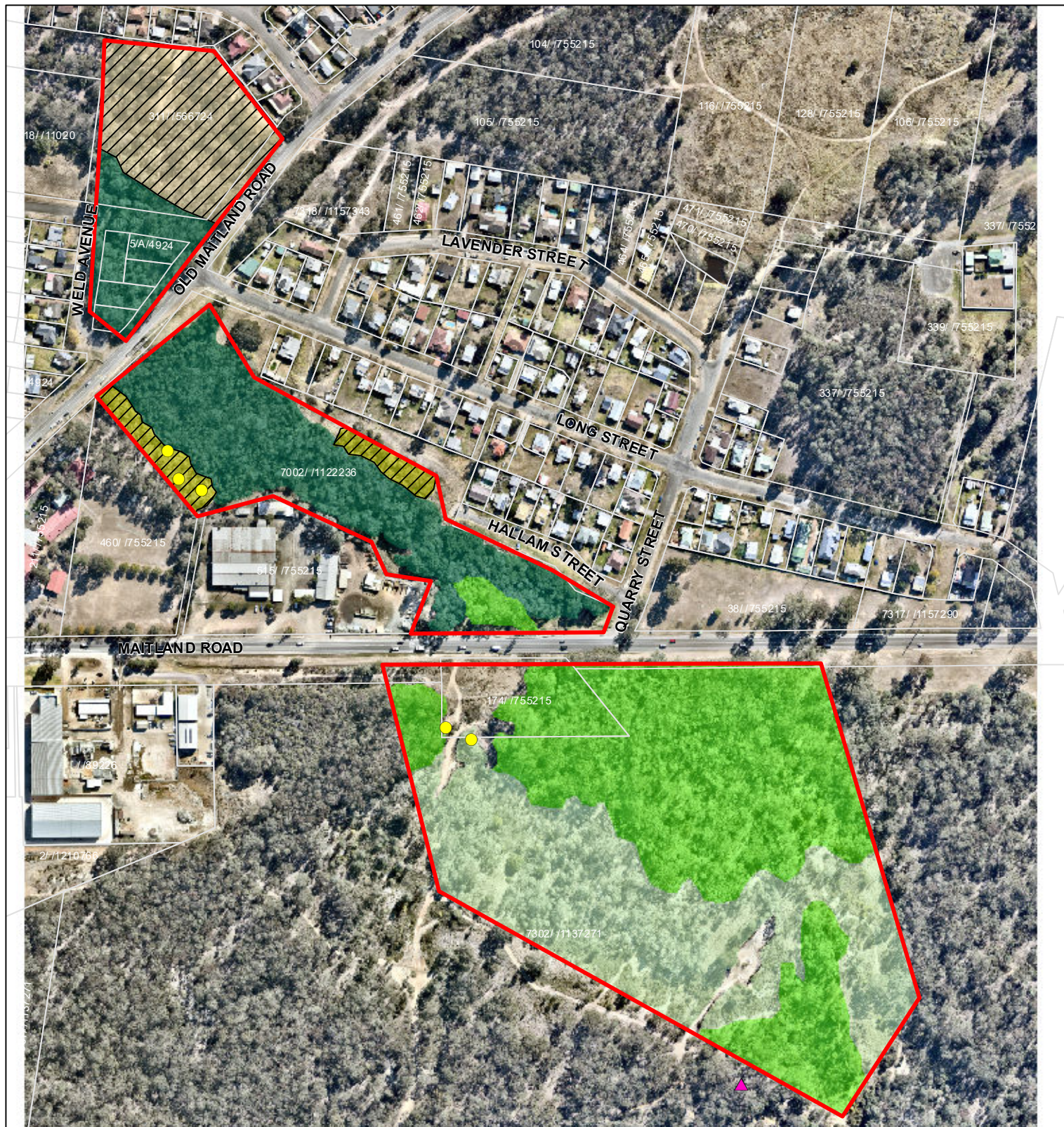
The current condition of the study area is well-vegetated land parcels with moderate levels of disturbance primarily due to its location within an urban area. The study area is approximately 16.18ha in size comprising four separate vegetation communities that have undergone historic disturbance including weed invasion, land clearing and human disturbance (e.g. tracks, rubbish dumping and edge effects from nearby urban and industrial development). The study area is primarily disturbed land with a young to semi mature native canopy cover and disturbed understorey. Scattered weed infestations occur throughout the study area, particularly within PCT 1726: *Flax-leaved Paperbark – Tall Sedge shrubland*, and the northern portion of PCT 1557: *Rough-barked Apple-Forest Oak – Grey Gum grassy woodland on sandstone ridges* (Refer to **Figure 3**), found to be smothering and out competing native plant species (Refer to **Figures 4-8**). Pedestrian and vehicle access tracks occur throughout PCT 1592: *Spotted Gum – Red Ironbark – Grey Gum shrub – grass open forest (E. beyeriana variant)* and PCT 1557: *Rough-barked Apple-Forest Oak – Grey Gum grassy woodland on sandstone ridges* contributing to the degradation of remnant native vegetation. Additionally, as discussed previously in **Section 3.2**, foliage cover is absent in areas of high roosting concentrations of the Flying Fox resulting in a high mortality rate of the canopy species. Where the canopy is lacking or has been severely impacted by the Flying Fox, a high weed presence was observed.

3.5 Connectivity & Habitat Assessment

The study area is located within a fragmented landscape at the urban interface, where connectivity is limited due to roads, residential housing, industrial areas and cleared residential lots. The wider

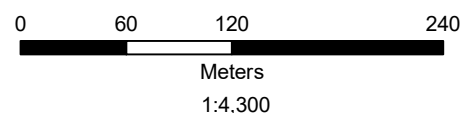
landscape is moderately vegetated and eventually connects to Werakata National Park through a mosaic of roads and cleared lands.

The canopy comprises *Eucalyptus*, *Angophora* and *Melaleuca* species which provide habitat attributes such as foraging resources for arboreal mammals, *Chiropteran* species (including *Megachiropteran* and *Microchiropteran* species), and bird species that use the area while moving through the broader landscape that rely on nectar, seed and other vegetative food sources within the community. It should be noted a family of *Pomatostomus temporalis temporalis* (Grey-crowned Babblers) listed as *Vulnerable* under the BC Act were observed adjacent to the study area's southern boundary (Refer to **Figure 3**). The *Myrtaceae* species observed within the study area had at least three age cohorts, however no hollows or nests were detected during the ecological surveys. The central portion of the study area, particularly within PCT 1726: *Flax-leaved Paperbark – Tall Sedge shrubland* comprises dense patches of midstorey vegetation and sections of dense groundcover providing good foraging potential and shelter for small ground dwelling fauna. PCT 1726: *Flax-leaved Paperbark – Tall Sedge shrubland* also withholds permanent freshwater providing potential habitat for amphibians and aquatic dependent fauna (Refer to **Figure 3**).



East Cessnock Flying Fox Camp

FIGURE 3: PLANT COMMUNITY TYPES, THREATENED ECOLOGICAL COMMUNITIES, AND THREATENED SPECIES



Legend

- Eucalyptus parramattensis subsp. decadens
- ▲ Grey Crowned Babbler
- Study Area
- Cadastral Boundaries
- Lower Hunter Spotted Gum - Ironbark Forest (Endangered)
- 1557: Rough-barked Apple - Forest Oak - Grey Gum grassy woodland on sandstone ranges
- 1592: Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest
- 1592: Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest (*E. beyeriana* variant)
- 1726: Flax-leaved Paperbark - Tall Sedge shrubland
- 1557: Rough-barked Apple - Forest Oak - Grey Gum grassy woodland on sandstone ranges (Revegetation)



MJD Environmental

Aerial: NearMap (2019) | Data: MJD Environmental, LPI (2019) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 15/11/2019 | Version 2 | GIS\19068 - Vegetation Assessment Flying Fox Camp, East Cessnock | This plan should not be relied upon for critical design dimensions.

3.6 Weed Mapping Results

3.6.1 Weed Species Present

Weed Species

Based on the site inspection, the following weed species were observed within the study area:

Table 3 Weed species present

Vines	Woody	Other
▪ <i>Anredera cordifolia</i> Madeira Vine	▪ <i>Ageratina adenophora</i> Crofton Weed	▪ <i>Bryophyllum</i> spp. Mother of Millions
▪ <i>Araujia sericifera</i> Moth Vine	▪ <i>Cestrum parqui</i> Green Cestrum	▪ <i>Chloris gayana</i> Rhodes Grass
▪ <i>Asparagus asparagoides</i> Bridal Creeper	▪ <i>Cinnamomum camphora</i> Camphor Laurel	▪ <i>Cortaderia</i> species Pampas Grass
▪ <i>Asparagus plumosus</i> Climbing Asparagus Fern	▪ <i>Lantana camara</i> Lantana	▪ <i>Eragrostis curvula</i> African Lovegrass
▪ <i>Ipomoea indica</i> Morning Glory (Purple)	▪ <i>Ligustrum lucidum</i> Large-leaved Privet	▪ <i>Sida rhombifolia</i> Paddy's Lucerne
▪ <i>Lonicera japonica</i> Japanese Honeysuckle	▪ <i>Ligustrum sinense</i> Small-leaved Privet	▪ <i>Verbena bonariensis</i> Purple Top
▪ <i>Rubus fruticosus aggregate</i> Blackberry	▪ <i>Ochna serrulata</i> Ochna	▪ <i>Verbena rigida</i> Veined Verbena
▪ <i>Tradescantia fluminensis</i> (Wandering Jew)	▪ <i>Olea europaea subsp. cuspidata</i> African Olive	
	▪ <i>Senna pendula var. glabrata</i> Cassia	
	▪ <i>Solanum mauritianum</i> Tobacco Bush	
	▪ <i>Tecoma stans</i> Yellow Bells	

Weeds of National Significance

Weeds of National Significance (WoNS) are the highest priority species targeted for sustained nationally coordinated action under the Australian Weeds Strategy. This strategy provides for national management to eradicate WoNS species from parts of the country where Australia's productive capacity & natural ecosystems are affected.

Each WoNS has a strategic plan that outlines strategies and an action required to control the weed and identifies those responsible for each action. Individual landowners and managers are ultimately responsible for managing WoNS species. State and territory governments are responsible for overall legislation and administration.

Of the weed species occurring within the study area (Refer to **Table 3**), the following are listed as WoNS:

- *Anredera cordifolia* (Madeira Vine)
- *Asparagus asparagoides* (Bridal Creeper)
- *Asparagus plumosus* (Climbing Asparagus Fern)
- *Lantana camara* (Lantana)
- *Rubus fruticosus aggregate* (Blackberry)

(Commonwealth of Australia 2018)

Biosecurity Act -Weeds

The NSW Biosecurity Act 2015 replaces the repealed Noxious Weeds Act as of July 2017. The new Act establishes a General Biosecurity Duty as well as several key management tools to allow for effective, risk-based management of biosecurity matters (Refer to **Table 4**).

Applicable to all species determined either State level priority weeds (by NSW DPI) or Regional listed priority weeds (by Hunter Local Land Services), the General Biosecurity Duty requires that “any person [landholder] who deals with a biosecurity matter and has a biosecurity duty to ensure that, so far as is reasonably practicable, the biosecurity risk is prevented, eliminated or minimised.” Commensurate with this requirement, the Hunter Regional Strategic Weed Management Plan categorises specific management objectives to demonstrate compliance in relation to priority weeds occurring in the Hunter Local Land Services Region.

Table 4 Regulatory tools of the Biosecurity Act

Regulatory Tool	Description
General Biosecurity Duty	All plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable.
Prohibited Matter	Biosecurity matter listed in Schedule 2, Part 1 of the <i>NSW Biosecurity Act 2015</i> , for the purpose of preventing entry of that matter into NSW or a part of NSW. Prohibited matter relevant to the region is listed in Appendix A1.1 of this plan. Prohibited matter includes weeds nationally targeted for eradication and presently not in NSW.
Control Order	Establishes one or more control zones and related measures to prevent, eliminate, minimise or manage a biosecurity risk or impact. Control orders are for managing weeds under approved eradication programs and last for five years (or can be renewed for longer-term eradication programs). Weed Control Order 2017 (Part 6, Division 1), under the <i>NSW Biosecurity Act 2015</i> , will include weeds that are subject to a Control Order for the purpose of eradication. Further Control Orders will be proposed, as needed, to address subsequent eradication campaigns.
Biosecurity Zone	Aims at containment of a species and provides for ongoing strategic management in a defined area of the state. A Biosecurity Zone specifies the measures that must be taken in the defined area to manage the weed. Species may also be subject to strategic responses tailored by the region, either within the zone or outside it.
Mandatory Measures Regulation	Requires parties to take specific actions with respect to weeds or carriers of weeds. Mandatory Measures are defined in the regulations and include prohibition on certain dealings - including Weeds of National Significance (WoNS) (Division 8 Clause 33), Parthenium weed carriers - machinery and equipment (Division 8, Clause 35), and duty to notify of importation of plants into the state (Division 8, Clause 34).
Regional Recommended Measures	Aims to provide regional specific measures for each Local Land Services Region.
Prohibited Dealings	Must not be imported into the State or Sold.

High Threat Exotics

The Biodiversity Assessment Method (BAM) is established under the NSW Biodiversity Conservation Act 2016 which assesses ‘high threat weeds’ or ‘high threat exotic plant cover’ as plant cover composed of vascular plants not native to Australia that if not controlled will invade and out compete native plant species plant cover composed.

Exotic Species Observed

Site inspection/assessment recorded a total of 26 weed species listed under the NSW Biosecurity Act 2015 presented in **Table 5** below.

Table 5 Weed species legislative status

Species	Common Name	Area	Biosecurity Act 2015	WoNs	HTE
<i>Ageratina adenophora</i>	Crofton Weed	All of NSW	General Biosecurity Duty		Yes
<i>Anredera cordifolia</i>	Madeira Vine	All of NSW	General Biosecurity Duty, Prohibition on dealings	Yes	Yes
<i>Araujia sericifera</i>	Moth vine	All of NSW	General Biosecurity Duty		Yes
<i>Asparagus asparagoides</i>	Bridal Creeper	All of NSW	General Biosecurity Duty, Prohibition on dealings	Yes	Yes
<i>Asparagus plumosus</i>	Climbing Asparagus Fern	All of NSW	General Biosecurity Duty, Prohibition on dealings	Yes	Yes
<i>Bryophyllum</i> spp.	Mother of Millions	All of NSW & Hunter	General Biosecurity Duty, Regional Recommended Measure*		Yes
<i>Cinnamomum camphora</i>	Camphor Laurel	All of NSW	General Biosecurity Duty		Yes
<i>Cestrum parqui</i>	Green Cestrum	All of NSW & Hunter	General Biosecurity Duty, Regional Recommended Measure**		Yes
<i>Chloris gayana</i>	Rhodes Grass	-	-		Yes
<i>Cortaderia</i> spp.	Pampas Grass	All of NSW & Hunter	General Biosecurity Duty, Regional Recommended Measure****		Yes
<i>Eragrostis curvula</i>	African Lovegrass	All of NSW	General Biosecurity Duty		Yes
<i>Ipomoea indica</i>	Morning Glory (Purple)	All of NSW	General Biosecurity Duty		Yes
<i>Lantana camara</i>	Lantana	All of NSW & Hunter	General Biosecurity Duty, Prohibition on dealings	Yes	Yes
<i>Ligustrum lucidum</i>	Large-leaved Privet	All of NSW	General Biosecurity Duty		Yes
<i>Ligustrum sinense</i>	Small-leaved Privet	All of NSW	General Biosecurity Duty		Yes
<i>Lonicera japonica</i>	Japanese Honeysuckle	All of NSW	General Biosecurity Duty		Yes
<i>Ochna serrulata</i>	Ochna	All of NSW	General Biosecurity Duty		Yes
<i>Olea europaea</i> subsp. <i>cuspidata</i>	African Olive	All of NSW	General Biosecurity Duty, Regional Recommended Measure***		Yes
<i>Rubus fruticosus</i> spp. aggregate.	Blackberry	All of NSW & Hunter	General Biosecurity Duty, Prohibition on dealings & Regional Recommended Measure**	Yes	Yes

<i>Senna pendula</i> var. <i>glabrata</i>	Cassia	All of NSW	General Biosecurity Duty		Yes
<i>Sida rhombifolia</i>	Paddy's Lucerne	-	-		
<i>Solanum mauritianum</i>	Tobacco Bush	All of NSW	General Biosecurity Duty		
<i>Tecoma stans</i>	Yellow Bells	All of NSW	General Biosecurity Duty		Yes
<i>Tradescantia fluminensis</i>	Wandering Jew	All of NSW	General Biosecurity Duty		Yes
<i>Verbena bonariensis</i>	Purple Top	-	-		
<i>Verbena rigida</i>	Veined Verbena	-	-		

*Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.

**Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.

***Land managers mitigate the risk of the plant being introduced to their land. Land managers reduce impacts from the plant on priority assets. Land managers prevent spread from their land where feasible. The plant or parts of the plant are not traded, carried, grown or released into the environment.

****Whole region: The plant should not be bought, sold, grown, carried or released into the environment. Core infestation area: Land managers should mitigate spread from their land. Land managers to reduce impacts from the plant on priority assets.

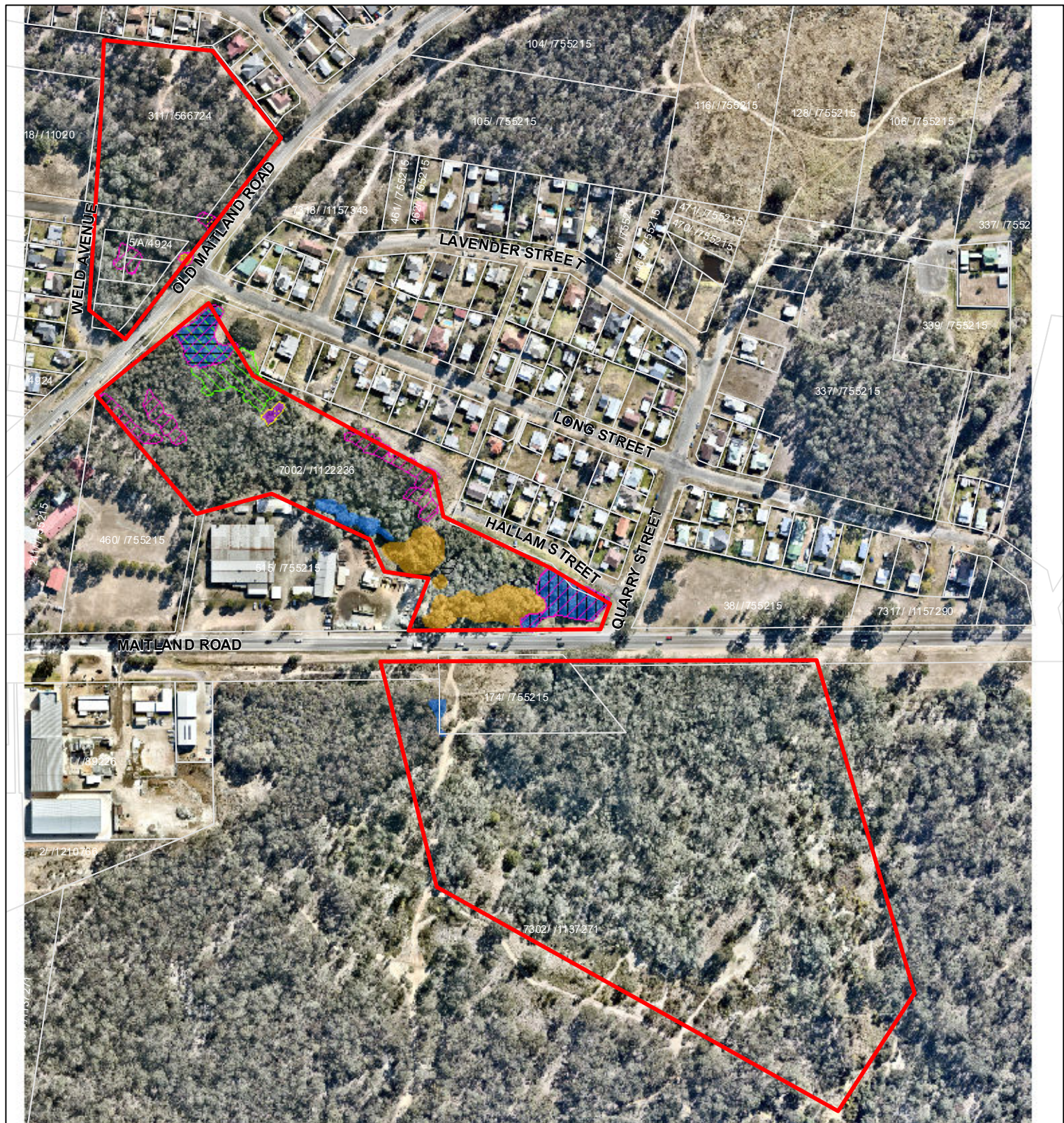
3.6.2 Significant Weed Locations

Overall, high density weed patches occur within PCT 1726: *Flax-leaved Paperbark – Tall Sedge shrubland* (Refer to **Figure 6**). This is likely a result of the impacts the Grey-headed Flying-Fox are having on the canopy of the vegetation coupled with the favourable conditions of moisture and fertility within the soil.

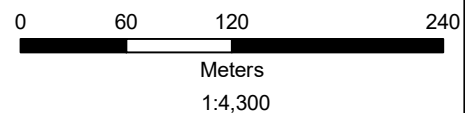
Vines – The majority of the exotic vine species occur as moderately dense patches throughout PCT 1726: *Flax-leaved Paperbark – Tall Sedge shrubland* and along the edges of this vegetation community (Refer to **Figures 4 & 7**). The most common exotic vine species occurring within the study area is *Asparagus asparagoides* (Bridal Creeper), occurring as high dense patches around the edges of PCT 1726: *Flax-leaved Paperbark – Tall Sedge shrubland* and along the APZ and access tracks. A large patch of *Rubus fruticosus* agg. (Blackberry) occurs within an old easement within this vegetation community. High dense patches of *Lonicera japonica* (Japanese Honeysuckle) occur within the northern corner of the community as well as sporadic patches spread throughout this vegetation community. *Araujia sericifera* (Moth Vine) occurs as scattered patches throughout this vegetation community, while *Anredera cordifolia* (Madeira Vine) was found in one small patch within the central portion of this community.

Woody – The majority of woody weed species occur as very dense patches throughout PCT 1726: *Flax-leaved Paperbark – Tall Sedge shrubland* and 1557: *Rough-barked Apple-Forest Oak – Grey Gum grassy woodland on sandstone ridges*, commonly occurring along the riparian areas (Refer **Figures 5 & 8**). The most common species occurring includes *Ligustrum sinense* (Small-leaved Privet) followed by *Cinnamomum camphora* (Camphor laurel). Notably, a moderately dense patch of *Olea europaea* subsp. *cuspidata*, *Ligustrum sinense* and *Cinnamomum camphora* exist within the northern edge of the Riparian Apple- Grey Gum Dune Forest. *Cestrum parqui* (Green Cestrum) is also scattered at quite high densities throughout the Paperbark Depression Forest.

Grass – The high threat exotic *Chloris gayana* (Rhodes Grass) was prevalent throughout the 1557: *Rough-barked Apple-Forest Oak – Grey Gum grassy woodland on sandstone ridges*, however since it is not listed under the Biosecurity Act, this species was not mapped.



East Cessnock Flying Fox Camp
FIGURE 4: VINE WEEDS



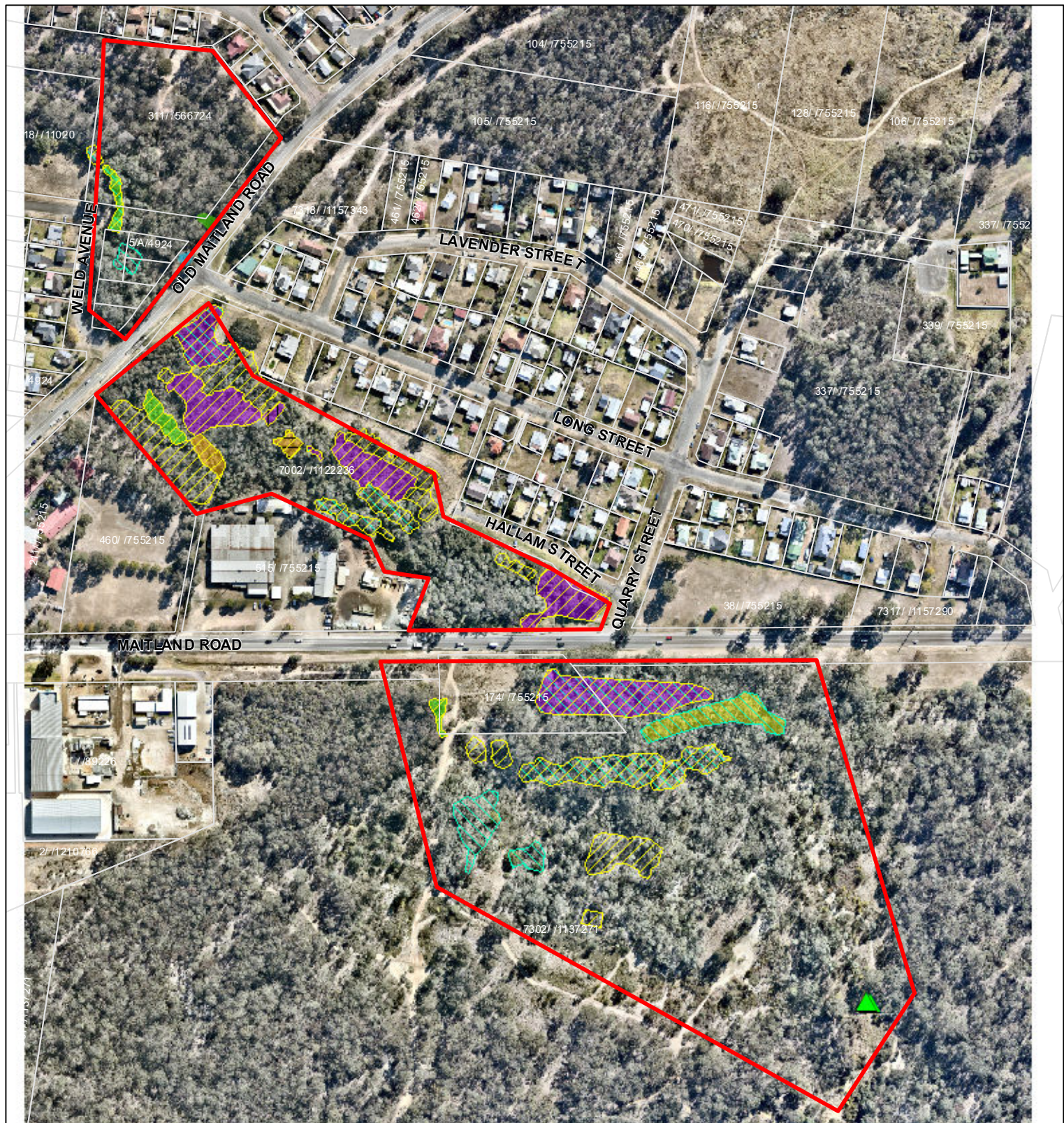
Legend

- | | | | |
|--|---|--|--|
| | Study Area | | <i>Asparagus asparagoides</i> (Bridal Creeper) |
| | Cadastral Boundaries | | <i>Anredera cordifolia</i> (Maderia Vine) |
| | <i>Lonicera japonica</i> (Japanese Honeysuckle) | | <i>Araujia sericifera</i> (Moth Vine) |
| | <i>Asparagus plumosus</i> (Climbing Asparagus Fern) | | <i>Rubus fruticosus</i> agg. (Blackberry) |
| | <i>Ipomea indica</i> (Morning Glory, Purple) | | |
| | <i>Tradescantia flumensis</i> (Wandering Dew) | | |

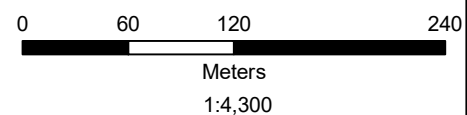


MJD Environmental

Aerial: NearMap (2019) | Data: MJD Environmental, LPI (2019) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 15/11/2019 | Version 2 | GIS\19068 - Vegetation Assessment Flying Fox Camp, East Cessnock | This plan should not be relied upon for critical design dimensions.



East Cessnock Flying Fox Camp
FIGURE 5: WOODY WEEDS



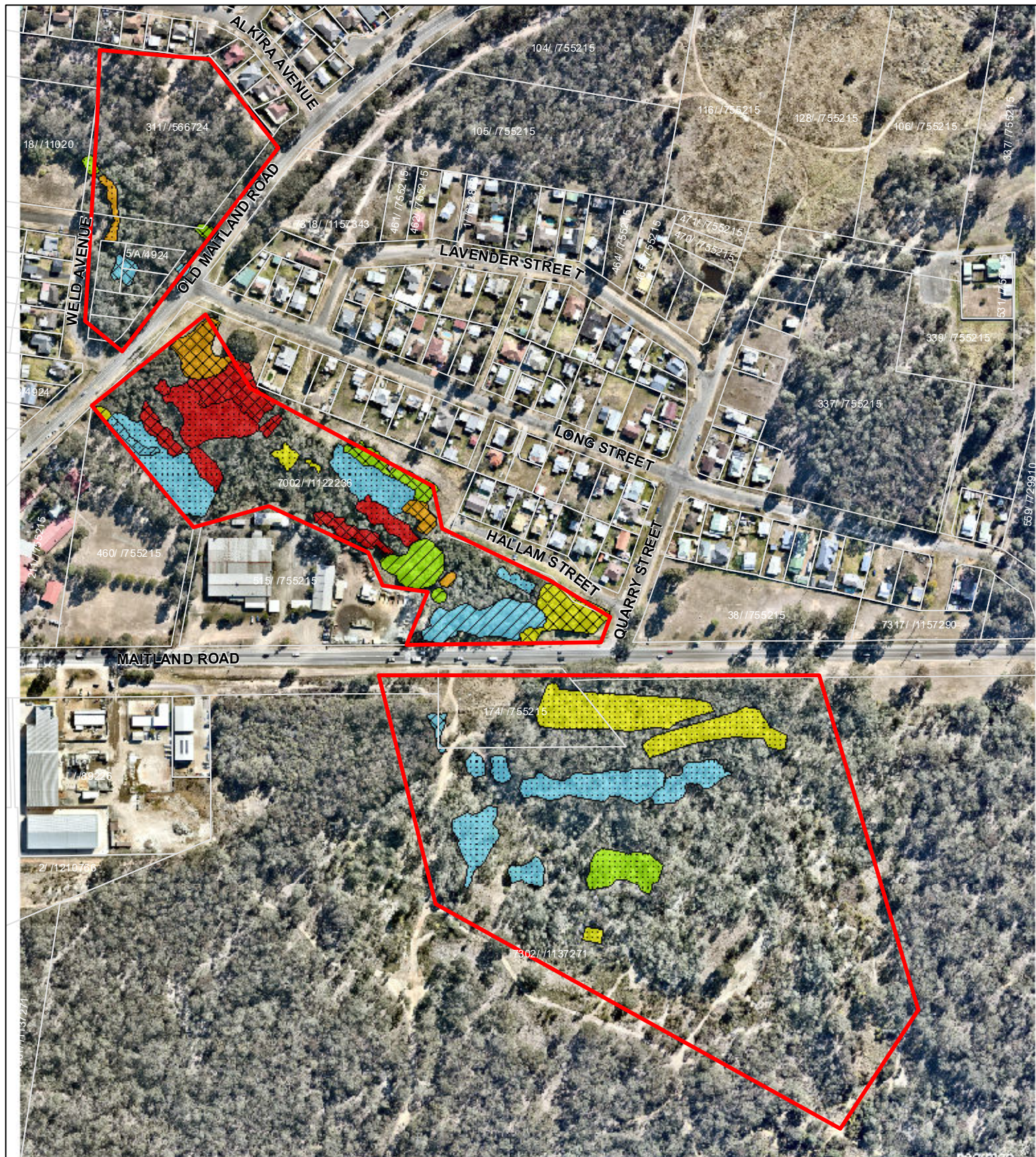
Legend

- | | | | |
|--|--|--|--|
| | <i>Cortaderia</i> spp. (Pampas Grass) | | <i>Ligustrum sinense</i> (Small-Leaved Privet) |
| | Study Area | | <i>Cestrum parqui</i> (Green Cestrum) |
| | Cadastral Boundaries | | <i>Lantana camara</i> (Lantana) |
| | <i>Cinnamomum camphora</i> (Camphora Laurel) | | <i>Ochna serrulata</i> (Ochna) |
| | <i>Ligustrum lucidum</i> (Large-Leaved Privet) | | <i>Olea europaea</i> subsp. <i>cuspidata</i> (African Olive) |
| | <i>Solanum mauritianum</i> (Tobacco Bush) | | <i>Senna pendula</i> var. <i>glabrata</i> (Senna) |



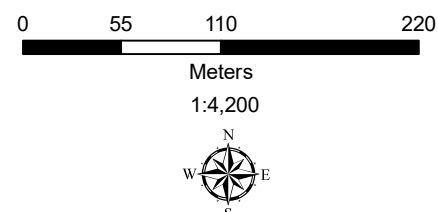
MJD Environmental

Aerial: NearMap (2019) | Data: MJD Environmental, LPI (2019) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 15/11/2019 | Version 2 | GIS\19068 - Vegetation Assessment Flying Fox Camp, East Cessnock | This plan should not be relied upon for critical design dimensions.



East Cessnock Flying Fox Camp

FIGURE 6: WEED DENSITY - ALL



Legend

 Study Area

 Cadastral Boundaries

Weed Types

Vines

Woody

Woody & Vines

Weed Density

5 - 15%

15 - 30%

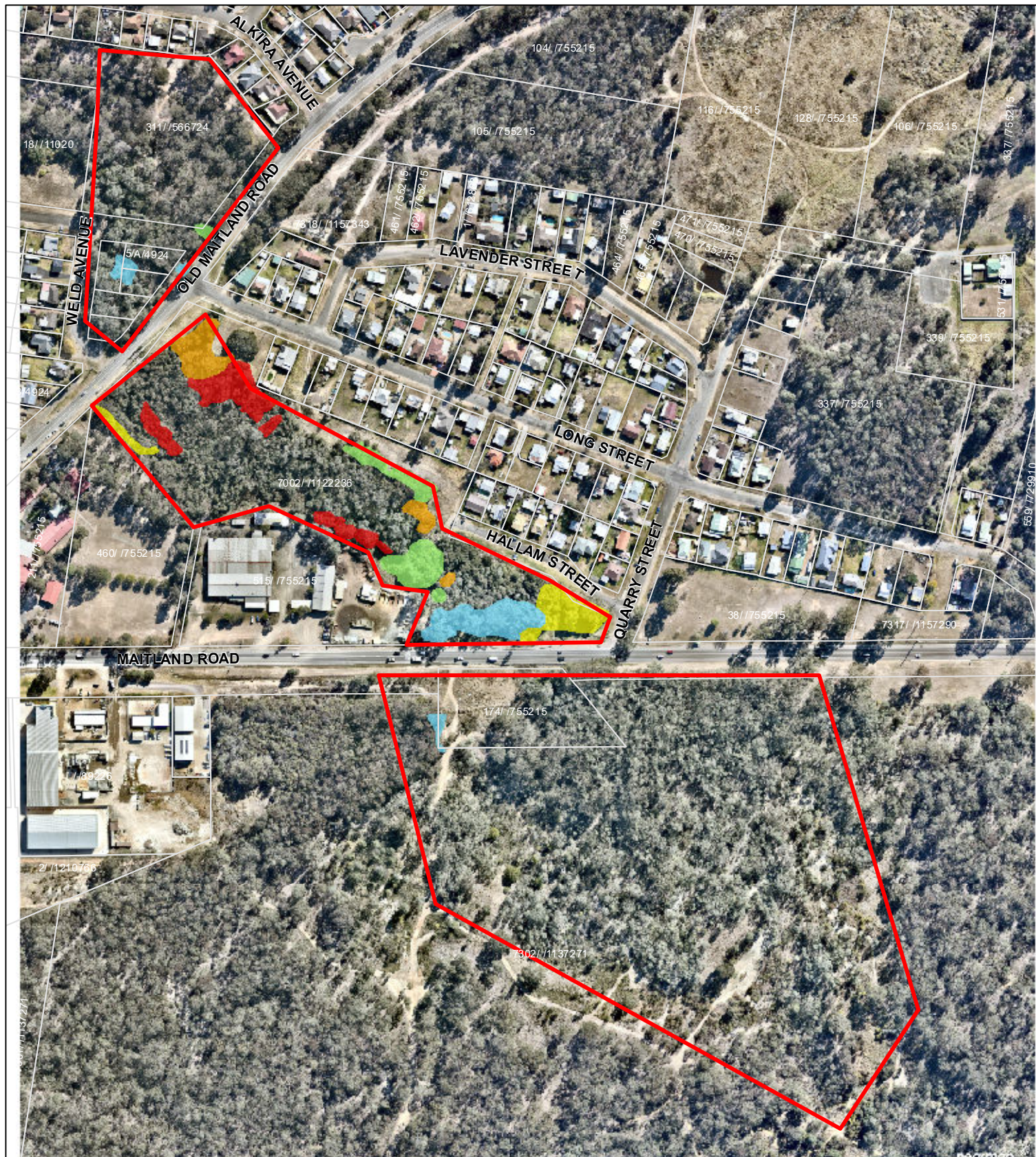
30 - 50%

50 - 70%

> 70%

MJD Environmental

Aerial: NearMap (2019) | Data: MJD Environmental, LPI (2019) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 15/11/2019 | Version 2 | GIS\19068 - Vegetation Assessment Flying Fox Camp, East Cessnock | This plan should not be relied upon for critical design dimensions.



East Cessnock Flying Fox Camp

FIGURE 7: WEED DENSITY - VINES

0 55 110 220

Meters

1:4,200



Legend

Study Area

Cadastral Boundaries

Vine Weeds Density

5 - 15%

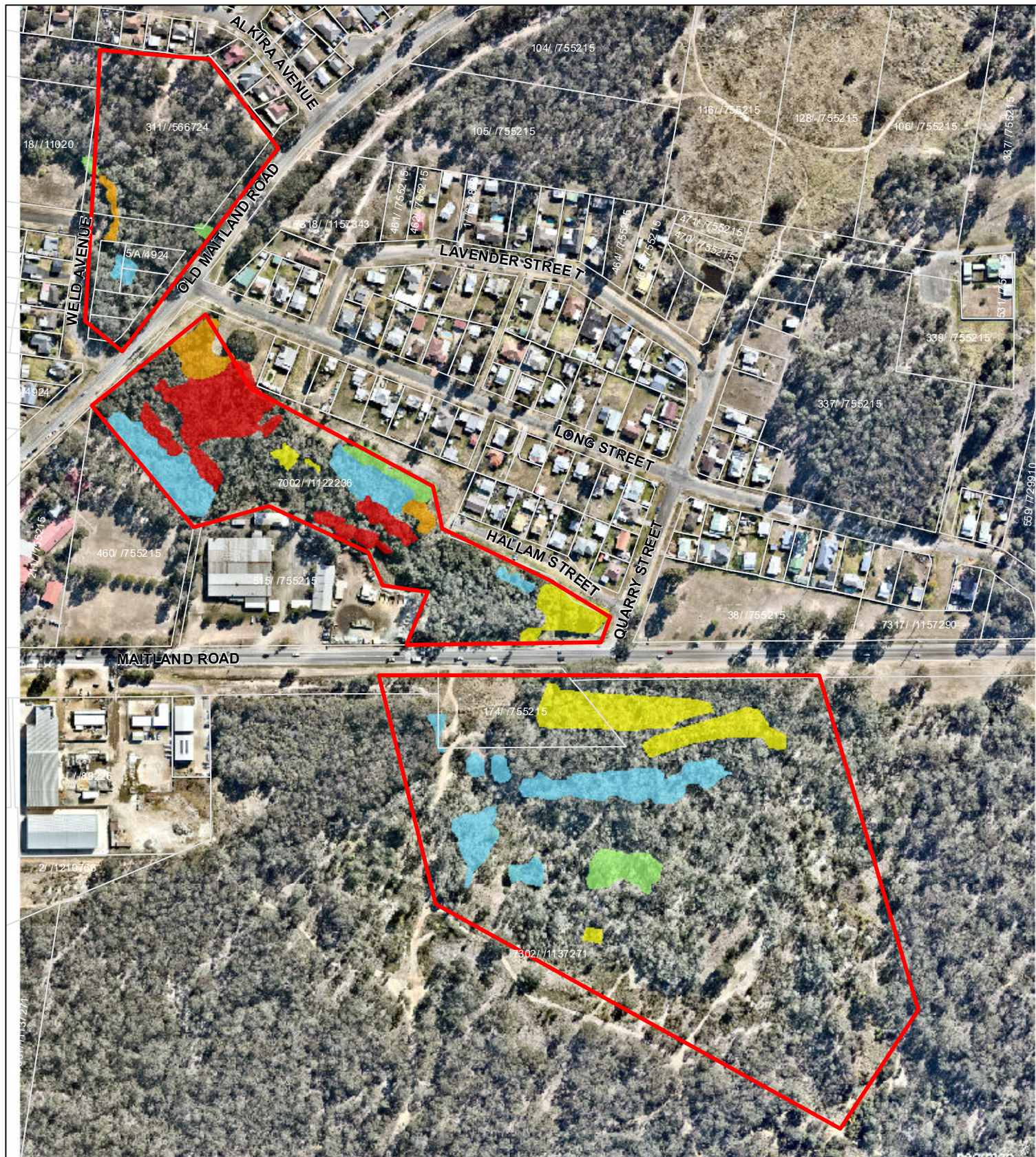
15 - 30%

30 - 50%

50 - 70%

MJD Environmental

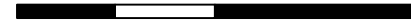
Aerial: NearMap (2019) | Data: MJD Environmental, LPI (2019) | Datum/Projection: GDA 1994 MGA Zone 56 | Date: 15/11/2019 | Version 2 | GIS\19068 - Vegetation Assessment Flying Fox Camp, East Cessnock | This plan should not be relied upon for critical design dimensions.



East Cessnock Flying Fox Camp

FIGURE 8: WEED DENSITY - WOODY

0 55 110 220



Meters

1:4,200



Legend

Study

Cadastral Boundaries

Woody Weeds Density

5 - 15%

15 - 30%

30 - 50%

50 - 70%

> 70%

MJD Environmental

Aerial: NearMap (2019) | Data: MJD
Environmental, LPI (2019) | Datum/Projection: GDA
1994 MGA Zone 56 | Date: 15/11/2019 | Version 2 |
GIS\19068 - Vegetation Assessment Flying Fox
Camp, East Cessnock | This plan should not be
relied upon for critical design dimensions.

4 Conclusion

MJD Environmental was engaged by Cessnock City Council to conduct a Vegetation Assessment of the East Cessnock Flying Fox Camp, Cessnock, NSW. This Vegetation Assessment seeks to inform future management actions of vegetation required within the East Cessnock Flying Fox Camp. These actions include vegetation management and resulting licenses if necessary, weed control, and to guide future actions. This vegetation assessment will also be used to inform a revegetation and habitat augmentation program in the southern end of the study area (south of Maitland Rd).

The vegetation field assessment found:

- Four vegetation communities (Bell 2008), three PCTs and one TEC:

Vegetation Mapp Unit (Bell 2008)	Plant Community Type (PCT)	TEC	Area (ha)
108 Paperbark Depression Forest	1726: Flax-leaved Paperbark - Tall Sedge shrubland of the Sydney Basin	N/A	3.38
14h Riparian Apple - Grey Gum Dune Forest	1557: Rough-barked Apple - Forest Oak - Grey Gum grassy woodland on sandstone ranges of the Sydney Basin	N/A	9.89
17c Lower Hunter Beyer's Ironbark Low Forest	1592: Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest of the Lower Hunter	Lower Hunter Spotted Gum – Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions (EEC under the BC Act)	1.46
17a Lower Hunter Spotted Gum Red Ironbark Forest			0.40

- A total of 72 native flora and 37 exotic species;
- A total of five WoNs including four vine species and one woody species;
- A total of 22 Biosecurity Weeds including eight vine species, 11 woody species, two grass species & one other species;
- Majority of weed species abundance and cover occur within PCT 1726: *Flax-leaved Paperbark - Tall Sedge shrubland* followed by PCT 1557: *Rough-barked Apple - Forest Oak - Grey Gum grassy woodland*. These weed species were found to be smothering and out competing native plant species;
- Access tracks occur throughout PCT 1592: *Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest* and PCT 1557: *Rough-barked Apple - Forest Oak - Grey Gum grassy woodland* contributing to the degradation of remnant native vegetation;
- High concentrations of the roosting Grey-headed Flying Fox have resulted in a high mortality rate of the canopy species, with the remaining individuals exhibiting signs of stress and damage;
- Where the canopy is lacking or has been severely impacted by the Flying Fox, a high weed presence was observed;
- No hollow bearing trees; and
- Five *Eucalyptus parramattensis* subsp. *decadens* listed as *Vulnerable* under the State Biodiversity Conservation Act and the Federal Environment Protection and Biodiversity Conversation Acts.

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Appendix 1 Flora List

Family	Scientific Name	Common Name	B1	B2	B3	B4	RDP1	RDP2	RDP3	RDP4	RDP5	RDP6	RDP7
Apocynaceae	<i>*Araujia sericifera</i>	Moth Vine	X	X									
	<i>Parsonsia straminea</i>	Common Silkpod			X		X						
Asteraceae	<i>*Ageratina adenophora</i>	Crofton Weed	X										
	<i>*Bidens pilosa</i>	Cobbler's Pegs										X	
	<i>Chrysocephalum apiculatum</i>	Common Everlasting			X								
	<i>*Conyza</i> spp.	Fleabane						X					
Asparagaceae	<i>*Asparagus aethiopicus</i>	Ground Asparagus		X									
	<i>*Asparagus asparagoides</i>	Bridal Creeper	X	X			X			X			X
	<i>*Asparagus plumosus</i>	Climbing Asparagus Fern											
Basellaceae	<i>*Anredera cordifolia</i>	Madeira Vine											
Bignoniaceae	<i>*Tecoma stans</i>	Yellow Bignonia											
Caprifoliaceae	<i>*Lonicera japonica</i>	Japanese Honeysuckle											X
Celastraceae	<i>Denhamia silvestris</i>	Narrow-leaved Orangebark		X	X								
Chenopodiaceae	<i>Einadia hastata</i>	Berry Saltbush		X									
Commelinaceae	<i>*Tradescantia fluminensis</i>	Wandering Jew					X						
Convolvulaceae	<i>*Ipomoea indica</i>	Morning Glory (Blue)											
Crassulaceae	<i>*Bryophyllum delagoense</i>	Mother of Millions											
Cyperaceae	<i>Carex appressa</i>	Tall Sedge	X				X	X					
	<i>Cyperus gunnii</i> subsp. <i>gunnii</i>							X					
	<i>Gahnia aspera</i>	Rough Saw-sedge								X	X		
	<i>Gahnia clarkei</i>	Tall Saw-sedge	X			X	X	X					X
	<i>Machaerina articulata</i>	Jointed Twig-rush						X					
Dennstaedtiaceae	<i>Hypolepis muelleri</i>	Harsh Ground Fern	X				X	X					
	<i>Pteridium esculentum</i>	Gurgi (Cadigal)					X				X		X
Ericaceae (Epacridoideae)	<i>Leucopogon juniperinus</i>	Prickly Beard-heath											
Fabaceae (Caesalpinioideae)	<i>*Senna pendula</i> var. <i>glabrata</i>	Senna					X						
Fabaceae (Faboideae)	<i>Chorizema parviflorum</i>	Eastern Flame Pea			X								
	<i>Daviesia ulicifolia</i>	Gorse Bitter Pea			X				X				
	<i>Glycine clandestina</i>				X								
	<i>Glycine tabacina</i>				X								
	<i>Hardenbergia violacea</i>	False Sarsaparilla			X								
	<i>Jacksonia scoparia</i>	Dogwood										X	
	<i>Viminaria juncea</i>	Golden Spray											X
Fabaceae (Mimosoideae)	<i>Acacia elongata</i>	Swamp Wattle			X								
	<i>Acacia falcata</i>	Hickory Wattle			X								
	<i>Acacia filicifolia</i>	Fern-leaved Wattle		X					X				
	<i>Acacia longifolia</i> subsp. <i>longifolia</i>	Sydney Golden Wattle			X					X	X	X	X
	<i>Acacia parvipinnula</i>	Silver-stemmed Wattle				X					X	X	
Juncaceae	<i>Juncus usitatus</i>										X		
Juncaginaceae	<i>Triglochin</i> spp.							X					
Lauraceae	<i>Cassytha glabella</i>				X								

Family	Scientific Name	Common Name	B1	B2	B3	B4	RDP1	RDP2	RDP3	RDP4	RDP5	RDP6	RDP7
	<i>*Cinnamomum camphora</i>	Camphor laurel	X			X	X						X
Lobeliaceae	<i>Lobelia purpurascens</i>	Whiteroot	X		X								X
	<i>Lomandra confertifolia</i>	Mat-rush		X		X			X				
Lomandraceae	<i>Lomandra longifolia</i>	Spiny-headed Mat-rush			X	X			X	X	X		
	<i>Lomandra multiflora</i> subsp. <i>multiflora</i>	Many-flowered Mat-rush			X								
	<i>*Pavonia hastata</i>				X								
Malvaceae	<i>*Sida rhombifolia</i>	Paddy's Lucerne	X	X									
Meliaceae	<i>Melia azedarach</i>	White Cedar	X				X						
Moraceae	<i>*Morus alba</i>	White Mulberry	X										
	<i>Angophora floribunda</i>	Rough-barked Apple	X			X	X			X	X	X	X
	<i>Callistemon pinifolius</i>	Pine-leaved Bottlebrush		X	X								
	<i>Eucalyptus beyeriana</i>	Beyer's Ironbark			X				X				
	<i>Eucalyptus fibrosa</i>	Red Ironbark		X									
	<i>Eucalyptus parramattensis</i> subsp. <i>decadens</i> (V)	Earp's Gum		X									
	<i>Eucalyptus punctata</i>	Grey Gum			X	X			X	X		X	X
Myrtaceae	<i>Eucalyptus tereticornis</i>	Forest Red Gum			X								
	<i>Leptospermum parviflorum</i>				X								
	<i>Leptospermum polygalifolium</i> subsp. <i>polygalifolium</i>	Tantoon							X		X		X
	<i>Melaleuca decora</i>			X									
	<i>Melaleuca nodosa</i>	Prickly-leaved Paperbark		X	X						X		
	<i>Melaleuca linariifolia</i>	Budjur (Gadigal)	X	X			X	X					
	<i>Melaleuca thymifolia</i>	Thyme Honey-myrtle			X								
Ochnaceae	<i>*Ochna serrulata</i>	Mickey Mouse Plant				X	X						
	<i>*Ligustrum lucidum</i>	Large-leaved Privet	X				X						
Oleaceae	<i>*Ligustrum sinense</i>	Small-leaved Privet	X	X		X	X	X		X	X	X	
	<i>*Olea europaea</i> subsp. <i>cuspidata</i>	African Olive								X		X	
Oxalidaceae	<i>Oxalis chnoodes</i>											X	
Phormiaceae	<i>Dianella revoluta</i> var. <i>revoluta</i>	Blueberry Lily		X	X				X	X	X		
Phyllanthaceae	<i>Breynia oblongifolia</i>	Coffee Bush		X	X	X							
	<i>Bursaria spinosa</i> subsp. <i>spinosa</i>	Blackthorn			X								
Pittosporaceae	<i>Pittosporum undulatum</i>	Sweet Daphne		X									
Plantaginaceae	<i>*Plantago lanceolata</i>	Plantain			X								
	<i>*Andropogon virginicus</i>	Whiskey Grass				X					X		
	<i>Aristida ramosa</i>	Purple Wiregrass			X								
	<i>Aristida warburgii</i>				X								
	<i>*Avena barbata</i>	Bearded Oats	X										
Poaceae	<i>*Chloris gayana</i>	Rhodes Grass							X			X	
	<i>*Cortaderia selloana</i>	Pampas Grass											
	<i>Cynodon dactylon</i>	Common Couch			X	X							
	<i>*Ehrharta erecta</i>	Panic Veldt Grass		X									
	<i>Entolasia stricta</i>	Wiry Panic	X	X						X			
	<i>*Eragrostis curvula</i>	African Lovegrass											

Family	Scientific Name	Common Name	B1	B2	B3	B4	RDP1	RDP2	RDP3	RDP4	RDP5	RDP6	RDP7
	<i>Eragrostis brownii</i>	Brown's Lovegrass			X								
	<i>Eragrostis</i> spp.								X				
	<i>Imperata cylindrica</i> var. <i>major</i>	Blady Grass			X							X	X
	<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping Grass	X	X		X				X	X		
	<i>Oplismenus aemulus</i>	Australian Basket Grass	X										
	* <i>Paspalum dilatatum</i>	Paspalum				X							
	<i>Rytidosperma pallidum</i>	Redanther Wallaby Grass			X								
	* <i>Setaria parviflora</i>					X							
	<i>Themeda triandra</i>	Kangaroo Grass			X								
Polygonaceae	<i>Persicaria decipiens</i>	Slender Knotweed						X					
	<i>Persicaria hydropiper</i>	Water Pepper						X					
	<i>Rumex</i> spp.		X										
Proteaceae	<i>Banksia spinulosa</i> var. <i>collina-spinulosa intergrade</i>	Hairpin Banksia											X
	<i>Grevillea montana</i>				X								
	<i>Persoonia linearis</i>	Narrow-leaved Geebung									X		
Pteridaceae	<i>Cheilanthes sieberi</i> subsp. <i>sieberi</i>	Poison Rock Fern		X	X				X				
Ranunculaceae	<i>Clematis aristata</i>	Old Man's Beard		X		X				X			
Rosaceae	* <i>Rubus fruticosus</i> aggregate.	Blackberry						X					X
Solanaceae	* <i>Cestrum parqui</i>	Green Cestrum	X				X						
	* <i>Solanum mauritianum</i>	Tobacco Bush	X				X						
	* <i>Solanum nigrum</i>	Blackberry Nightshade		X									
Thymelaeaceae	<i>Pimelea linifolia</i> subsp. <i>linifolia</i>	Slender Rice-flower			X								
Typhaceae	<i>Typha orientalis</i>	Broadleaf Cumbungi						X					
Verbenaceae	* <i>Lantana camara</i>	Lantana											
	* <i>Verbena bonariensis</i>	Purple Top	X										
	* <i>Verbena rigidus</i>	Veined Verbena											
Vitaceae	<i>Cayratia clematidea</i>	Native Grape					X						

Appendix 3 – Flying Fox Ecology and Threats

Ecological role

Flying-foxes make a substantial contribution to ecosystem health through their ability to move seeds and pollen over long distances (Southerton et al. 2004). This directly assists gene movement in native plants, improving the reproduction, regeneration and viability of forest ecosystems (DEE 2019b). Some plants, particularly *Corymbia* spp., have adaptations suggesting they rely more heavily on nocturnal visitors such as bats for pollination than daytime pollinators (Southerton et al. 2004).

Grey-headed flying-foxes may travel 100 kilometres in a single night with a foraging radius of up to 50 kilometres from their camp (McConkey et al. 2012) and have been recorded travelling over 500 kilometres in two days between camps (Roberts et al. 2012). In comparison bees, another important pollinator, move much shorter foraging distances of generally less than one kilometre (Zurbuchen et al. 2010).

Long-distance seed dispersal and pollination make flying-foxes critical to the long-term persistence of many plant communities (Westcott et al. 2008; McConkey et al. 2012), including eucalypt forests, rainforests, woodlands and wetlands (Roberts et al. 2006). Seeds that are able to germinate away from their parent plant have a greater chance of growing into a mature plant (DES 2018). Long-distance dispersal also allows genetic material to be spread between forest patches that would normally be geographically isolated (Parry-Jones & Augée 1992; Eby 1991; Roberts 2006). This genetic diversity allows species to adapt to environmental change and respond to disease pathogens. Transfer of genetic material between forest patches is particularly important in the context of contemporary fragmented landscapes.

Flying-foxes are considered 'keystone' species given their contribution to the health, longevity and diversity among and between vegetation communities. These ecological services ultimately protect the long-term health and biodiversity of Australia's bushland and wetlands. In turn, native forests act as carbon sinks (Roxburgh et al. 2006), provide habitat for other animals and plants, stabilise river systems and catchments, add value to production of hardwood timber, honey and fruit (e.g. bananas and mangoes; Fujita 1991), and provide recreational and tourism opportunities worth millions of dollars each year (DES 2018).

Flying-foxes in urban areas

Flying-foxes appear to be roosting and foraging in urban areas more frequently. There are many possible drivers for this, as summarised by Tait et al. (2014):

- loss of native habitat and urban expansion
- opportunities presented by year-round food availability from native and exotic species found in expanding urban areas
- disturbance events such as drought, fires, cyclones
- human disturbance at non-urban roosts or culling at orchards
- urban effects on local climate
- refuge from predation
- movement advantages, e.g. ease of manoeuvring in flight due to the open nature of the habitat or ease of navigation due to landmarks and lighting.

Under threat

Flying-foxes roosting and foraging in urban areas more frequently can give the impression that their populations are increasing; however, the grey-headed flying-fox is in decline across its range and in 2001 was listed as vulnerable by the NSW Government through the *Threatened Species Conservation Act 1995* (now BC Act).

At the time of listing, the species was considered eligible for listing as vulnerable, as counts of flying-foxes over the previous decade suggested the national population had declined by up to 30%. It was also estimated the population would continue to decrease by at least 20% in the next three generations given the continuation of the current rate of habitat loss, culling and other threats.

The main threat to grey-headed flying-foxes in New South Wales is clearing or modification of native vegetation. This removes appropriate roosting and breeding sites and limits the availability of natural food resources, particularly winter–spring feeding habitat in north-eastern NSW. The urbanisation of the coastal plains of south-eastern Queensland and northern NSW has seen the removal of annually-reliable winter feeding sites, which is continuing.

There is a wide range of ongoing threats to the survival of the grey-headed flying-fox, including:

- habitat loss and degradation
- conflict with humans (including culling at orchards)
- infrastructure-related mortality (e.g. entanglement in barbed wire fencing and fruit netting, power line electrocution, etc.)
- exposure to extreme natural events such as cyclones, drought and heatwaves.

Flying-foxes have limited capacity to respond to these threats and recover from large population losses due to their slow sexual maturation, low reproductive output, long gestation and extended maternal dependence (McIlwee & Martin 2002).

Camp characteristics

All flying-foxes are nocturnal, typically roosting during the day in communal camps. These camps may range in number from a few to hundreds of thousands, with individual animals frequently moving between camps within their range. Typically, the abundance of resources within a 20 to 50-kilometre radius of a camp site will be a key determinant of the size of a camp (SEQ Catchments 2012). Many flying-fox camps are temporary and seasonal, tightly tied to the flowering of their preferred food trees; however, understanding the availability of feeding resources is difficult because flowering and fruiting are not reliable every year, and can vary between localities (SEQ Catchments 2012). These are important aspects of camp preference and movement between camps and have implications for long-term management strategies.

Little is known about flying-fox camp preferences; however, research indicates that apart from being in close proximity to food sources, flying-foxes choose to roost in vegetation with at least some of the following general characteristics (SEQ Catchments 2012; Eco Logical Australia 2018):

- closed canopy >5 metres high
- dense vegetation with complex structure (upper, mid- and understorey layers)
- within 500 metres of permanent water source
- within 50 kilometres of the coastline or at an elevation <65 metres above sea level
- level topography (<5° incline)
- greater than one hectare to accommodate and sustain large numbers of flying-foxes.

Optimal vegetation available for flying-foxes must allow movement between preferred areas of the camp. Specifically, it is recommended that the size of a patch be approximately three times the area occupied by flying-foxes at any one time (SEQ Catchments 2012).

Appendix 4 – Additional Human and Animal Health Information

Flying-fox camps in public places, such as parks, school grounds and residential areas can sometimes raise concerns for community members about possible health risks. Human infections with viruses borne by flying-foxes are very rare. There is no risk of being infected with these viruses as long as people do not come into physical contact with flying-foxes.

Australian bat lyssavirus

Australian Bat Lyssavirus (ABLV) is a rabies-like virus that may be found in all flying-fox species on mainland Australia. It has also been found in an insectivorous microbat and it is assumed it may be carried by any bat species. The probability of human infection with ABLV is very low with less than 1% of the flying-fox population being affected (DPI 2017) and transmission requiring direct contact with an infected animal that is secreting the virus. In Australia, three people have died from ABLV infection since the virus was identified in 1996 (NSW Health 2015).

Domestic animals are also at risk if exposed to ABLV. In 2013, ABLV infections were identified in two horses (Shinwari et al. 2014). There have been no confirmed cases of ABLV in dogs in Australia; however, transmission is possible (McCall et al. 2005) and consultation with a veterinarian should be sought if exposure is suspected.

Transmission of the virus from bats to humans is through a bite or scratch but may have potential to be transferred if bat saliva directly contacts the eyes, nose, mouth or broken skin. ABLV is unlikely to survive in the environment for more than a few hours, especially in dry environments that are exposed to sunlight (NSW Health 2015).

Transmission of closely related viruses suggests that contact or exposure to bat faeces, urine or blood does not pose a risk of exposure to ABLV, nor does living, playing or walking near bat roosting areas (NSW Health 2015).

The incubation period in humans is assumed similar to rabies and variable between two weeks and several years. Similarly, the disease in humans presents essentially the same clinical picture as classic rabies.

Once clinical signs have developed the infection is invariably fatal; however, infection can easily be prevented by avoiding direct contact with bats (i.e. handling).

Pre-exposure vaccination provides reliable protection from the disease for people who are likely to have direct contact with bats, and it is generally a mandatory workplace health and safety requirement that all persons working with bats receive pre-exposure vaccination and have their level of protection regularly assessed. Like classic rabies, ABLV infection in humans also appears to be effectively treated using post-exposure vaccination and so any person who suspects they have been exposed should seek immediate medical treatment. Post-exposure vaccination is usually ineffective once clinical manifestations of the disease have commenced.

If a person is bitten or scratched by a bat they should:

- wash the wound with soap and water for at least five minutes (**do not scrub**)
- contact their doctor immediately to arrange for post-exposure vaccinations.

If bat saliva contacts the eyes, nose, mouth or an open wound, flush thoroughly with water and seek immediate medical advice.

Hendra virus

Flying-foxes are the natural host for Hendra virus, which can be transmitted from flying-foxes to horses. Infected horses sometimes amplify the virus and can then transmit it to other horses,

humans and on two occasions, dogs (DPI 2018). There is no evidence that the virus can be passed directly from flying-foxes to humans or to dogs (Halim et al. 2015). Clinical studies have shown cats, pigs, ferrets and guinea pigs can carry the infection (DPI 2018).

Although the virus is periodically present in flying-fox populations across Australia, the likelihood of horses becoming infected is low and consequently, human infection is extremely rare. Horses are thought to contract the disease after ingesting forage or water contaminated with urine from an infected flying-fox (CDC 2014).

Humans may contract the disease after close contact with an infected horse. Hendra virus infection in humans presents as a serious and often fatal respiratory and/or neurological disease and there is currently no effective post-exposure treatment or vaccine available for people. The mortality rate in horses is greater than 70% (DPI 2018). Since 1994, more than 100 horses have died (Degeling et al. 2018) and four of the seven infections in humans were fatal (Goldspink et al. 2015).

Previous studies have shown that infections of horses have been associated with foraging flying-foxes rather than camp locations. Therefore, risks are considered similar at any location within the range of flying-fox species and all horse owners should be vigilant. Vaccination of horses can protect horses and subsequently humans from infection (DPI 2018), as can appropriate horse husbandry (e.g. covering food and water troughs, fencing flying-fox foraging trees in paddocks, etc.).

Although all human cases of Hendra virus to date have been contracted from infected horses and direct transmission from bats to humans has not yet been reported, particular care should be taken by select occupational groups that could be uniquely exposed. For example, persons who may be exposed to high levels of Hendra virus via aerosol of heavily contaminated substrate should consider additional personal protective equipment (PPE), e.g. respiratory filters, and potentially dampening down dry dusty substrate.

Menangle virus

Menangle virus (also known as bat paramyxovirus no. 2) was first isolated from stillborn piglets from a NSW piggery in 1997. Little is known about the epidemiology of this virus, except that it has been recorded in flying-foxes, pigs and humans (Field 2002; Kirkland 2017). The virus caused reproductive failure in pigs and severe febrile (flu-like) illness in two piggery workers employed at the same Menangle piggery where the virus (Field 2002). The virus is thought to have been transmitted to the pigs from flying-foxes via an oral-faecal matter route (Kirkland 2017). Flying-foxes had been recorded flying over the pig yards prior to the occurrence of disease symptoms. The two infected piggery workers made a full recovery, and this has been the only case of Menangle virus recorded in Australia.

General health considerations

Flying-foxes, like all animals, carry bacteria and other microorganisms in their guts, some of which are potentially pathogenic to other species. Direct contact with faecal material should be avoided and general hygiene measures taken to reduce the low risk of gastrointestinal and other diseases.

Contamination of water supplies by any animal excreta (birds, amphibians and mammals such as flying-foxes) poses a health risk to humans. Household tanks should be designed to minimise potential contamination, such as using first-flush diverters to divert contaminants before they enter water tanks. Trimming vegetation overhanging the catchment area (e.g. the roof of a house) will also reduce wildlife activity and associated potential contamination. Tanks should also be appropriately maintained and flushed, and catchment areas regularly cleaned to remove potential contaminants.

Public water supplies are regularly monitored for harmful microorganisms and are filtered and disinfected before being distributed. Management plans for community supplies should consider whether any large congregation of animals, including flying-foxes, occurs near the supply or catchment area. Where they do occur, increased frequency of monitoring should be considered to ensure early detection and management of contaminants.

Appendix 5 – Dispersal Results Summary

Roberts and Eby (2013) summarised 17 known flying-fox dispersals between 1990 and 2013, and made the following conclusions:

- In all cases, dispersed animals did not abandon the local area⁸.
- In 16 of the 17 cases, dispersals did not reduce the number of flying-foxes in the local area.
- Dispersed animals did not move far (in approx. 63% of cases the animals only moved <600 metres from the original site, contingent on the distribution of available vegetation). In 85% of cases, new camps were established nearby.
- In all cases, it was not possible to predict where replacement camps would form.
- Conflict was often not resolved. In 71% of cases, conflict was still being reported either at the original site or within the local area years after the initial dispersal actions.
- Repeat dispersal actions were generally required (all cases except where extensive vegetation removal occurred).
- The financial costs of all dispersal attempts were high, ranging from tens of thousands of dollars for vegetation removal to hundreds of thousands for active dispersals (e.g. using noise, smoke, etc.).

Ecosure, in collaboration with a Griffith University Industry Affiliates Program student, researched outcomes of management in Queensland between November 2013 and November 2014 (the first year since the current Queensland state flying-fox management framework was adopted on 29 November 2013).

An overview of findings⁹ is summarised below.

- There were attempts to disperse 25 separate roosts in Queensland (compared with nine roosts between 1990 and June 2013 analysed in Roberts and Eby (2013)). Compared with the historical average (less than 0.4 roosts/year) the number of roosts dispersed in the year since the framework was introduced has increased by 6250%.
- Dispersal methods included fog¹⁰, birdfrite, lights, noise, physical deterrents, smoke, extensive vegetation modification, water (including cannons), paintball guns and helicopters.
- The most common dispersal methods were extensive vegetation modification alone and extensive vegetation modification combined with other methods.
- In nine of the 24 roosts dispersed, dispersal actions did not reduce the number of flying-foxes in the LGA.
- In all cases, it was not possible to predict where new roosts would form.
- When flying-foxes were dispersed, they did not move further than six kilometres away.
- As at November 2014 repeat actions had already been required in 18 cases.
- Conflict for the council and community was resolved in 60% of cases, but with many councils stating they feel this resolution is only temporary.
- The financial costs of all dispersal attempts were considerable, regardless of methods used, ranging from \$7500 to more than \$400,000 (with costs ongoing).

⁸ Local area is defined as the area within a 20-kilometre radius of the original site = typical feeding area of a flying-fox.

⁹ This was based on responses to questionnaires sent to councils; some did not respond and some omitted responses to some questions.

¹⁰ Fog refers to artificial smoke or vapours generated by smoke/fog machines. Many chemical substances used to generate smoke/fog in these machines are considered toxic.