



# Ordinary Council

## Business Paper

**date of meeting:** Wednesday 18 March 2015

**location:** Wauchope Showground Hall  
High Street  
Wauchope

**time:** 5.30pm

**Note:** Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.



**PORT MACQUARIE  
HASTINGS**

**Council's Vision**

A sustainable high quality of life for all.

**Council's Mission**

To provide regional leadership and meet the community's needs in an equitable and inclusive way that enhances the area's environmental, social and economic qualities.

**Council's Corporate Values**

- ★ Sustainability
- ★ Excellence in Service Delivery
- ★ Consultation and Communication
- ★ Openness and Accountability
- ★ Community Advocacy

**Council's Guiding Principles**

- ★ Ensuring good governance
- ★ Looking after our people
- ★ Helping our community prosper
- ★ Looking after our environment
- ★ Planning & providing our infrastructure



**PORT MACQUARIE  
HASTINGS**

## How Members of the Public Can Have Their Say at Council Meetings

Council has a commitment to providing members of the public with an input into Council's decision making. The Council's Code of Meeting Practice provides two (2) avenues for members of the public to address Council on issues of interest or concern at the Ordinary Council Meeting. These are:

### Addressing Council on an Agenda Item:

If the matter **is** listed in the Council Business Paper, you can request to address Council by:

- Completing the *Request to Speak on an Agenda Item at a Council Meeting*, which can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.
- On-line at <http://www.pmhc.nsw.gov.au/About-Us/How-Council-Works/Council-Committee-Meetings/Request-to-speak-on-an-Agenda-Item>

**Your request to address Council must be received by Council no later than 4:30pm on the day prior to the Council Meeting.**

Council's Code of Meeting Practice sets out the following guidelines for addressing Council:

- Addresses will be limited to 5 minutes.
- If you wish any written information, drawings or photos to be distributed to the Council to support the address, two (2) copies should be provided to the Group Manager Governance & Executive Services prior to the commencement of the meeting.
- Where speakers wish to make an audio visual presentation, a copy is to be provided to the Group Manager Governance & Executive Services by 4.30pm on the day prior to the Council Meeting.
- Council will permit only two (2) speakers "Supporting" and two (2) speakers "Opposing" the *Recommendation* contained in the Business Paper. If there are more than two speakers supporting and opposing, the Mayor will request the speakers to determine who will address Council.

### Addressing Council in the Public Forum:

If the matter **is not** listed in the Council Business Paper, you can request to address Council by:

- Completing the *Request to Speak in the Public Forum at Ordinary Council Meeting*, which can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.
- On-line at <http://www.pmhc.nsw.gov.au/About-Us/How-Council-Works/Council-Committee-Meetings/Request-to-speak-in-a-Public-Forum>

**Your request to address Council must be received by Council no later than 4:30pm on the day prior to the Council Meeting.**

A maximum of eight (8) speakers will be heard in the Public Forum. Each speaker will be limited to 5 minutes. Council may ask questions of speakers but speakers **cannot** ask questions of Council.

Council will not determine matters raised in the Public Forum session, however may resolve to call for a further report, when appropriate.

Speakers will be allowed to address Council in the Public Forum on the same issue no more than three (3) times in each calendar year. (Representatives of incorporated community groups may be exempted from this restriction).



**PORT MACQUARIE  
HASTINGS**

# Ordinary Council Meeting

Wednesday 18 March 2015

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**Item: 01****Subject: WELCOME TO COUNTRY**

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Mr Glenn Hannah, Chairperson of the Bunyah Local Aboriginal Land Council, will be invited to deliver the Welcome to Country.

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**Item: 02****Subject: LOCAL GOVERNMENT PRAYER**

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A Minister from the Combined Churches of Port Macquarie will be invited to deliver the Local Government Prayer.

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**Item: 03****Subject: APOLOGIES**

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**RECOMMENDATION**

That the apologies received be accepted.

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**Item: 04****Subject: CONFIRMATION OF PREVIOUS MINUTES**

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**RECOMMENDATION**

1. That the Minutes of the Ordinary Council Meeting held on 18 February 2015 be confirmed.
2. That the Minutes of the Extra-Ordinary Council Meeting held on 9 March 2015 be confirmed.

**PRESENT**

**Members:**

Councillor Peter Besseling (Mayor)  
Councillor Justin Levido (Deputy Mayor)  
Councillor Rob Turner  
Councillor Adam Roberts  
Councillor Lisa Intemann  
Councillor Geoff Hawkins  
Councillor Trevor Sargeant  
Councillor Michael Cusato  
Councillor Sharon Griffiths

**Other Attendees:**

General Manager (Craig Swift-McNair)  
Director of Community and Economic Growth (Tricia Bulic)  
Director of Corporate and Organisational Services (Rebecca Olsen)  
Director of Development and Environment Services (Matt Rogers)  
Director of Infrastructure and Asset Management (Jeffery Sharp)  
Group Manager Governance and Executive Services (Stewart Todd)  
Acting Communications Co-ordinator (Nicole Marzan)  
Governance Support Officer (Bronwyn Lyon)

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The meeting opened at 5:30pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Mayor opened the Meeting with an Acknowledgement of Country and welcomed all in attendance in the Chamber.

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**02 LOCAL GOVERNMENT PRAYER**

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Rev. Ken Fenton from St Thomas' Anglican Church delivered the Local Government Prayer.

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**03 APOLOGIES**

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Nil.

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**04 CONFIRMATION OF MINUTES**

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*RESOLVED: Hawkins/Sargeant*

1. That the Minutes of the Ordinary Council Meeting held on 17 December 2014 be confirmed.
2. That the Minutes of the Extra-Ordinary Council Meeting held on 4 February 2015 be confirmed.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**05 DISCLOSURES OF INTEREST**

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Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 13.11 - St Agnes Village Planning Agreement, the reason being that Councillor Levido is a partner in Donovan Oates Hannaford Lawyers, acting for the owner of the property the subject of the report.

Councillor Sargeant declared a Non-Pecuniary, Significant Interest in Item 10.02 - 25th Anniversary of Sister City Relationship Between Port Macquarie-Hastings Council and Handa City - Request for variation to previously approved accommodation expenses, the reason being that Councillor Sargeant is a participant in this visit, with part of expenses being met by Council.

Councillor Intemann declared a Non-Pecuniary, Less Than Significant Interest in Item 09.14 - Membership of the North Coast Weeds Advisory Committee, the reason being that Councillor Intemann is Council's representative on the Mid North Coast Weeds Advisory Committee and is nominated under this item to be Council's representative on the North Coast Weeds Advisory Committee.

Councillor Roberts declared a Pecuniary Interest in Item 11.02 - Tastings on Hastings, the reason being that Councillor Roberts owns a business that may be a stallholder should the event go ahead.

Councillor Griffiths declared a Special Disclosure of Pecuniary Interest under section 451(4) & (5) of the Local Government Act 1993 in relation to Item 13.07 - Draft Structure Plan for the Greater Sancrox Area.

Councillor Cusato declared a Non-Pecuniary, Less Than Significant Interest in Item 13.07 - Draft Structure Plan for the Greater Sancrox Area, the reason being that Councillor Cusato owns his residential property at Sancrox however not in the plan area.

Mayor Besseling declared a Pecuniary Interest in Item 13.10 - Liveable Neighbourhoods - East Port: Community engagement, the reason being that Mayor Besseling has a property interest in the area subject to the report.

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Mayor Besseling declared a Non-Pecuniary, Significant Interest in Item 10.02 - 25th Anniversary of Sister City Relationship Between Port Macquarie-Hastings Council and Handa City - Request for variation to previously approved accommodation expenses, the reason being that there is a potential for any travel to Japan being seen as my personal interests being in conflict with my public duty as Mayor and therefore, I will have no involvement in the matter by absenting myself from taking part in any debate or voting.

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#### **06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS**

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*RESOLVED: Besseling*

That the Mayoral Discretionary Fund allocations for the period 5 December 2014 to 4 February 2015 inclusive be noted.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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#### **07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

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*RESOLVED: Turner/Levido*

That Council determine that the attachments to Item Numbers 09.02, 09.07 and 09.08 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**08 PUBLIC FORUM**

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The Mayor advised of applications to address Council in the Public Forum from:

1. Ms Jenny Daniels regarding ongoing concerns raised at Rainbow Beach Reserve.

*RESOLVED: Roberts/Griffiths*

That the above request to speak in the Public Forum be acceded to.

*CARRIED: 9/0*  
*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*  
*AGAINST: Nil*

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**08.01 ONGOING CONCERNS RAISED AT RAINBOW BEACH RESERVE**

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Ms Jenny Daniel addressed Council in regard to ongoing concerns raised at Rainbow Beach Reserve.

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**REQUESTS TO SPEAK ON AN AGENDA ITEM**

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The Mayor advised of requests to speak on an agenda item, as follows:

Item 11.01 - Mr Andrew Crane in opposition of the recommendation.

Item 11.01 - Mrs Robyn Sparks in support of the recommendation.

Item 12.01 - Mrs Kaye Newberry in opposition of the recommendation.

Item 12.01 - Mr John Constant in opposition of the recommendation.

Item 13.07 - Mr Michael Mowle in opposition of the recommendation.

Item 13.07 - Mr Tony Thorne in opposition of the recommendation.

Item 13.08 - Mr Tony Thorne in opposition of the recommendation.

*RESOLVED: Levido/Griffiths*

That the requests to speak on an agenda item be acceded to.

*CARRIED: 9/0*  
*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*  
*AGAINST: Nil*

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**SUSPENSION OF STANDING ORDERS**

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*RESOLVED: Roberts/Levido*

That Standing Orders be suspended to allow items 11.01, 12.01, 13.07 and 13.08 to be brought forward and considered next.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**11.01 FREE CAMPING PROGRESS REPORT 2**

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Mr Andrew Crane, representing Save Our Parks, addressed Council in opposition of the recommendation and answered questions from Councillors.

Mrs Robyn Sparkes addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Sargeant/Griffiths*

That Council:

1. Note the update on the free camping management trial.
2. Note a detailed analysis of the trial and draft management strategy will be presented to Council's March 2015 meeting.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**12.01 DA2014 - 0421 - PONTOON (SAILABILITY) - LOT 2 DP 535212, MCINHERNEY CLOSE, PORT MACQUARIE**

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Mrs Kaye Newberry addressed Council in opposition of the recommendation.

Mr John Constant addressed Council in opposition of the recommendation and answered questions from Councillors.

**MOTION**

*MOVED: Roberts/Cusato*

That DA2014 - 0421 for a pontoon at Lot 2, DP 535212, McInherney Close, Port Macquarie, be determined by granting consent subject to the recommended conditions.

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**AMENDMENT**

*MOVED: Sargeant/Hawkins*

1. That DA2014 - 0421 for a pontoon at Lot 2, DP 535212, McInherney Close, Port Macquarie, be determined by granting consent subject to the recommended conditions.
2. That six months following construction of the pontoon a report be brought back to Council regarding usage.

**THE AMENDMENT WAS PUT**

*MOVED: Sargeant/Hawkins*

1. That DA2014 - 0421 for a pontoon at Lot 2, DP 535212, McInherney Close, Port Macquarie, be determined by granting consent subject to the recommended conditions.
2. That six months following construction of the pontoon a report be brought back to Council regarding usage.

*LOST: 3/6*

*FOR: Hawkins, Intemann and Sargeant*

*AGAINST: Besseling, Cusato, Griffiths, Levido, Roberts and Turner*

**THE MOTION WAS PUT**

*RESOLVED: Roberts/Cusato*

That DA2014 - 0421 for a pontoon at Lot 2, DP 535212, McInherney Close, Port Macquarie, be determined by granting consent subject to the recommended conditions.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**13.07 DRAFT STRUCTURE PLAN FOR THE GREATER SANCROX AREA**

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Councillor Griffiths declared a Special Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 6:50pm.

Councillor Cusato declared a Non-Pecuniary, Less Than Significant Interest in this matter and remained in the room during the Council's consideration.

Mr Michael Mowle, of Hopkins Consultants, and representing a landowner in the Greater Sancrox Area, addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Tony Thorne, of King and Campbell Pty Ltd, and representing Expressway Spares Pty Ltd, addressed Council in opposition of the recommendation and answered questions from Councillors.

**MOTION**

*MOVED: Turner/Cusato*

That Council:

Note the revised Greater Sancrox Area Structure Plan as described in this report. Include as part of Council's current review of the Port Macquarie-Hastings Urban Growth Management Strategy 2011, consideration/investigations;  
to determine whether urban development relating to Port Macquarie should be permitted to the west of the Pacific Highway with such consideration/investigations to include the potential urban capability/serviceability/capacity of lands between Oxley Highway to the north, Pacific Highway to the west and Houston Mitchell Drive to the south in reaching any conclusion or conclusions; and  
as to the viability of rural residential development in the Greater Sancrox area. Request the General Manager report to a Council Meeting promptly after the aforesaid review is completed and endorsed/adopted by Council with respect to the Greater Sancrox Area focusing on the implications of the review on that Area.

Defer this matter until after consideration of the report dealt with in 3 above.

**FORESHADOWED MOTION**

*MOVED: Sargeant*

That Council:

1. Adopt the revised Greater Sancrox Area Structure Plan as described in this report.
2. Submit the Greater Sancrox Area Structure Plan to the NSW Department of Planning and Environment for endorsement and requesting inclusion of the proposed urban and employment investigations areas on the Growth Maps to the Mid North Coast Regional Strategy.
3. Note submissions received in relation to the Draft Greater Sancrox Area Structure Plan.
4. Hold discussions with landowners in Sectors 2, 4 and 5 in the first quarter of 2015 to determine how to best implement the recommendations of the Structure Plan and report back to Council in the context of Council's 2015/16 strategic planning program.
5. Continue to consult with the NSW Roads and Maritime Services regarding access arrangements for the western part of the Greater Sancrox area.

**THE MOTION WAS PUT**

*RESOLVED: Turner/Cusato*

That Council:

Note the revised Greater Sancrox Area Structure Plan as described in this report. Include as part of Council's current review of the Port Macquarie-Hastings Urban Growth Management Strategy 2011, consideration/investigations;  
to determine whether urban development relating to Port Macquarie should be permitted to the west of the Pacific Highway with such consideration/investigations to include the potential urban capability/serviceability/capacity of lands between Oxley Highway to the

north, Pacific Highway to the west and Houston Mitchell Drive to the south in reaching any conclusion or conclusions; and as to the viability of rural residential development in the Greater Sancrox area. Request the General Manager report to a Council Meeting promptly after the aforesaid review is completed and endorsed/adopted by Council with respect to the Greater Sancrox Area focusing on the implications of the review on that Area.

Defer this matter until after consideration of the report dealt with in 3 above.

*CARRIED: 6/2*

*FOR: Besseling, Cusato, Hawkins, Intemann, Levido and Turner*

*AGAINST: Roberts and Sargeant*

Councillor Griffiths returned to the meeting, the time being 7:31pm.

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### **13.08 PLANNING PROPOSAL FOR COUNCIL LAND - GREENMEADOWS DRIVE, PORT MACQUARIE**

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Mr Tony Thorne, of King and Campbell Pty Ltd, and representing J Newton Construction Pty Ltd, addressed Council in opposition of the recommendation and answered questions from Councillors.

*RESOLVED: Intemann/Turner*

That Council:

1. Prepare a planning proposal pursuant to section 55 of the Environmental Planning and Assessment Act 1979 for a proposed rezoning of Council land, Lot 139 DP 815514, Greenmeadows Drive, Port Macquarie for partly residential and partly environmental protection purposes including reclassification of the proposed environmental lands from 'operational' to 'community' land as described in this report.
2. Request the General Manager finalise proposed zone boundaries following consultation with the adjoining land owners to the south and then forward the planning proposal to the NSW Department of Planning and Environment requesting a gateway determination pursuant to section 56 of the Environmental Planning and Assessment Act 1979.
3. Undertake community consultation in accordance with the gateway determination.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.01 REFORM OF LOCAL GOVERNMENT - FIT FOR THE FUTURE  
SUBMISSION TO THE NSW GOVERNMENT - INITIAL STEPS**

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*RESOLVED: Hawkins/Griffiths*

That Council:

1. Note this report.
2. Note that Council is currently developing a submission to the NSW Government outlining how Port Macquarie-Hastings Council is preparing to be Fit for the Future.
3. Note that a further report will be tabled at the May 2015 Council meeting detailing the draft Fit for the Future submission.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant  
and Turner*

*AGAINST: Nil*

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**09.02 2016 ORDINARY LOCAL GOVERNMENT ELECTION**

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*RESOLVED: Turner/Levido*

That Council:

1. Pursuant to section 296(2) and (3) of the Local Government Act 1993 that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all elections of the Council.
2. Pursuant to section 296(2) and (3) of the Local Government Act 1993, as applied and modified by section 18, that a Council poll arrangement be entered into by contract for the Electoral Commissioner to administer all Council polls.
3. Pursuant to section 296(2) and (3) of the Local Government Act 1993, as applied and modified by section 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant  
and Turner*

*AGAINST: Nil*

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**09.03 STATUS OF OUTSTANDING REPORTS TO COUNCIL - FEBRUARY 2015**

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*RESOLVED: Intemann/Sargeant*

That the information in the February 2015 Status of Outstanding Reports to Council be noted.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.04 DESIGNATED PERSONS**

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*RESOLVED: Sargeant/Griffiths*

That Council determine that the Swimming Pool Compliance Officer position become a Designated Person pursuant to the provisions of section 441 of the Local Government Act 1993.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.05 DISCLOSURE OF INTEREST RETURN**

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*RESOLVED: Griffiths/Levido*

That Council note the Disclosure of Interest returns for the positions of:

1. Ranger.
2. Sports and Recreation Officer.
3. Ecologist.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.06 DELEGATED AUTHORITIES - CERTIFICATE OF IDENTIFICATION ISSUED UNDER THE SWIMMING POOLS ACT 1992**

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*RESOLVED: Griffiths/Hawkins*

That the seal of Council be affixed to the certificates of identification issued under the Swimming Pools Act 1992, for the following Council staff:

1. Matthew Rand (Environmental Health Officer On-Site Sewage Management).
2. Peter Austin (Environmental Health Officer On-Site Sewage Management).

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.07 GLASSHOUSE QUARTERLY REPORT AND UPDATE ON STRATEGIC PLAN RECOMMENDATIONS**

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*RESOLVED: Roberts/Turner*

That Council:

1. Note the information provided in the report; and
2. Endorse the recommendation of the Glasshouse Sub-Committee, for the Encore Café to open only in conjunction with Glasshouse events, pending the recommendations of the current review of the delivery of information services and use of the Glasshouse footprint.
3. In future quarterly updates data on utilisation and occupancy rates are included.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.08 PROCUREMENT STRATEGY UPDATE**

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*RESOLVED: Hawkins/Cusato*

That Council note the progress made on the Implementation Plan as detailed in the Procurement Strategy.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.09 INVESTMENTS - DECEMBER 2014**

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*RESOLVED: Intemann/Hawkins*

That Council note the Investment Report for the month of December 2014.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.10 INVESTMENTS - JANUARY 2015**

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*RESOLVED: Sargeant/Cusato*

That Council note the Investment Report for the month of January 2015.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.11 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2014 AND MONTHLY FINANCIAL REVIEW FOR DECEMBER 2014**

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*RESOLVED: Griffiths/Hawkins*

That Council note the Quarterly Budget Review Statement for the December 2014 Quarter.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.12 MONTHLY FINANCIAL REVIEW FOR JANUARY 2015**

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*RESOLVED: Griffiths/Cusato*

That Council adopt the adjustments in the "Financial Implications" section of the report for January 2015.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.13 ESTABLISHMENT OF A BUDGETARY GAINS HOLDING ACCOUNT**

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*RESOLVED: Hawkins/Griffiths*

That Council note the information provided in the report.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.14 MEMBERSHIP OF THE NORTH COAST WEEDS ADVISORY COMMITTEE**

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Councillor Intemann declared a Non-Pecuniary, Less Than Significant Interest in this matter and remained in the room during the Council's consideration.

*RESOLVED: Turner/Cusato*

That Council:

1. Become a member of the North Coast Weeds Advisory Committee.
2. Appoint Cr Intemann as the Councillor representative to the Committee.
3. Appoint Cr Levido as the alternate Councillor representative to the Committee.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**09.15 2014-2015 OPERATIONAL PLAN QUARTERLY PROGRESS REPORT AS AT 30 DECEMBER 2014**

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*RESOLVED: Turner/Cusato*

That Council:

1. Note the 2014 - 2015 Operational Plan quarterly progress report as at 30 December 2014.
2. Adopt the financial realignments to the 2014 - 2015 Operational Plan valued at \$41,297,975, noting that these amendments will be reflected in future monthly financial reports to Council.

*CARRIED: 8/1*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant and Turner*

*AGAINST: Roberts*

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**10.01 RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - NOVEMBER MEETING**

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*RESOLVED: Besseling/Cusato*

That Council, pursuant to provisions of section 356 of the Local Government Act 1993, grant financial assistance from the Mayor's Sporting Fund to:

1. Ms Krystal Clarke in the amount of \$200 in acknowledgement of her sporting achievements to date and as an encouragement to continue competing in her chosen sport of tennis.
2. Mr Paddy Coelho in the amount of \$450.00 to assist with the expenses he will incur competing as part of the Australian Under 20's Boys Touch Football Team to compete in Sydney during January 2015.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**10.02 25TH ANNIVERSARY OF SISTER CITY RELATIONSHIP BETWEEN PORT MACQUARIE-HASTINGS COUNCIL AND HANDA CITY - REQUEST FOR VARIATION TO PREVIOUSLY APPROVED ACCOMMODATION EXPENSES.**

---

Councillor Sargeant declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:32pm.

Mayor Besseling declared a Non-Pecuniary, Significant interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:32pm.

The Mayor vacated the Chair and the Deputy Mayor assumed the Chair.

*RESOLVED: Turner/Hawkins*

That Council:

1. Note that the cost of accommodation for the official Port Macquarie-Hastings Council party travelling to Handa, Japan in April 2015 for the 25<sup>th</sup> Anniversary of the Sister City relationship will now be at Council's expense.
2. Note that cost of accommodation for the official Handa Council party travelling to Port Macquarie-Hastings in August 2015 for the 25<sup>th</sup> Anniversary of the Sister City relationship will be at Handa City Council's expense.

*CARRIED: 7/0*

*FOR: , Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, and Turner*

*AGAINST: Nil*

Councillor Sargeant returned to the meeting, the time being 8:35pm.

Mayor Besseling returned to the meeting, the time being 8:35pm.

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The Deputy Mayor vacated the Chair and the Mayor resumed the Chair.

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### 11.02 TASTINGS ON HASTINGS

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Councillor Roberts declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:35pm.

*RESOLVED: Sargeant/Cusato*

That Council:

1. Note the post-event wrap-up of the Tastings on Hasting 2014 event.
2. Note that planning is underway for the Tastings on Hastings 2015 and a variety of opportunities are being explored to add new elements to help grow the event.

*CARRIED: 8/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant and Turner*

*AGAINST: Nil*

Councillor Roberts returned to the meeting, the time being 8:37pm.

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### 13.01 NOTICE OF MOTION - CARPARKING - PORT MACQUARIE CBD

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*RESOLVED: Turner/Griffiths*

That Council alter the current 15 minute parking restrictions in the centre of Clarence Street, Port Macquarie (between Hay Street and Horton Street) to 1 hour.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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### 13.02 KENDALL TENNIS CLUB

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*RESOLVED: Intemann/Hawkins*

That Council adopt the Plan of Management for Orara Street Kendall Tennis Club.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**13.03 DRAFT RECREATION PLAN 2014**

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*RESOLVED: Sargeant/Intemann*

That Council:

1. Note the submissions made in response to the exhibition of the draft Port Macquarie-Hastings Recreation Plan.
2. Defer the Draft Port Macquarie-Hastings Recreation Plan report to the April 2015 Council Meeting to enable consideration of the Roads and Maritime Services Regional Boating Plan and clarification on the initial priority of works and timelines for implementation.

*CARRIED: 8/1*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant and Turner*  
*AGAINST: Roberts*

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**13.04 TRANSFER OF LAND TO COUNCIL CONTAINING SEWER  
INFRASTRUCTURE**

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*RESOLVED: Levido/Griffiths*

That Council:

1. Pursuant to section 377 of the Local Government Act 1993, the General Manager be given delegated authority to sign the Land and Property Information Transfer Forms.
2. On transfer to Council of Lot 170 Deposited Plan 1201505 and Lot 29 Deposited Plan 1192366, Council advertise the draft resolution " It is intended to classify Lot 170 Deposited Plan 1201505 (land situated on Philip Charley Drive, Port Macquarie) and Lot 29 Deposited Plan 1192366 (land situated on Glenview Drive, Yippin Creek) as operational land."

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*  
*AGAINST: Nil*

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**13.05 REPLACEMENT OF STINGRAY CREEK BRIDGE ON OCEAN DRIVE,  
LAURIETON - LAND AND LEASE ACQUISITIONS**

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*RESOLVED: Levido/Griffiths*

That Council:

1. Pursuant to section 177 of the Roads Act 1993 make application to the Minister for Local Government and the Governor for the compulsory acquisition of Lots 1 and 2 Deposited Plan 1204555 for public road purposes.
  2. Exempt all mines and minerals from the compulsory acquisition of Lots 1 and 2 Deposited Plan 1204555.
  3. On acquisition of Lots 1 and 2 Deposited Plan 1204555 dedicate the lots as
-

- public road pursuant to section 10 of the Roads Act 1993.
4. Pursuant to section 176 of Fisheries Management Act 1994, write to the Minister administering the Fisheries Management Act 1994 requesting that Oyster Lease OL66/280 be withdrawn.
  5. Settle compensation to Crown Lands as determined by the Valuer General.
  6. Offer compensation to the lessee of Oyster Lease OL66/280 as determined by the NSW Valuer General.
  7. Pursuant to section 377 of the Local Government Act 1993, delegate to the General Manager authority to:
    - a) negotiate compensation with the lessee of Oyster Lease OL66/280.
    - b) sign the Deed of Agreement with the lessee of Oyster Lease OL66/280.
- CARRIED: 9/0
- FOR: *Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*
- AGAINST: Nil

### 13.06 DEVELOPMENT CONTRIBUTIONS FOR NON RESIDENTIAL DEVELOPMENT

RESOLVED: *Turner/Hawkins*

That Council:

1. Refer the report and the recommendations to the Economic Development Steering Group for review.
  2. Request the matter be brought back to the Ordinary Council Meeting in May 2015.
- CARRIED: 9/0
- FOR: *Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*
- AGAINST: Nil

### 13.09 THURMSTER MIXED LEP CHANGES (AMENDMENT 32): REPORT ON SUBMISSIONS

RESOLVED: *Intemann/Sargeant*

That Council:

1. Take the necessary steps under sections 58 and 59 of the Environmental Planning and Assessment Act 1979 to finalise Local Environmental Plan 2011 (Amendment 32) as described in the report.
  2. Thank in writing the stakeholder who made a submission for their contribution and provide information on Council's decision on the matter.
- CARRIED: 9/0
- FOR: *Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*
- AGAINST: Nil

### 13.10 LIVEABLE NEIGHBOURHOODS - EAST PORT: COMMUNITY ENGAGEMENT

Mayor Besseling declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 9:01pm.

The Mayor vacated the Chair and the Deputy Mayor assumed the Chair.

*RESOLVED: Intemann/Cusato*

That Council:

1. Note the submissions received during the exhibition of the East Port Neighbourhood: Liveable Neighbourhoods urban regeneration framework.
2. Endorse the East Port Neighbourhood: Liveable Neighbourhoods urban regeneration framework as amended following exhibition.
3. Forward the attached planning proposal, which is based on the Liveable Neighbourhoods framework, to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with the determination.
4. Request the Director General of the Department of Planning and Environment issue a written authorisation to Council to exercise delegation of the plan making functions under section 59 of the Environmental Planning and Assessment Act 1979.
5. Carry out further detailed consideration of height limits in the Windmill Hill neighbourhood as part of the planning proposal process.

*CARRIED: 8/0*

*FOR: Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

Mayor Besseling returned to the meeting, the time being 9:02pm.

The Deputy Mayor vacated the Chair and the Mayor resumed the Chair.

### 13.11 ST AGNES VILLAGE PLANNING AGREEMENT

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 9:02pm.

*RESOLVED: Intemann/Sargeant*

That Council note the report on the St Agnes Village Planning Agreement.

*CARRIED: 8/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Roberts, Sargeant and Turner*

*AGAINST: Nil*

Councillor Levido returned to the meeting, the time being 9:03pm.

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### 13.12 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

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*RESOLVED: Sargeant/Griffiths*

That Council note the Development Activity and Assessment System Performance Report for the second quarter of 2014-2015.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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### 14 QUESTIONS FOR NEXT MEETING

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#### 14.01 CAR PARKING - PORT MACQUARIE CBD

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**Question from Councillor Sargeant:**

What are the options to effectively accommodate the car spaces currently in the proposed Town Square area elsewhere within the CBD so as to enable the town green/town central precinct to become a leisure-rich area, full of people, common projects and things to do and see?

**Comments by Councillor (if provided):**

We have become dedicated to accommodating cars in order to cultivate business and to enable people to live better more convenient lives. Our planning and policies are built with cars and car spaces in mind.

The irony is that the more we try to accommodate cars the less pleasant our areas become.

The concept plans depict an outstanding community precinct adjacent the waterfront and directly linked the public area proposed for the Plaza carpark and Town Green West. To diminish the potential of this area by also providing for cars would appear to be poor long term planning particularly if these car spaces can be accommodated elsewhere such as the "hole in the ground".

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**14.02 FUNDING FOR OCEAN DRIVE / HOUSTON MITCHELL DRIVE  
ROUNDBOUT**

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**Question from Councillor Levido:**

Can Council be advised of the final funding arrangements for the Ocean Drive/Houston Mitchell Drive roundabout including allocation between Roads and Maritime Services, Council and any benefitted adjoining land owner?

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**14.03 LANDSCAPE MAINTENANCE JOHN OXLEY DRIVE AND  
OXLEY HIGHWAY**

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**Question from Councillor Sargeant:**

Could the General Manager advise as to progress being made with the Roads and Maritime Services as to the landscape maintenance of John Oxley Drive and Oxley Highway as they agreed to regularly undertake?

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**CONFIDENTIAL COMMITTEE OF THE WHOLE**

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*RESOLVED: Turner/Griffiths*

1. That pursuant to section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole (Closed Session) on the basis that items to be considered are of a confidential nature.
2. That Council move into Confidential Committee of the Whole (Closed Session) to receive and consider the following items:

Item 15.01 Tender T-14-46 Dunbogan Flood Access Road Stage 1c Service Relocations and Road Works

This item is considered confidential under section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 15.02 Tender T-14-62 Development of PMHC Integrated Water Cycle Management Strategy

This item is considered confidential under section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

3. That the resolutions made by the Council in Confidential Committee of the Whole (Closed Session) be made public as soon as practicable after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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### ADJOURN MEETING

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The Ordinary Council Meeting adjourned at 9:06pm.

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### RESUME MEETING

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The Ordinary Council Meeting resumed at 9:11pm.

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### ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

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*RESOLVED: Cusato/Intemann*

That the undermentioned recommendations from Confidential Committee of the Whole (Closed Session) be adopted:

Item 15.01 Tender T-14-46 Dunbogan Flood Access Road Stage 1c Service Relocations and Road Works

This item is considered confidential under section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

#### RECOMMENDATION

That Council:

1. Accept the tender from Youngsons Civil Pty Ltd for the Dunbogan Flood Access Road Stage 1c Service Relocations and Road Works for \$1,898,876.38 (ex GST).
2. Accept the Schedule of Rates from Youngsons Civil Pty Ltd for variations to the project.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of tender T-14-46.

Item 15.02 Tender T-14-62 Development of PMHC Integrated Water Cycle Management Strategy

This item is considered confidential under section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct)

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business.

RECOMMENDATION

That Council:

1. Accept the tender for the Part 1 of the Development of PMHC Integrated Water Cycle Management Strategy from Jacobs Group (Australia) Pty Limited for \$53,612.00 (ex GST).
2. Accept the Schedule of Rates from Jacobs Group (Australia) Pty Limited for additional activities identified as Part 2 of the project.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-14-62.

CARRIED: 9/0

FOR: *Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

AGAINST: Nil

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The meeting closed at 9:12pm.

.....  
Peter Besseling  
Mayor

**PRESENT**

**Members:**

Councillor Peter Besseling (Mayor)  
Councillor Justin Levido (Deputy Mayor)  
Councillor Rob Turner  
Councillor Adam Roberts  
Councillor Lisa Intemann  
Councillor Geoff Hawkins  
Councillor Trevor Sargeant  
Councillor Michael Cusato

**Other Attendees:**

General Manager (Craig Swift-McNair)  
Director of Community and Economic Growth (Tricia Bulic)  
Director of Corporate and Organisational Services (Rebecca Olsen)  
Director of Development and Environment Services (Matt Rogers)  
Director of Infrastructure and Asset Management (Jeffery Sharp)  
Group Manager Governance and Executive Services (Stewart Todd)  
Governance Support Officer (Bronwyn Lyon)

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The meeting opened at 5.30 pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Mayor opened the Meeting with an Acknowledgement of Country.

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**02 APOLOGIES**

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Nil.

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**03 DISCLOSURES OF INTEREST**

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Nil.

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**CONFIDENTIAL COMMITTEE OF THE WHOLE**

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*RESOLVED: Levido/Cusato*

That pursuant to section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole on the basis that items to be considered are of a confidential nature.

That Council move into Confidential Committee of the Whole to receive and consider the following items:

Item 09.01 Tender T-14-51 North Shore Pressure Sewerage Scheme - Design and Construct Contract

This item is considered confidential under section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

That the resolutions made by the Council in Closed Session be made public as soon as practicable after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.

*CARRIED: 8/0*

*FOR: Besseling, Cusato, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**ADJOURN MEETING**

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The Ordinary Council Meeting adjourned at 5.32 pm.

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**RESUME MEETING**

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The Ordinary Council Meeting resumed at 5.36 pm.

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**ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE**

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*RESOLVED: Turner/Hawkins*

That the undermentioned recommendations from Confidential Committee of the Whole be adopted:

Item 09.01 Tender T-14-51 North Shore Pressure Sewerage Scheme - Design and Construct Contract

This item is considered confidential under section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed,

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prejudice the commercial position of the person who supplied it.

#### RECOMMENDATION

That Council:

1. Selects Ledonne Constructions Pty Ltd as the successful tenderer for the design and construction of the North Shore Sewerage Scheme for the amount of \$6,436,157 (excl GST), for the purpose of obtaining ministerial approval of Stage 3 funding under the Country Towns Water Supply & Sewerage (CTWS&S) Program.
2. Formally notify the Minister that Ledonne Constructions Pty Ltd has been selected as the successful tenderer noting that the tender validity period expires on 29 April 2015.
3. Request the General Manager to table a further report to Council for consideration of awarding the contract for the design and construction of the North Shore Sewerage Scheme to Ledonne Constructions Pty Ltd following notification of the Stage 3 funding by the Minister.
4. Maintain the confidentiality of the documents and considerations in respects of tender T-14-51.

*CARRIED: 8/0*

*FOR: Besseling, Cusato, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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#### **MATTER OF URGENCY - SUSPENSION OF THE ALCOHOL FREE ZONE - ZONE 2 ON FRIDAY 13 MARCH 2015**

The Mayor ruled that Item 05.01 Suspension of the Alcohol Free Zone - Zone 2 on Friday 13 March 2015 is a Matter of Urgency.

*RESOLVED: Besseling/Intemann*

That the Matter of Urgency in relation to the Suspension of the Alcohol Free Zone - Zone 2 on Friday 13 March 2015 be dealt with at this Meeting.

*CARRIED: 8/0*

*FOR: Besseling, Cusato, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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**05.01 SUSPENSION OF THE ALCOHOL FREE ZONE - ZONE 2 ON FRIDAY 13 MARCH 2015**

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*RESOLVED: Intemann/Sargeant*

That Council suspend the alcohol free zone in Zone 2 between 3.00 pm and 10.00 pm on Friday 13 March 2015 in accordance with the Local Government Act 1993 Alcohol Free Guidelines (section 646).

*CARRIED: 8/0*

*FOR: Besseling, Cusato, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

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The meeting closed at 5.42 pm.

.....  
Peter Besseling  
Mayor

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Item: 05  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

Name of Meeting: .....

Meeting Date: .....

Item Number: .....

Subject: .....  
.....

I, ..... declare the following interest:

**Pecuniary:**

Take no part in the consideration and voting and be out of sight of the meeting.

**Non-Pecuniary - Significant Interest:**

Take no part in the consideration and voting and be out of sight of the meeting.

**Non-Pecuniary - Less than Significant Interest:**

May participate in consideration and voting.

For the reason that: .....  
.....

Signed: ..... Date: .....

*(Further explanation is provided on the next page)*

**Further Explanation**

(Local Government Act and Code of Conduct)

A conflict of interest exists where a reasonable and informed person would perceive that a Council official could be influenced by a private interest when carrying out their public duty. Interests can be of two types: pecuniary or non-pecuniary.

All interests, whether pecuniary or non-pecuniary are required to be fully disclosed and in writing.

**Pecuniary Interest**

A pecuniary interest is an interest that a Council official has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Council official. (section 442)

A Council official will also be taken to have a pecuniary interest in a matter if that Council official's spouse or de facto partner or a relative of the Council official or a partner or employer of the Council official, or a company or other body of which the Council official, or a nominee, partner or employer of the Council official is a member, has a pecuniary interest in the matter. (section 443)

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. (section 451)

**Non-Pecuniary**

A non-pecuniary interest is an interest that is private or personal that the Council official has that does not amount to a pecuniary interest as defined in the Act.

Non-pecuniary interests commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

The political views of a Councillor do not constitute a private interest.

The management of a non-pecuniary interest will depend on whether or not it is significant.

*Non Pecuniary – Significant Interest*

As a general rule, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest, but it involves:

- (a) A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the Council official or of the Council official's spouse, current or former spouse or partner, de facto or other person living in the same household.
- (b) Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- (c) An affiliation between a Council official an organisation, sporting body, club, corporation or association that is particularly strong.

If a Council official declares a non-pecuniary significant interest it must be managed in one of two ways:

1. Remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.
2. Have no involvement in the matter, by taking no part in the consideration or voting on the matter and leave and be out of sight of the meeting, as if the provisions in section 451(2) apply.

*Non Pecuniary – Less than Significant Interest*

If a Council official has declared a non-pecuniary less than significant interest and it does not require further action, they must provide an explanation of why they consider that the conflict does not require further action in the circumstances.

**SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION**

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of land in which councillor or an associated person, company or body has a proprietary interest ( <i>the <b>identified land</b></i> ) <sup>i</sup>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease trust, option or contract, or otherwise).  <input type="checkbox"/> Associated person of councillor has interest in the land.  <input type="checkbox"/> Associated company or body of councillor has interest in the land.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST</b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP ( <i>the <b>subject land</b></i> ) <sup>iii</sup> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land.  <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain.  <input type="checkbox"/> Appreciable financial loss.

**Councillor's Signature:** ..... **Date:** .....

**Important Information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the *Local Government Act 1993*. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

- 
- i. Section 443 (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative<sup>iv</sup> or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
  - ii. Section 442 of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
  - iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section 443 (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—see section 448 (g) (ii) of the *Local Government Act 1993*.
  - iv. **Relative** is defined by the *Local Government Act 1993* as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

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Item: 06.01

Subject: MAYORAL MINUTE - MAYORAL DISCRETIONARY FUND  
ALLOCATIONS

Mayor, Peter Besseling

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**RECOMMENDATION**

**That the Mayoral Discretionary Fund allocations for the period 5 February to 4 March 2015 inclusive be noted.**

**Discussion**

Mayoral Discretionary Fund Allocations

The total commitment from the Mayoral Discretionary Fund from 5 February to 4 March 2015 inclusive was \$1,075.00.

This included the following:

Gold Sponsorship to Hastings Education Fund	\$1,000.00
Wreath for National Servicemen's Association Ceremony	\$60.00
Donation to Cancer Council Australia on behalf of Centenarian Dora Smith	\$100.00
Flowers - Centenarian Dora Smith	\$15.00
	<u>\$1,075.00</u>

**Attachments**

Nil

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**Item: 07**

**Subject: CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

**Presented by: General Manager, Craig Swift-McNair**

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**Alignment with Delivery Program**

1.4.3 Build trust and improve Council's public reputation through transparency and accountability

**RECOMMENDATION**

**That Council determine that the attachments to Item Number 13.11 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.**

**Discussion**

The following confidential attachments have been submitted to the Ordinary Council Meeting:

<b>Item No.:</b>	13.11
<b>Subject:</b>	Town Beach Marine Rescue & Public Amenities
<b>Attachment Description:</b>	Town Beach Marine Rescue & Public Amenities Revised Project Estimate
<b>Confidential Reason:</b>	Relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. (Local Government Act 1993 - Section 10A(2)(c).

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**Item: 08****Subject: PUBLIC FORUM**

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Residents are able to address Council in the Public Forum of the Ordinary Council Meeting on any Council-related matter not listed on the agenda.

A maximum of eight speakers can address any one Council Meeting Public Forum and each speaker will be given a maximum of five minutes to address Council. Council may wish to ask questions following an address, but a speaker cannot ask questions of Council.

Once an address in the Public Forum has been completed, the speaker is free to leave the chambers quietly.

If you wish to address Council in the Public Forum, you must apply to address that meeting **no later than 4.30pm on the day prior to the meeting** by completing the 'Request to Speak in Public Forum at Ordinary Council Meeting Form'. This form is available at Council's offices or online at [www.pmhc.nsw.gov.au](http://www.pmhc.nsw.gov.au).

## Ensuring Good Governance

### What are we trying to achieve?

A collaborative community that works together and recognises opportunities for community participation in decision making that is defined as ethically, socially and environmentally responsible.

### What will the result be?

- A community that has the opportunity to be involved in decision making.
- Open, easy, meaningful, regular and diverse communication between the community and decision makers.
- Partnerships and collaborative projects, that meet the community's expectations needs and challenges.
- Knowledgeable, skilled and connected community leaders.
- Strong corporate management that is transparent.

### How do we get there?

- 1.1 Engage the community in decision making by using varied communication channels that are relevant to residents.
- 1.2 Create professional development opportunities and networks to support future community leaders.
- 1.3 Create strong partnerships between all levels of government and their agencies so that they are effective advocates for the community.
- 1.4 Demonstrate conscientious and receptive civic leadership.
- 1.5 Implement innovative, fact based business practices.

## Ensuring Good Governance

**Item: 09.01**

**Subject: REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR HAWKINS**

**Presented by: General Manager, Craig Swift-McNair**

### Alignment with Delivery Program

1.4.4 Promote the visibility and profile of Councillors through improved access by the community.

### RECOMMENDATION

**That Council grant leave of absence for Councillor Hawkins for the period 12 April 2015 to 17 July 2015, which includes the Ordinary Meetings of Council scheduled for 15 April, 20 May, 17 June and 15 July 2015.**

### Executive Summary

Council has received a request for leave of absence from Councillor Hawkins for the period 12 April 2015 to 17 July 2015 inclusive. During this period four (4) Ordinary Meetings of Council are scheduled.

### Discussion

Council has received a request for leave of absence from Councillor Hawkins. The Councillor's request conforms with clause 235A of *Local Government (General) Regulation 2005*.

Councillor Hawkins has requested leave of absence for the period 12 April 2015 to 17 July 2015 inclusive. The reason for the Councillor's request is that he will be outside of the local government area and unable to attend to official Council duties during this time.

During the requested leave of absence period four (4) Ordinary Meetings of Council are scheduled:

- Wednesday 15 April 2015.
- Wednesday 20 May 2015.
- Wednesday 17 June 2015.
- Wednesday 15 July 2015.

### Options

Council can:

1. Adopt the recommendation.
2. Refuse leave of absence.

## Ensuring Good Governance

### Community Engagement & Internal Consultation

#### Internal Consultation

- Group Manager Governance & Executive Services.

### Planning & Policy Implications

The Councillor's request conforms with clause 235A of *Local Government (General) Regulation 2005*.

### Financial & Economic Implications

Nil.

### Attachments

Nil

## Ensuring Good Governance

**Item: 09.02**

**Subject: STATUS OF OUTSTANDING REPORTS TO COUNCIL - MARCH 2015**

**Presented by: Corporate & Organisational Services, Rebecca Olsen**

### Alignment with Delivery Program

1.4.3 Build trust and improve Council's public reputation through transparency and accountability.

### RECOMMENDATION

**That the information in the March 2015 Status of Outstanding Reports to Council be noted.**

### Discussion

Reports requested by Council

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Project Management (Item 09.06 - OC 17/09/14)		DCOS	March 2015	March 2015
Development Contributions for Student Accommodation - implementation and feedback on policy. (Item 13.06 - OC 19/11/14)		DDES	March 2015	March 2015
Local Orders Policy: Keeping of Dogs in Thrumster Koala Habitat - Completion of Exhibition (Item 13.07 - OC 19/11/14)		DDES	March 2015	March 2015
Free Camping - Advise on effectiveness of trial measures, results of free camping research and long-term management strategy recommendations. (Item 11.01 - OC 21/05/14)		DCEG	May 2015	March 2015
QON - Car Parking - Port Macquarie CBD (Item 14.01 - OC 18/02/15)		DIAM	March 2015	March 2015

## Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
QON - Funding for Ocean Drive / Houston Mitchell Drive Roundabout (Item 14.02 - OC 18/02/15)		DIAM	March 2015	March 2015
QON - Landscape Maintenance John Oxley Drive and Oxley Highway (Item 14.03 - OC 18/02/15)		DIAM	March 2015	March 2015
Stingray Creek Bridge - accurate estimate of costs to be confirmed during the finalisation of the selective construction tender process (Item 12.07 - OC 18/12/13)		DIAM	Feb 2015	April 2015
Procurement Strategy - local businesses (Item 09.10 - OC 15/10/14)		DCOS	Feb 2015	April 2015
Impact of Road Openings and Closures on Private Property (Item 12.03 - OC 18/09/13)	To be included in overall review of roads policies Information still being sought.	DIAM	March 2015	April 2015
Draft Recreation Plan 2014 - consideration of RMS Regional Boating Plan, clarify initial priority of works and timelines for implementation. (Item 13.03 - OC 18/02/15)		DCEG	April 2015	April 2015
Draft Development Control Guidelines - Birdon Marine West - submissions (Item 13.08 - OC 19/02/14)	Delayed. Public exhibition has occurred. Further information required as a result of the exhibition.	DDES	April 2015	April 2015
LEP - Eco-Tourist Facilities a) the number of applications approved under the ecotourism provisions of Port Macquarie-Hastings LEP 2011. b) the number of proposals that cannot proceed as a result of the development standards specified by clause 7.14 of Port Macquarie-Hastings LEP 2011. (Item 13.09 - OC 16/04/14)		DDES	April 2015	April 2015

## Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Use of McInherney Park Western Man-Made Beach (Item 12.04 - OC 16/10/13)	Report within 1 month of adoption of PMH Recreation Plan	DCEG	Sept 2014	May 2015
Benefits and future options for engagement of community volunteers (Item 10.02 - OC 21/08/13)	Report after three months of operation of volunteer arrangement	DCEG	Feb 2015	May 2015
Development Contributions for Non Residential Development - refer to EDSG for review. (Item 13.06 - OC 18/02/15)		DDES	May 2015	May 2015
Fit for the Future - draft submission (Item 09.01 - OC 18/02/15)		GM	June 2015	June 2015
Policy Making - review (Item 09.07 - OC 19/11/14)		DCOS	June 2015	June 2015
Development Contributions for Student Accommodation - results of trial (Item 13.06 - OC 19/11/14)		DDES	June 2015	June 2015
Waste Audit - Results (Item 12.06 - OC 16/07/14)		DDES	Oct 2015	Oct 2015
Draft Structure Plan for the Greater Sancrox Area - consideration/investigations of potential urban capability/serviceability / capacity of lands between Oxley Highway to north, Pacific Highway to west and Houston Mitchell Drive to south and viability of rural residential development in the Greater Sancrox area. (Item 13.07 - OC 18/02/15)		DDES	2016	2016

### Cyclic Reports

Report	Reporting Officer	Reporting Cycle
Monthly Financial Update	DCOS	Monthly
Investments	DCOS	Monthly
Mayoral Discretionary Fund Allocations	GM	Monthly
Development Activity and Assessment System Performance	DDES	Quarterly (Apr, Jul, Oct, Feb)

## Ensuring Good Governance

Report	Reporting Officer	Reporting Cycle
Glasshouse Quarterly Financial Report	DCOS	Quarterly (July, Oct, Feb, Apr)
Procurement Strategy - Progress Report (Item 08.10 - ORD 18/09/2013)	DCOS	Quarterly (July, Oct, Feb, Apr)
Glasshouse Strategic Business Plan - Progress Report	DCOS	Quarterly (Aug, Nov, Feb, May)
Delivery Program - Progress Report	DCEG	Biannual (Mar, Sept)
Operational Plan - Progress Report	DCEG	Biannual (May, Oct)
Economic Development Strategy - Progress Report (Item 10.03 - ORD 20/11/2013)	DCOS	Biannual (June, Dec)
Mayoral and Councillor Fees (Setting of)	GM DCOS	Annually (June)
MIDROC Strategic Plan 2013-2017 Outcomes (Item 08.03 - ORD 21/08/2013)	GM	Annually (Jul)
Compliments and Complaints Annual Report	DCEG	Annually (Aug)
Annual Report of the Activities of the Mayor's Sporting Fund	DCEG	Annually (Aug)
Council Meeting Dates	DCOS	Annually (Sept)
Creation of Office - Deputy Mayor	DCOS	Annually (Sept)
Payment of Expenses and Provision of Facilities to Councillors Policy for Exhibition	DCOS	Annually (Sept)
Audit Committee Annual Report	DCOS	Annually (Sept)
Annual Disclosure of Interest Returns	GM DCOS	Annually (Oct)
Payment of Expenses and Provision of Facilities to Councillors Policy for Adoption	DCOS	Annually (Nov)
Council's Annual Report	DCEG	Annually (Nov)
Annual Reporting of Contracts for Senior Staff	GM	Annually (Nov)

### Attachments

Nil

## Ensuring Good Governance

**Item: 09.03**

**Subject: DISCLOSURE OF INTEREST RETURN**

**Presented by: Corporate & Organisational Services, Rebecca Olsen**

### Alignment with Delivery Program

1.4.3 Build trust and improve Council's public reputation through transparency and accountability.

### RECOMMENDATION

**That Council note the Disclosure of Interest returns for the positions of:**

- 1. Environmental Health Officer - Onsite Sewage Management.**
- 2. Swimming Pool Compliance Officer.**

### Executive Summary

This report informs Council of the lodgement of two (2) returns disclosing the interests of a designated person which are required under section 445 of the *Local Government Act 1993*.

### Discussion

Section 445 of the *Local Government Act 1993*, requires Designated Persons to prepare and submit written returns of interests in accordance with section 449. The positions of Environmental Health Officer - Onsite Sewage Management and Swimming Pool Compliance Officer are designated persons under the Local Government Act.

Section 450A(1) requires the General Manager to keep a Register of Returns and section 450A(2) requires the General Manager to table the Returns at the first Council Meeting held after the last date for lodgement.

The Returns are then held in the Governance and Executive Services section of Council and, as required by section 6 of the *Government Information (Public Access) Act 2009*, are available for public inspection, by appointment.

The Returns for the positions of Environmental Health Officer - Onsite Sewage Management and Swimming Pool Compliance Officer will be tabled at this meeting.

### Options

Nil. Lodgement of a Return by a Designated Person is a requirement under section 445 of the Local Government Act.

### Community Engagement & Internal Consultation

## Ensuring Good Governance

### Community Engagement

Nil.

### Internal Consultation

- General Manager.
- Group Manager Governance & Executive Services.
- Environmental Health Officer - Onsite Sewage Management.
- Swimming Pool Compliance Officer.

### **Planning & Policy Implications**

Nil.

### **Financial & Economic Implications**

Nil.

### **Attachments**

Nil

## Ensuring Good Governance

**Item: 09.04**

**Subject: PROJECT MANAGEMENT**

**Presented by: Corporate & Organisational Services, Rebecca Olsen**

### Alignment with Delivery Program

1.5.3 Ensure ratepayer value for money through continuous improvement in quality, effectiveness and efficiency of delivery of Council services.

### RECOMMENDATION

**That Council note the report on project management and the current status of the review of the Project Management and Gateway Policy.**

### Executive Summary

Council, at the September 2014 Ordinary Meeting of Council, resolved the following:

9.06 RECOMMENDED ITEM FROM AUDIT COMMITTEE - AUDIT COMMITTEE ANNUAL REPORT 2013-2014

RESOLVED: Hawkins/Roberts

That Council:

1. Adopt the Audit Committee Annual Report for the period 2013-2014.
2. Request the General Manager present a report at the March 2015 meeting of Council, outlining how project management is currently managed across the organisation and detailing how a whole-of-Council, integrated approach to project management will be developed and implemented.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST: Nil

This report addresses that request from Council.

Council has operated under some form of a project management framework since 2004-2005. From that time Council has continuously improved the framework by conducting periodic reviews, notably reviews have taken place in March 2008, October 2012 and July 2014. Over this period, the consistency and rigour applied to project management across the organisation has vastly improved.

Council currently operates under the adopted Project Management and Gateway Policy (2012) and project management framework (updated 2014).

## Ensuring Good Governance

Council, in recent times, has resolved to implement a project management steering group in place of the Gateway project management process. The decision to implement the substitute project management steering group process has been made by Council on a case by case basis.

The change in project management practice by Council, regarding the implementation of project management steering groups, has initiated a comprehensive review of the Project Management and Gateway Policy, this review has commenced and is currently underway.

### Discussion

#### Background

Through a multi point resolution made at the March 2008 Ordinary Meeting of Council, Council commenced its move towards a more robust project management framework adding to the then current project management framework developed during 2004-2005.

This resolution established a number of additional considerations in the management of projects:

- Review current allocation of responsibilities for capital projects within Council to ensure the management of future major projects (above \$1 million) is assigned to an area with the appropriate procurement expertise and support.
- All future projects with potential long term impact upon the Council's financial position to be reviewed by Director Corporate and Business Services.
- All projects above \$500,000 be required to undergo cost benefit analysis before they can be considered for approval.
- For all projects over \$5 million, all proposed brief changes are to be properly costed and then reviewed by the Director Corporate and Business Services prior to submission for approval.

#### *Project Gateway Review Policy*

Subsequently to the March 2008 resolution, Council further resolved at its May 2008 Ordinary Meeting of Council to adopt the "Project Gateway Review Policy".

The Project Gateway Review Policy applied to all procurement, including built infrastructure, information and communications technology (ICT), services and capital equipment. The adoption of the Policy endeavoured to establish a clear framework for the application of the appropriate level of project management rigour.

The Policy included a clause outlining that high risk procurements and all procurements over \$500,000 required a mandatory review at the Business Case Review stage and that the other five Gateway Review stages (or "gates") were to apply to projects based on the individual project risk profile.

## Ensuring Good Governance

### *Review of Project Management Framework*

Council developed a project management framework during 2004-2005. The framework since its introduction has had varying levels of use across the organisation.

During 2011, it was determined that an integrated approach to project management was lacking. Council at this point in time had the project management framework (2004-2005) and the Project Gateway Review Policy (2008). The framework and Policy did not integrate.

An internal review team was established that was tasked with:

- Reviewing the existing project management framework taking into consideration its current phases and the supporting toolkit for appropriateness.
- Reviewing the Gateway Review Methodology along with the existing Policy picking up any of the learning's to date with the Pilot Project Reviews that have been completed.
- Considering the Division of Local Government's (now known as Office of Local Government) requirements based on Circular 08-32 dated 19 May 2008 (Note that this Circular has since been updated).
- Considering Council's Community Participation Policy and ways of embedding this onto the project management framework.
- The review should take into consideration the following items:
  - Ease of use and access.
  - Compliance framework and reporting.
  - Management reporting requirements.
- Provide a new project management approach that integrates the above into a robust framework that is scalable and useable across the entire organisation.
- To make recommendations around systems and processes that will allow project managers and other parties to use the process in a more efficient and effective manner.

Findings from the review into the project management framework (2004-2005) were summarised as follows:

- Not used, not easily found, unaware of existence.
- Not understood, too manual, too complex, confusing, time consuming to use.
- Had negative connotations.
- Was poorly implemented.
- Project managers prefer their own methods. It was noted however that these methods may not be consistent across the organisation and in some instances own methods were developed as a result of having little guidance as to what methods should be used.
- Not integrated or easily aligned with other requirements surrounding project management (for example capital expenditure reviews).
- It was noted by those who were familiar with the framework that many of the aspects of the project management framework were valid and many of the templates could be useful.

Findings from the review into the Project Gateway Review Policy (2008) were summarised as follows:

## Ensuring Good Governance

- The Policy was considered sound.
- Concern was noted with the inherent flexibility with application of the Gateway Policy which states “apply....Gateway Reviews to their projects based on the risk profile of the project and the Project Sponsor’s understanding of how the project is progressing”.
- The application of at least some peer review process to projects over \$50,000 will assist in embedding a culture of good project management principles across the organisation.
- Few staff remain at Council with Gateway experience which creates operational difficulties.

As a result of the review on the project management framework and the time required to implement fully its recommendations, an interim strategy was agreed.

### *Project Management Framework - Interim Strategy*

As a result of the review on the organisation’s project management framework a revised Project Gateway Review Policy and project management framework was proposed as an interim strategy.

A working group was formed to action the interim strategy. The working group revised the project management framework to consist of three levels of project management:

- Level 1: Standard Project Checklist
- Level 2: Project Plan
- Level 3: Gateway Project Management

The working group also revised the Project Gateway Review Policy as Gateway reviews were expensive to conduct and trained Gateway reviewers were becoming difficult to source.

The revised project management framework introduced a risk and financial based assessment that saw all projects worth more than \$5 million require management using the Gateway project management process.

The risk and financial assessment also provided the responsible Director with the discretion to determine that a project - costing less than \$5 million - be managed using the Gateway project management process.

Council adopted the Project Management and Gateway Policy at its October 2012 Ordinary Meeting of Council, which replaced the Project Gateway Review Policy (2008).

### *Organisational structure improvements assist in better project delivery and management*

An organisational restructure occurred in 2013 which established a new section within the Infrastructure and Asset Management Division, called Infrastructure Delivery.

## Ensuring Good Governance

This organisational structure change centralised Council's delivery of survey, design and construction of Council's projects spanning the transport, stormwater, parks, buildings, water, sewer and recreational asset classes.

The introduction of this "centralised" philosophy combined Council's project and design management staff from across the Infrastructure and Asset Management Division. In doing so, all Council's major construction projects and contracts are now managed from this section.

Efficiencies have been achieved in terms of project planning and administration, and importantly consistency in processes has allowed this section to act as a "smarter/better client" in contractual terms.

Also as part of the 2013 organisational restructure, the responsibility for Council's Project Management and Gateway Policy and project management framework was reallocated from the Group Manager Business Services (Corporate & Business Services, now known as Corporate & Organisational Services) to the Group Manager Governance and Executive Services (General Manager's Office).

Council considered a Report at its May 2014 Ordinary Meeting of Council that examined current Infrastructure Delivery resourcing.

From this report it was evident that the current resourcing levels within the Infrastructure Delivery section were insufficient to effectively supervise and deliver the proposed 2014-2015 Capital Works Program.

As a result of this report, Council resolved to allocate additional resources to the Infrastructure Delivery section; these resources included an additional Project Manager and a Contract Administrator.

In recruiting for these new roles, management placed a high emphasis on a broad range of experiences, with candidates having significant private and public works experience. Specifically candidates with larger scale commercial operations have been preferred.

The systems and philosophy's these new staff have brought to the section has seen numerous improvements from streamlining our safety systems and documentation to improving our cost recording and tracking processes.

All construction management staff within the section have broad experiences both in public and private works; this is considered a strength and point of difference for the section.

### *Change in Project Management Practice*

Implementation of the Gateway Project Management process since circa 2011 has been an expensive and difficult task due mainly to the availability of appropriately trained reviewers.

Council due to these reasons in recent times has resolved to implement a substitute Level 3 project management process in the form of project management steering groups.

## Ensuring Good Governance

This change in project management practice by Council has initiated a comprehensive review of the Project Management and Gateway Policy, this review is currently underway.

### Current Project Management Practices

Council currently operates under the adopted Project Management and Gateway Policy (2012) and project management framework (updated 2014). It is an expectation that all staff operate within the Policy and framework on a consistent basis.

In recent times Council, on numerous occasions, has resolved to implement a project management steering group in place of the Gateway project management process. The decision to implement the substitute project management steering group process has been made by Council on a case by case basis.

Council's Audit Committee, in its role, has had oversight of this change in project management practice.

Council's Financial Services section review all budgets (including project budgets) every month and discuss project budgets with relevant Group Managers on a regular basis. Any variances are reported to the Executive Group to oversee operational activities and approve operational actions. Any variation to a project budget that is required will be subsequently reported to Council through the standing monthly financial review report.

During the compilation of the 2015-2016 budget, all project budgets have been phased. Phasing of project budgets will provide an additional mechanism and rigour for project oversight and tracking on a financial basis.

### Current Review of Project Management and Gateway Policy and Project Management Framework

A comprehensive review of Council's Project Management and Gateway Policy is currently underway.

An internal working group, Project Management Review Group, has been formed whose membership consists of representatives from across the organisation.

The Group has the following objectives:

1. Test the current Project Management Policy and project management framework for applicability to the current ways the organisation now manages and controls projects.
2. Examine and provide recommendations on:
  - a. The inclusion of project monitoring and reporting.
  - b. Alternative(s) to Gateway Project Management.
  - c. Appropriate levels of staff training and competency for the Policy and framework.
3. Review and align the Project Management Policy and project management framework to organisational objectives.

# Ensuring Good Governance

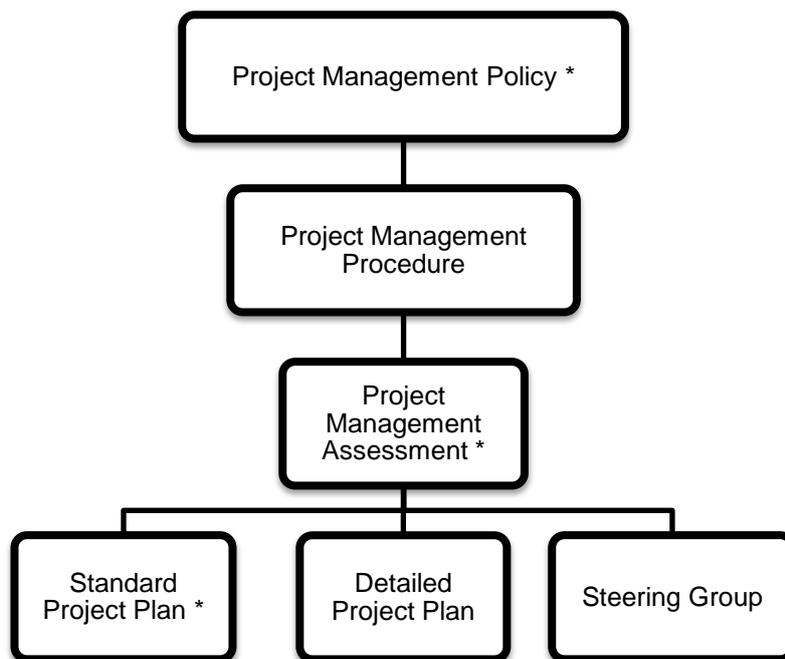
Attached to this report is the Project Management Review Group Charter.

It is through the fulfilling of the Project Management Review Group Charter, specifically the objectives, that a whole-of-Council, integrated approach to project management will be developed and implemented.

*Summary of key progress*

- The Group is addressing Outcome 4 from the Financial Accountability Project; “projects are on time and on budget and any grant funds applicable to projects are acquitted as and when required”.
- The Group has agreed to a draft Project Management Policy.
- The Executive Group has endorsed a revised “project” definition.
- The Group is proposing the rescission of the current Project Management Guidelines.
- The Group is proposing to replace the rescinded Project Management Guidelines with a Project Management Procedure.
- The Group has finalised the draft Project Management Assessment form; this form guides the selection of the appropriate project management process.
- The Group has conducted desktop testing of the draft Project Management Assessment form on a range of recent and varied projects. The Group is of the opinion that the desktop testing undertaken has validated the Group’s current thinking and position on the format and content of the draft Project Management Assessment form.
- The Group is reviewing project management templates based on the ISO21500 Guidance on Project Management standard.

The current proposed Project Management hierarchy is as follows:



\* : Currently in draft



## Ensuring Good Governance

Council's Audit Committee have received quarterly updates on the progress of this review, quarterly updates commenced in June 2014.

The working group have identified and are working through a number of issues; these include, but are not limited to:

- Whole of Life costing considerations.
- Establishing clear links to procurement processes.
- Establishing clear links to community engagement processes.
- Examining the ability to gain ISO9001 certification for Council's new project management framework.
- Streamlined and intelligent reporting of Council projects.

### *Next Steps*

- Finalise the draft Standard Project Plan.
- Draft the Detailed Project Plan.
- Draft the Project Management Procedure.
- Internal consultation with stakeholders is taking place through the drafting of these documents/templates.
- Seek Audit Committee endorsement of the drafted Project Management Policy, draft Project Management Procedure and associated documents/templates.
- Seek Council adoption of the Project Management Policy.

It is envisaged that the draft Project Management Policy will be presented to the next meeting of the Audit Committee, which is being held 14 May 2015.

### **Options**

Nil.

### **Community Engagement & Internal Consultation**

#### Community Engagement

Nil.

#### Internal Consultation

- Audit Committee.
- Group Manager Governance & Executive Services.
- Group Manager Infrastructure Delivery.

### **Planning & Policy Implications**

The current practice of utilising a project management steering group in place of the Gateway project management process is inconsistent with current Policy.

The comprehensive review of Council's Project Management and Gateway Policy, currently underway, is directly addressing this issue.

## Ensuring Good Governance

### Financial & Economic Implications

An intent of the comprehensive review of Council's Project Management and Gateway Policy is to provide further financial accountability with regard to Council's project management and delivery.

The Project Management Review Group Charter explicitly outlines that one of its responsibilities is to fulfil the relevant requirements of Outcome 4 of the Tardiis Financial Accountability Project, which seeks to address the organisations management of projects.

### Attachments

1 [View](#). Project Management Review Group Charter

## Ensuring Good Governance

**Item: 09.05**

**Subject: REVIEW OF GLASSHOUSE SUB-COMMITTEE CHARTER**

**Presented by: Corporate & Organisational Services, Rebecca Olsen**

### Alignment with Delivery Program

1.2.1 Provide effective leadership that supports the community.

### RECOMMENDATION

**That Council note the amendments made to the Glasshouse Sub-Committee Charter and adopt the revised Charter.**

### Executive Summary

This report presents a revised Glasshouse Sub-Committee Charter for Council's consideration and adoption. The revised Charter includes minor amendments endorsed by the Glasshouse Sub-Committee (GSC) following a review after the first 12-months of operation of the GSC.

### Discussion

At the Ordinary Council Meeting held on 18 December 2013, Council resolved:

#### **08.10 GLASSHOUSE SUB-COMMITTEE**

*RESOLVED: Roberts/Hawkins*

That Council:

1. Note the amendments made to the Glasshouse Sub-Committee Charter and adopt the revised Charter.
2. Appoint the following people as independent members of the Glasshouse Sub-Committee for a twenty-four (24) month term commencing from the first meeting date of the Glasshouse Sub-Committee:
  - Mr Adam Button
  - Ms Moira Magrath
  - Mr William Grubb
  - Dr Jennifer Hutchison
3. In writing, formally advise all persons who submitted an expression of interest to join the Glasshouse Sub-Committee of the outcome.
4. Disband the Regional Gallery Advisory Board.
5. That Councillor Adam Roberts be appointed as the Chair of the Glasshouse Sub-Committee and Councillor Rob Turner as the second Councillor on the Sub-Committee.

*CARRIED: 9/0*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

## Ensuring Good Governance

As per Resolution 2 above, the initial term of the Glasshouse Sub-Committee is for a period of twenty four (24) months commencing from the first meeting date of the GSC, being 4 February 2014. The adopted Charter required a review to take place at the twelve (12) month period to ensure relevance to the ongoing aims of the GSC.

Accordingly, at the Glasshouse Sub-Committee Meeting held on 3 March 2015, the GSC reviewed the Charter and reached consensus on the following amendments:

### **10 REVIEW OF GLASSHOUSE SUB-COMMITTEE CHARTER**

The Glasshouse Sub-Committee discussed the Glasshouse Sub-Committee Charter. CONSENSUS:

The following changes are to be made to the Glasshouse Sub-Committee Charter:

1. In 2.0 - Objectives - 2.1 to 2.3 - change to reflect past tense;
2. In 2.0 - Objectives - 2.4 - 2.6 - remain unchanged on the basis that the Sub-Committee members consider them to remain relevant; and
3. In 5.0 - To reflect a further review to occur in December 2015.

These changes have been made in the revised Charter attached to this report.

### **Options**

Council has the option of accepting the recommended changes to the Glasshouse Sub-Committee Charter or not accepting same.

### **Community Engagement & Internal Consultation**

Consultation on the review of the Glasshouse Sub-Committee Charter has taken place with the following:

- Glasshouse Sub-Committee.

### **Planning & Policy Implications**

The key ongoing objective of the Glasshouse Sub-Committee is to monitor and measure the implementation of the Glasshouse Strategic Plan as adopted by Council in July 2014.

### **Financial & Economic Implications**

There are no direct financial and / or economic implications as a result of this report.

### **Attachments**

1 [View](#). Draft Glasshouse Sub-Committee Charter - revised

## Ensuring Good Governance

**Item: 09.06**

**Subject: INVESTMENTS - FEBRUARY 2015**

**Presented by: Corporate & Organisational Services, Rebecca Olsen**

### Alignment with Delivery Program

1.4.2 Manage Council's financial assets, and provide accurate, timely and reliable financial information for management purposes and provide plain English community reporting.

### RECOMMENDATION

**That Council note the Investment Report for the month of February 2015.**

#### Executive Summary

- Total restricted funds invested as at 28 February 2015 equals \$170,089,321.
- Year-to-date investment income of \$4,517,892 is 102.25% of the total annual budget.
- In line with Council's Investment Policy, the total portfolio has performed above benchmark levels.

#### Discussion

This report provides details of and certifies that all funds that Council has invested under Section 625 of the Local Government Act 1993, as at 28 February 2015, with all investments were made in accordance with the Act, Regulations and Council's Investment Policy.

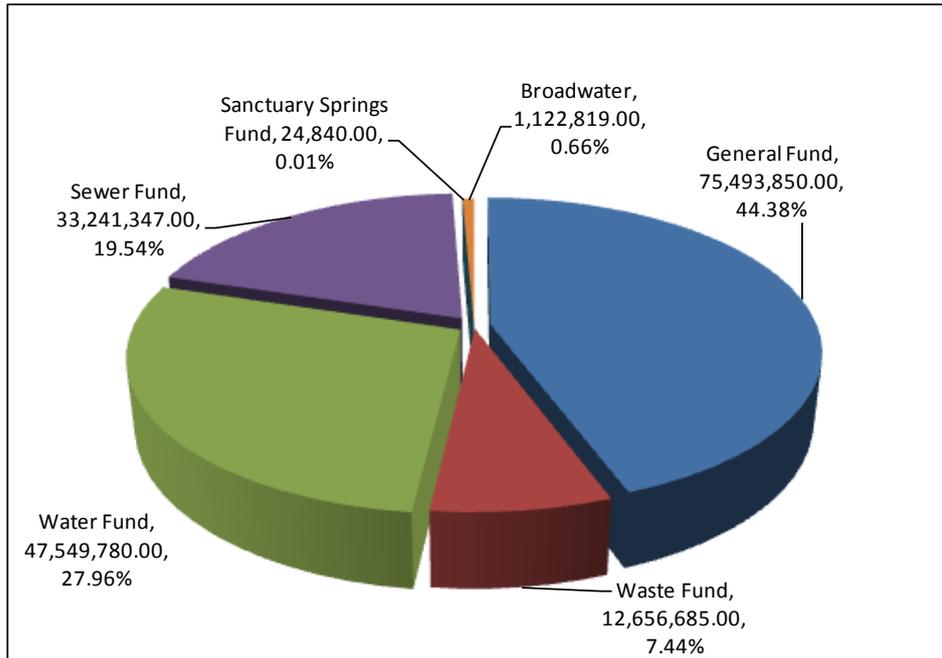
As at 28 February 2015, the investments held by Council totalled \$170,089,321 and is attributed to the following funds.

General Fund	75,493,850.00
Waste Fund	12,656,685.00
Water Fund	47,549,780.00
Sewer Fund	33,241,347.00
Sanctuary Springs Fund	24,840.00
Broadwater	<u>1,122,819.00</u>
	<b><u>170,089,321.00</u></b>

These are all restricted funds from loans, s94 contributions and other avenues which are committed for future works. The total quantum of unrestricted funds cannot be accurately determined until year end.

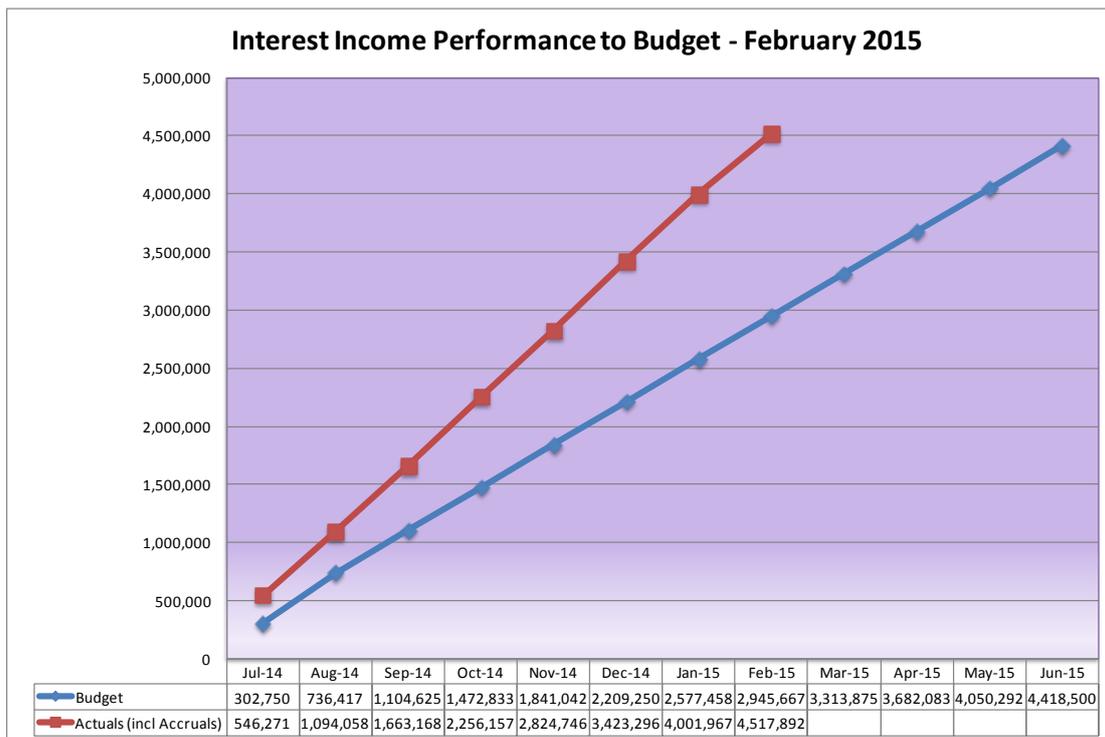
# Ensuring Good Governance

## Investments by Fund - as at 28 February 2015



## Portfolio Performance

- Council’s total investment portfolio performance for February 2015 was 0.73% 1. above the benchmark (3.64% against 2.91%).
- The total year-to-date investment income of \$4,517,892 is 102.25% of the total annual budget of \$4,418,500.



GOVERNANCE



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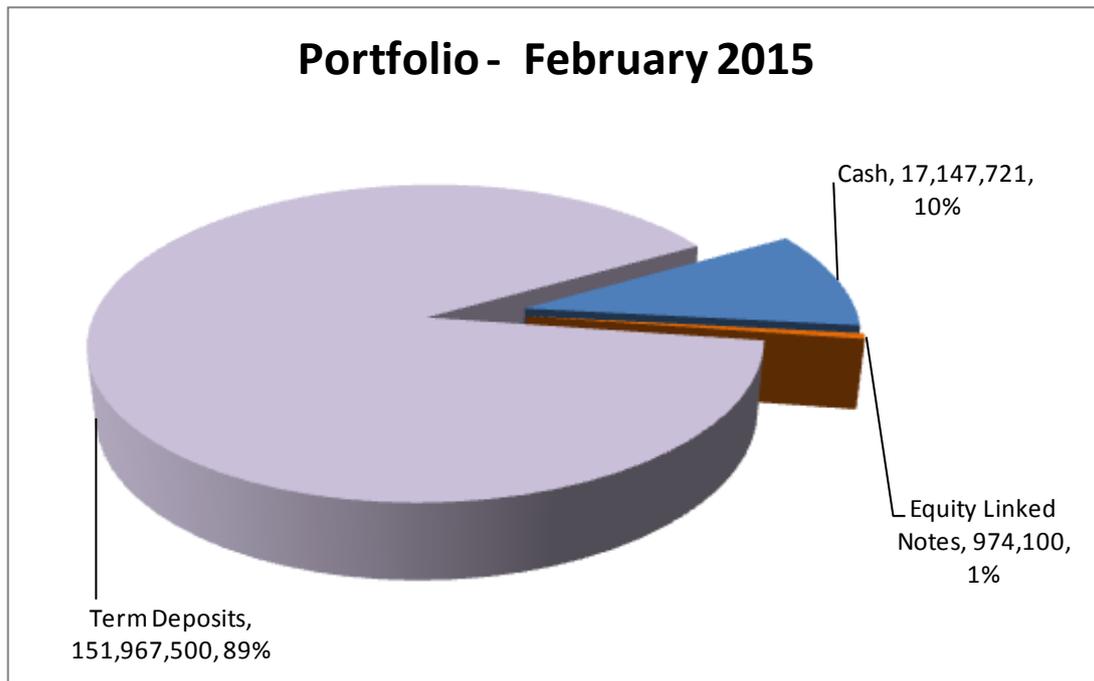
**Ensuring Good Governance**

These year-to-date and actuals are not a cash only position, but rather reflect cash and internal accruals at month end.

Investment Portfolio Mix

Council’s current portfolio is represented by term deposits and a Capital Protected Equity Linked Note. The total term deposits represent 89% of the total investment portfolio.

As at 28 February 2015, the total investment portfolio was \$170,089,321 up from \$164,357,721 as at the end of January 2015.



Term Deposits

Council’s Investment Policy identifies the maximum amounts that can be invested in term deposits within the various maturity constraints and the amounts which can be held with various institutions based on their respective credit ratings.

Council’s current term deposit portfolio mix is as follows:

*Table 1 - Term to Maturity*

This table shows the amounts invested within the following maturity terms in accordance with limits as established by Council’s Policy:



## Ensuring Good Governance

Term to Maturity	Balance \$	% Held	Policy Min	Policy Max
0 - 12 months	\$83,967,500	55.25%	40.00%	100.00%
1 - 3 years	\$58,000,000	38.17%	0.00%	60.00%
3 - 5 years	\$10,000,000	6.58%	0.00%	30.00%
5+ years		0.00%	0.00%	15.00%
<b>Grand Total</b>	<b>\$151,967,500</b>	<b>100.00%</b>		

## Ensuring Good Governance

Table 2 - Overall Portfolio Credit Framework

This table shows the amounts held with various institutions based on their respective credit ratings against the maximum limits set for each credit rating category. Setting limits precludes over exposure in any category held in comparison to the maximum allowed and are shown in the table below:

Rating Framework	Total	% Held	Maximum % Policy	Variance
A	26,192,500	17.24%	60.00%	42.76%
AA	112,775,000	74.21%	100.00%	25.79%
BBB	11,000,000	7.24%	15.00%	7.76%
Below BBB		0.00%	0.00%	0.00%
Unrated/ADI	2,000,000	1.32%	10.00%	8.68%
<b>Grand Total</b>	<b>151,967,500</b>	<b>100.00%</b>		

These tables show the total amount held for Council's term deposits and do not include the Equity Linked Note.

Credit Unions are regarded as ADI's (Authorised Deposit Taking Institutions) and generally do not have ratings. Under the regulation of Australian Prudential Regulation Authority (APRA), all ADI's have to meet the same requirements in terms of capital adequacy (how much capital they are required to hold), ensuring they don't take on too much leverage and become insolvent. In addition, ADI's are an eligible investment under the Minister's Order. Council has one investment with the Holiday Coast Credit Union (HCCU) which is an ADI. This investment is shown in table 2 and represents only 1.32% of the total investment, being \$2 million.

### Capital Protected Equity Linked Note - Emu

Council currently holds one capital protected product (CCPI) note, being Emu with a face value of \$1 million. At the time of writing the report a valuation as at 28 February 2015 had not been received due to the tight timeframes from end of month to finalise this report. For the purposes of this calculation the valuation as at 31 December 2014 has been used.

Whilst originally this product had the potential to be a risky investment, with the correction in the financial markets during the global financial crisis, this deal experienced a 100% shift out of any risky asset to a less risky situation to protect the investor's principal.

At this stage, these funds on deposit are growing at a rate that should return 100 cents in the dollar of the original funds invested. This was the case with the Longreach note which matured in late November and returned the full \$3 million of the original investment.

### Cash - Westpac Business Cash Reserve Account

*This is not available unrestricted cash.*

This is a maxi account which the Council uses as a cash flowing tool only. Funds are transferred in and out of this account daily prior to investment, given its higher rate of

## Ensuring Good Governance

interest than the general payment account. Levels in this account vary dependent on the time of month and rate payer/creditor cycle.

### Investment Portfolio by Maturity Date - as at 28 February 2015

Inv Name	Type	Purchase Date	Maturity Date	Yield	Face Value		
Bendigo Bank	TD	6-Sep-13	6-Mar-15	4.05%	\$4,000,000		
National Australia Bank	TD	6-Sep-13	6-Mar-15	4.04%	\$4,000,000		
Holiday Coast Credit Union	TD	10-Oct-13	10-Apr-15	4.15%	\$2,000,000		
St George Bank	TD	10-Oct-13	14-Apr-15	3.92%	\$5,000,000		
National Australia Bank	TD	15-Aug-14	15-May-15	3.65%	\$5,000,000		
Westpac Bank	TD	20-Jun-13	22-Jun-15	4.30%	\$3,000,000		
Westpac Bank	TD	28-Mar-14	28-Jun-15	3.89%	\$2,000,000		
Westpac Bank	TD	22-Jul-14	22-Jul-15	3.73%	\$775,000		
St George Bank	TD	26-Aug-14	26-Jul-15	3.72%	\$5,000,000		
Westpac Bank	TD	26-Aug-14	26-Aug-15	3.78%	\$5,000,000		
Bank of Queensland	TD	6-Sep-13	6-Sep-15	4.20%	\$4,000,000		
Investec Bank (Austalia) Ltd	TD	13-Sep-13	14-Sep-15	4.29%	\$4,000,000		
Bank of Queensland	TD	10-Oct-14	10-Oct-15	3.50%	\$5,192,500		
Westpac Bank	TD	23-Oct-14	23-Oct-15	3.94%	\$4,000,000		
Westpac Bank	TD	29-Aug-14	29-Oct-15	3.76%	\$4,000,000		
Credit Union Australia	TD	12-Nov-14	12-Nov-15	3.60%	\$2,000,000		
ANZ Bank	TD	13-Nov-12	13-Nov-15	4.70%	\$2,000,000		
National Australia Bank	TD	25-Nov-14	25-Nov-15	3.62%	\$2,000,000		
ANZ Bank	TD	26-Nov-14	26-Nov-15	3.63%	\$2,000,000		
ANZ Bank	TD	12-Sep-14	12-Dec-15	3.67%	\$3,000,000		
National Australia Bank	TD	17-Dec-14	17-Dec-15	3.60%	\$2,000,000		
National Australia Bank	TD	17-Dec-14	17-Dec-15	3.60%	\$3,000,000		
National Australia Bank	TD	16-Sep-14	19-Jan-16	3.68%	\$3,000,000		
Westpac Bank	TD	23-Oct-14	23-Feb-16	3.83%	\$3,000,000		
National Australia Bank	TD	23-Feb-15	22-Feb-16	3.18%	\$5,000,000		
ANZ Bank	TD	26-Nov-14	28-Mar-16	3.63%	\$2,000,000		
National Australia Bank	TD	28-Mar-14	28-Mar-16	4.20%	\$2,000,000		
Westpac Bank	TD	20-Aug-14	11-Apr-16	3.74%	\$4,000,000		
Commonwealth Bank	TD	10-May-13	9-May-16	4.50%	\$1,000,000		
Commonwealth Bank	TD	13-May-13	13-May-16	4.50%	\$1,000,000		
Commonwealth Bank	TD	27-May-13	27-May-16	4.55%	\$1,000,000		
Bank of Queensland	TD	16-Sep-14	16-Jun-16	3.70%	\$3,000,000		
Westpac Bank	TD	20-Jun-13	20-Jun-16	4.51%	\$3,000,000		
Bank of Queensland	TD	13-Sep-13	13-Sep-16	4.55%	\$3,000,000		
Westpac Bank	TD	14-Sep-11	14-Sep-16	6.05%	\$7,000,000		
Newcastle Permanent	TD	23-Oct-14	24-Oct-16	3.75%	\$5,000,000		
Rabobank	TD	11-Nov-11	11-Nov-16	6.30%	\$2,000,000		
Westpac Bank	TD	11-Nov-11	11-Nov-16	6.22%	\$3,000,000		
National Australia Bank	TD	26-Nov-14	28-Nov-16	3.65%	\$2,000,000		
National Australia Bank	TD	17-Dec-14	19-Dec-16	3.65%	\$2,000,000		
National Australia Bank	TD	17-Dec-14	19-Dec-16	3.65%	\$3,000,000		
ING Bank (Australia) Ltd	TD	20-Dec-11	20-Dec-16	6.16%	\$3,000,000		
National Australia Bank	TD	23-Feb-15	23-Feb-17	3.18%	\$4,000,000		
Westpac Bank	TD	12-Mar-14	12-Mar-17	4.38%	\$3,000,000		
Westpac Bank	TD	4-Sep-14	4-Sep-17	4.07%	\$2,000,000		
ANZ Bank	TD	13-Nov-12	13-Nov-17	4.87%	\$2,000,000		
Bank of Queensland	TD	20-Jun-13	20-Jun-18	5.00%	\$4,000,000		
Westpac Bank	TD	4-Sep-14	4-Sep-18	4.22%	\$4,000,000		
Rabobank	TD	20-Jan-15	20-Jan-19	3.90%	\$2,000,000		
<b>Total TD's</b>					<b>\$151,967,500</b>		
<b>Cash Fund</b>							
Westpac Business Cash Reserve Account	CASH			2.95%	\$17,147,721		
Capital Protected Equity Linked Notes	Rating	Purchase Date	Maturity Date	Valuation	Face Value	\$ Value	Comment / Protection
Emu Note	A-	26-Oct-05	30-Oct-15	97.410	\$1,000,000	\$974,100	Commerzbank
<b>Total Cap Protected Notes</b>					<b>\$1,000,000</b>	<b>\$974,100</b>	
<b>Total Portfolio</b>					<b>\$170,115,221</b>	<b>\$170,089,321</b>	

## Ensuring Good Governance

Note: The amount within "\$ value" in the table above is the estimate of current realisable value for the investment as provided by FIIG Securities Limited and is not necessarily the amount that is to be received upon maturity.

The portfolio continues to retain a level of liquidity through the cash component total of \$17,147,721 and the Capital Protected investment. Current cash levels remain high at the time of writing this report due to a recent maturing investment. It is intended that surplus funds will be invested promptly, however surplus funds are attracting an interest rate of 2.95% being the current cash rate plus 0.7%. Recent changes within the Banks following the introduction of the new Basel III Liquidity Coverage Ratio rules, Term Deposits will now require 31 days notice for withdrawals. Council will need to ensure there is sufficient liquidity to allow for this notice period.

The largest sector of the portfolio is the term deposit allocation of \$151,967,500 (last month \$156,967,500) or 89% of the total.

### Options

This is an information report.

### Community Engagement & Internal Consultation

Council uses the services of an independent financial advisor, on an as needs basis with investments. As the only investments placed this month were term deposits, at which time at least three quotes were obtained from financial institutions in line with Council's Investment Policy, the services of an independent financial advisor were not required. Council obtains regular updates regarding market activities positions from various institutions.

### Planning & Policy Implications

Nil.

### Financial & Economic Implications

Should benchmark levels not be reached, then this may result in budget cuts in other areas to fund the shortfall.

Alternatively, an excess above budget benchmarks may be allocated to alternative programs. These adjustments will not occur until the end of the financial year adjustments are made, once the level of available funds is determined.

Council's total investment portfolio performance for February 2015 was 0.72% above the benchmark (3.639% against 2.91%) and year-to-date income has reached 102.25% of the total annual budget.

It should be noted that investment income is noted as a gross amount. Section 97(5) of the Local Government Act 1993 indicates that any security deposit held with Council must be repaid with interest accrued. These security deposits will only relate to bonds held for security to make good damage done to works.

## Ensuring Good Governance

The overall investment income will be adjusted at financial year end by the total interest refunded on repayment of bonds. As Council constantly receives and refunds bonds, it is difficult to accurately determine the quantum of these refunds. This financial year Council has refunded bonds with an associated interest component of \$7,574.04. This will be monitored and advised monthly.

### Attachments

Nil

## Ensuring Good Governance

**Item: 09.07**

**Subject: MONTHLY FINANCIAL REVIEW FOR FEBRUARY 2015**

**Presented by: Corporate & Organisational Services, Rebecca Olsen**

### Alignment with Delivery Program

1.4.2 Manage Council's financial assets, and provide accurate, timely and reliable financial information for management purposes and provide plain English community reporting.

### RECOMMENDATION

**That Council adopt the adjustments in the "Financial Implications" section of the report for February 2015.**

### Executive Summary

This report details the monthly budget adjustments for February 2015. Following the January 2015 adjustments, the budget was in a surplus position of \$364,064. Adjustments incurred throughout February have seen the surplus position remain unchanged.

### Discussion

#### Monthly Budget Adjustments as at 28 February 2015

Each month, Council's budgets are reviewed by Managers and Directors and any required adjustments are reported. The purpose of this report is to provide Council with an up to date view of the current actual financial position in comparison to the adopted 2014-2015 budget along with proposed movement of funds to accommodate any changes.

#### Monthly Budget Review Summary

<b>Original Budget as at 1 July 2014</b>	<b>Balanced</b>	<b>\$0</b>
Plus adjustments:		
July Review	Balanced	\$0
August Review	Deficit	(\$120,540)
September Review	Surplus	\$377,629
October Review	Surplus	\$150,965
November Review	Balanced	\$0
December Review	Balanced	\$0
January Review	Deficit	(\$43,990)

## Ensuring Good Governance

February Review	Balanced	\$0
<b>Forecast budget position for 30 June 2015</b>	<b>Surplus</b>	<b>\$364,064</b>

### February Adjustments

There were no adjustments this month that impacted on Council's budget position:

The following adjustments reflect grant and contribution receipts, transfers between accounts and reserve movements. It should be noted that these adjustments have no impact on the budget position (for example grant receipts have an associated expenditure budget).

Description	Notes	Funding Source	Amount
Grant Expenditure	1	Grants	\$18,500
Contribution Expenditure	2	Contributions	\$5,000
Land Sale transfer to reserve	3	Reserves	\$599,065
Transfers as the result of a Council Resolution	4	Various	\$41,297,975
Additional Reserve Expenditure	5	Reserves	\$133,216
Transfers between projects	6	Revenue	\$222,343

With reference to the February adjustments, the following is noted:

1. Two grants have been received and required adjustment in this review. These adjustments reflect an increase in received funds and recognition of new operational grants previously not budgeted.
2. Council has received a contribution towards Oxley Oval turf wicket in the amount of \$5,000.
3. Council has sold two lots that were previously part of the Flynns Beach Caravan Park. In line with a previous council resolution the proceeds from the sale have been transferred to the property reserve.
4. Item 09.15 of the 18 February 2015 Ordinary Council Meeting itemised current works program projects that will be delivered in 2015-16. Hence, these projects have been removed from the current year works program and included in the 2015-16 Operational Plan.
5. Additional reserve funding has been used for two projects. One being the subject of over-expenditure review endorsed by the Executive for Council approval with the other a minor budget adjustment within the water supply. The funds for these adjustments have been taken out of the water and sewerage reserves.
6. There are a number of budget transfers between projects in this review. Three transfers are due to the Executive approving over-expenditure reviews. The remaining transfers are due to the combining of the pre-construction and construction budgets for one project, and the transfer of \$20,000 from the building maintenance budgets to the graffiti removal allocation.

It should also be noted that:

## Ensuring Good Governance

- Any overspends greater than \$50,000 and 2% of the project budget have been reviewed and approved by the Executive Group, being their function to oversee operational activities and approve operational actions.
- There has been no deterioration in the current budget result from last month which remains in a surplus position.
- Any gains in interest income have not been taken into consideration into these calculations.

### Options

Council may adopt the recommendation as proposed or amend as required.

### Planning & Policy Implications

Nil.

### Financial & Economic Implications

Attached to the report for information is each individual budget adjustment by Division and Section. The net budget movements for February maintain the current surplus position.

### Responsible Accounting Officer Statement

The approved budget surplus for 2014-2015 following the January monthly financial review was \$364,064. The adjustments included in this report will maintain this surplus. The surplus position is considered a satisfactory result for the year.

### Attachments

1 [View](#). February 2015 Monthly Financial Adjustments

## Ensuring Good Governance

**Item: 09.08**

**Subject: DRAFT ONE YEAR OPERATIONAL PLAN FOR 2015 - 2016, DRAFT REVENUE POLICY AND DRAFT FEES AND CHARGES 2015 - 2016**

**Presented by: Community & Economic Growth, Tricia Bulic**

### Alignment with Delivery Program

1.1.1 Use a variety of tools to engage with the community in a manner that is transparent, effective, relevant and inclusive.

### RECOMMENDATION

#### That Council:

1. **Approve the following documents to be placed on public exhibition for the period 23 March - 1 May 2015 (noting there is a minimum of 28 days in accordance with the requirements of Sections 404 and 405 of the Local Government Act (1993)):**
  - **Draft One Year Operational Plan 2015 - 2016**
  - **Draft Fees and Charges 2015 - 2016**
  - **Draft Revenue Policy 2015 - 2016**
  - **Rating Maps 2015 - 2016**
2. **Endorse the community engagement plan for the development of the One Year Operational Plan for 2015 - 2016 and associated documents, to enable the community to provide its input into the decision making of Council.**

### Executive Summary

On the 19 June 2013 Council adopted the 2013 - 2017 Delivery Program (DP) which details the priorities of Council during their term of office in accordance with the legislative requirements of the Integrated Planning and Reporting framework. For each year of the Four Year Delivery Program, Council is required to develop a one year Operational Plan. This One Year Operational Plan outlines the actions Council will undertake during 2015 - 2016 in order to deliver the priorities of Council's Four Year Delivery Program 2013 - 2017. These documents contribute to the delivery of the overall community vision detailed in the 'Towards 2030 Community Strategic Plan'.

The purpose of this report is to seek approval to engage the community and other stakeholders, for a six week period to provide their feedback on the draft One Year Operational Plan 2015 - 2016, draft Fees and Charges 2015 - 2016 and draft Revenue Policy 2015 - 2016.

Legislatively, the final planning documents are required to be presented to Council for adoption no later than 30 June 2015.

## Ensuring Good Governance

### Discussion

In 2009, the NSW Government adopted a new Integrated Planning and Reporting (IPR) framework within the Local Government Act (1993) which legislates the way councils identify and plan for funding priorities and service levels in consultation with their community, while also preserving local identity and working towards a sustainable future.

This framework includes the development of a Community Strategic Plan, Delivery Program, Operational Plan and a Resourcing Strategy.

The 2013 - 2017 Delivery Program (adopted June 2013) and the 2013 - 2017 Resourcing Strategy including the Long Term Financial Plan (adopted June 2013) are the documents Council have developed under this framework.

The objectives outlined in the Delivery Program provide the detail of how Council intends to address the strategies outlined in the Towards 2030 Community Strategic Plan, within the resources available under the 2013 - 2017 Resourcing Strategy.

The Operational Plan, Fees and Charges and Revenue Policy are all elements which require annual review, exhibition and must be adopted by the 30 June ahead of the new financial year.

### One Year Operational Plan 2015 - 2016

The One Year Operational Plan 2015 - 2016 details the activities Council will undertake during the year in order to meet the Delivery Program objectives.

The document, organised by the Guiding Principle and Focus Areas that are consistent throughout the Port Macquarie-Hastings Council suite of Integrated Planning documents, details the programs, actions and capital works that will be carried out in the coming financial year. Each item includes which area of Council is responsible for delivery and how the delivery will be measured.

The appendix to the Operational Plan include;

- Annual statement of Revenue Policy which details:
  - Estimated income and expenditure (budget)
  - Ordinary and special rates
  - Proposed fees and charges
  - Proposed pricing methodology
  - Proposed borrowings
- Detailed Fees and Charges
- Rating area maps

Council must publicly exhibit the draft documents for a minimum of 28 days allowing public submissions to be received during this time.

## Ensuring Good Governance

The proposed community engagement plan attached identifies engagement activities to be undertaken during an engagement period over 40 days across March and April.

As part of Council's commitment to continuous improvement the preceding documents, engagement process and development are reviewed each year. This review has resulted in a longer public exhibition period, an increase of financial summary information in the Operational Plan, use of symbols to indicate new or continuing capital works projects and continuation of the unique numbering system, which spans the four years of the Delivery Program.

New elements of the Operational Plan in 2015 - 2016 include a budget snapshot providing an overview of the level of investment in areas that have been prioritised by the community, a breakdown of major projects by area and a breakdown of parks and reserve upgrades by area.

The proposed 2015 - 2016 capital works program is included within the body of the Operational Plan according to the Focus Areas and totals \$104.8m.

In February 2015 on reviewing the current Operational Plan progress report, Council resolved to *adopt the financial realignments to the 2014 - 2015 Operational Plan valued at \$41,297,975, noting that these amendments will be reflected in future monthly financial reports to Council.*

Subsequently these projects have been carried forward to the 2015 - 2016 capital works program and highlighted as continuing.

Major commitments in capital works and operational priorities for 2015 -2016 include;

- continued allocation of \$1m for proactive road maintenance and resealing works
- continuation of the road resurfacing program for high traffic roads with an investment of over \$800,000
- a further \$350,000 specifically allocated to footpath and cycleway projects to continue joining missing links of footpath across the LGA
- investment in the schools to school footpath program in the Camden Haven in order to match grant funding allocations
- allocation of \$800,000 to upgrade the Wauchope pool and an additional allocation from developer contributions to heat the pool
- more than \$2.4m investment in upgrading parks, playgrounds and reserves across the LGA
- construction of Hastings River Drive upgrade between Gordon and Aston streets
- rehabilitation of Houston Mitchell Drive in two key sections
- replacement of Stingray Creek Bridge
- duplication of Ocean Drive, Mathews Flinders Drive to Greenmeadows
- continued construction of Southern Arm Trunk Main
- continued implementation of the Small Towns Sewerage Program with more than \$3m allocated to the North Shore scheme and additional spend of approximately \$4.5m across the schemes at Comboyne, Long Flat and Telegraph Point
- replacement of the bridge over Harty's Creek on Comboyne Rd

## Ensuring Good Governance

- construction of the new waste transfer facility at Kew
- construction of the Dunbogan flood access road

### Supplementary Documents

The full listing of rates, fees and charges, relevant statutory regulations and the proposed income generated is contained in the attached Revenue Policy and Fees and Charges documents. Below is an overview of key elements from the documents.

### Overview Revenue Policy

#### *Rates*

The Local Government Minister's allowable increase for the 2015 - 2016 financial year has been set at 2.4% and has been applied in full. Council is using land valuations as at 1 July 2012 for the rating calculations.

#### *Fees and Charges for Goods and Services*

Council delivers a wide range of chargeable services to the community. In determining the appropriate level of fees to be charged, a range of issues are considered such as what is fair and equitable, and how much the service costs to provide.

Taking this principle into account, the 2015 - 2016 fees and charges for services in a number of categories have a proposed CPI increase of 2.2%. These increases apply to categories where the individual costs are met by the user of the service, where Council operates in a competitive marketplace or Council provides services on a commercial basis.

#### *Water Charges*

Water charges will continue to be charged under the current two-tier water pricing tariff structure. The annual water charge and usage charges are proposed to increase by 6% for the 2014 - 2015 financial year. Reclaimed water will be charged at 50% of the water charge.

#### *Sewer Charges*

All properties connected, or capable of connection, to the sewerage system will be subject to an annual charge. In addition, properties such as major regional shopping centres, caravan parks, flats, retirement homes, motels, clubs, hotels, schools and backpacker hostels will be required to pay an additional charge based on the amount of water consumed. Properties with an on-site effluent management system will be charged an on-site effluent management fee. Council resolved in 2011 - 2012 to increase the sewerage annual and usage charges by 4.5% for the 2015 - 2016 to 2017 - 2018 financial years.

#### *Stormwater charges*

Council charges a stormwater levy on all urban properties (except vacant land) that are in the residential and business rating categories and where stormwater management service is provided. The base stormwater levy has remained unchanged since it was introduced by the State Government in 2006 - 2007 and this was re-confirmed by the Minister of Local Government this week via correspondence.

## Ensuring Good Governance

### *Waste Management charges*

Since 1 July 2009 Council has been subject to a waste and environmental levy charged by the State Government for all waste going into landfill. Originally set at \$10 per tonne, this levy is expected to rise to approximately \$77.10 per tonne by mid 2015. Council has no alternative but to recoup this levy from ratepayers.

The annual charges for both domestic and other waste are being reviewed in conjunction with implementation of the new waste collection contract. The figures in the Revenue Policy are draft only and are subject to change.

### Overview Fees and Charges

#### *Ferry Tickets:*

Council undertook a review of the ferry service in 2013 seeking feedback from the community which included ticketing and pricing. Having implemented changes to the operations in June 2014, Council has now been able to consider the structure of ferry ticket and related pricing.

The NSW Government review into Local Government requires Council to ensure its operations are financially sustainable and 'Fit for the Future'. Consideration of the ferry ticketing and pricing has been undertaken with this reform agenda in mind.

In reviewing the structure and pricing of tickets for ferry travel Council has considered:

- user types and volumes
- the ongoing sustainability of the service
- user pays pricing
- efficiency of the ticketing purchase / vehicle loading process - including increased safety
- simplified pricing
- long term cost / maintenance / replacement

An altered ticket structure is recommended within the fees and charges for 2015 - 2016 in order to provide a more efficient and simplified ticket process that will improve the efficiency of the service and aim to reduce the level of subsidy provided through the General Fund.

A significant increase in loading efficiency and safety is made when there is little or no transaction required between the vehicle driver and the ferry operator. Therefore increased use of annual passes and the proposed replacement of weekly tickets with monthly tickets will greatly assist in achieving this efficiency outcome.

Reducing the price of annual tickets and making the monthly ticket cheaper than previously buying four weekly tickets will make it more appealing to frequent users to seek long term ticket options.

Concession ticketing is another method of ensuring service costs are equitable for local frequent users. All residents and rate payers of Port Macquarie-Hastings

## Ensuring Good Governance

Council can purchase a concession sticker and thus access concession tickets and passes.

Concession ticketing will apply to annual passes and include the introduction of annual passes for motorcycles, trucks and semi-trailers/articulate vehicles.

A further significant change is the introduction of pre-paid books of concession tickets to replace the current purchase of single concession tickets for each trip. As such concession travelers will hand the ferry operator one or more pre-paid tickets when boarding the ferry.

Pre-paid booklets will be available for purchase on the ferry or at Council. The number of tickets generally relates to the current cost ratios and a single pre-paid ticket will be worth the value of one car trip, as follows:

- Car single trip = 1 ticket
- Motorcycle single trip = ½ ticket
- Trucks > 4t GVM (approx. 2 ton payload) = 3 tickets
- Semi-trailers, Dog-trailers, articulated vehicles and the like = 4 tickets

Concession travellers must have a concession sticker attached to their vehicle and can only use concession pre-paid tickets from the booklet - single trip tickets will only be available for purchase at the standard full fare rate.

A significant increase has been made in the standard full fare rates for infrequent users. It will be the choice of the individual user as to whether for their level of use it is more beneficial to purchase a concession sticker and concession tickets / pass. Those who are not residents or rate payers of Port Macquarie-Hastings Council are not able to access the concession rates and must pay standard full fare rates.

Charitable not for profit organisations who undertake charitable work on the North Shore will be eligible to apply for 1 annual pass to be affixed to a nominated vehicle.

Whilst there is a proposed increase to a number of the ticket prices, the ferry service will remain as a partial cost recovery service only as the income generated will not cover all costs incurred.

Fees are reviewed annually as part of the Operational Plan preparation and as such a full review of the impact of these proposed changes upon both income and usage will be undertaken in early 2016.

### *New Fees;*

A number of new fees are proposed aiming to more accurately reflect a user pays methodology. These fees include provision of specialised Geographical Information Systems services; replacement and supply of domestic bins; and Glasshouse performance spaces and audio visual conference packages.

### *Deleted Fees;*

Consideration of demand and adjustments through new fees has resulted in recommendation to delete a number of existing fees in the areas of digital GIS data; use of the Port Macquarie electronic billboard; ash placement fees associated with

## Ensuring Good Governance

the cemeteries; charges for planning instruments and individual DCPs that are available for download on Council's website; and a number of Section 94 and Section 64 contribution plan fees.

### *Fee increases of more 10%;*

A number of fees have been adjusted to represent greater equality, meet cost shifting requirements and reflect demand including outdoor dining rental in outlying villages; scanning and archiving for DA's; swimming pool inspections; ground hire fees for circuses and major events; and charges associated with onsite sewerage management systems.

### *Fee decreases of more than 10%;*

Due to market valuations and appraisal against similar services a number of fees have been recommended for reductions of more than 10% including rental for outdoor dining in Port Macquarie CBD and other locations; the monthly charge for billboard advertising for non members of the partnership program; and reducing in Glasshouse conference space charges.

### **Options**

Council could seek additional information on the content of the one year Operational Plan 2014 - 2015 and its ancillary documents prior to placing on exhibition.

Council could modify the period under which the community can engage on the planning documents.

Council could modify the community engagement activities proposed for exhibiting these documents.

### **Community Engagement & Internal Consultation**

The attached Community Engagement Plan outlines the proposed strategy and actions for seeking community feedback on the One Year Operational Plan 2015 - 2016 and ancillary documents.

This engagement plan includes placement of these documents on exhibition, the use of Council's online engagement tool PMHCListing, written notification offering specific presentations to relevant community groups and stakeholders, and organisations as well as community workshops.

Residents of the North Shore will be specifically advised of the opportunity to provide feedback on the proposed ferry fees as part of this overall engagement plan.

If adopted the draft documents attached will be placed on exhibition for the period 23 March - 1 May 2015. All submissions received during this period will be considered, acknowledged, reviewed in a workshop with Councillors and recommendations presented a report to Council for consideration in adoption of the final documents in June 2014.

### **Planning & Policy Implications**

This report is aligned with Council's obligations under the NSW Integrated Planning and Reporting Framework legislative requirements.

## Ensuring Good Governance

### Financial & Economic Implications

The Revenue Policy and Fees and Charges documents contain a detailed explanation of the financial implications associated with the 2015 - 2016 Operational Plan.

In summary, the 2015 - 2016 budget forecasts a deficit budget of \$500,000 as shown in the table below.

Budget Summary Table	2015-2016 Draft Budget \$'000
<b>Operating Budget</b>	
Operating Revenue	170,466
Operating Expenses	-100,090
<b>Net Operating Revenue</b>	70,376
<b>Capital Items</b>	
Net transfers from reserves	38,264
New Loans	5,500
Purchase of Assets	-104,873
Loan Principal Repayments	-9,767
<b>Net Capital Result</b>	-70,876
Budget Result surplus/(deficit)	-500

### Attachments

- 1 [View](#). 2015 - 2016 Draft Operational Plan
- 2 [View](#). 2015 - 2016 Draft Fees and Charges
- 3 [View](#). 2015 - 2016 Draft Revenue Policy
- 4 [View](#). 2015 - 2016 Draft Rating Maps
- 5 [View](#). Draft Community Engagement Plan

## Ensuring Good Governance

**Item: 09.09**

**Subject: THIRD SIX MONTHLY DELIVERY PROGRAM (2013-2017) REPORT**

**Presented by: Community & Economic Growth, Tricia Bulic**

### Alignment with Delivery Program

1.4.1 Engage with the community on impacts and changes of operations.

### RECOMMENDATION

**That Council note the six monthly progress report (third) on the Delivery Program 2013-2017, encompassing June 2014-December 2014.**

### Executive Summary

Six monthly progress reports on the Delivery Program are a legislated requirement of the NSW Government's Integrated Planning and Reporting Framework.

The Progress Report lets Council and the community know what action has been taken relative to the objectives contained within the Delivery Program 2013-2017.

The format of this Delivery Program Progress Report is consistent with the report presented in September 2014 as per the recommendation.

The Report as attached is a stand-alone reference document that can be used by Councillors and the community as an assessment of what is being achieved.

It provides information on progress and achievements against the objectives detailed in the Delivery Program 2013-2017 and provides a snapshot of Council's progress in the first six months of the second year of the program.

### Discussion

#### Delivery Program 2013-2017: Third Six Monthly Progress Report

The Delivery Program 2013-2017 was developed by Council within the legislated nine month timeframe, following elections in September 2012.

The document outlines the Councillors commitments to the Port Macquarie-Hastings community during their four year term of office. The objectives within the four year Delivery Program represent what the Council aim to deliver and they serve as a guide for Council executive and staff when developing the annual Operational Plan. The Operational Plan sets out the actions and activities that will be undertaken each financial year to deliver the overall objectives in the Delivery Program and ultimately contribute to achieving the vision and goals outlined in the long term Community Strategic Plan.

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In a broad context, the Delivery Program represents the work Council is responsible for to meet the community's aspirations for the future, as described in the Towards 2030 Community Strategic Plan.

By evaluating every six months what actions have been carried out, the Council and community are able to get a picture of what progress is being made in achieving the Delivery Program objectives.

Like all documents in the Port Macquarie-Hastings Council Integrated Planning suite, the Delivery Program 2013-2017 is broken into themes, the Guiding Principle of Ensuring Good Governance and the four Focus Areas;

- Looking After Our People
- Helping Our Community Prosper
- Looking After Our Environment
- Planning and Providing Our Infrastructure

Council's 72 Delivery Program objectives are spread across these five key themes.

Each of the five themes in the Delivery Program also contain a number of results statements that describe the outcomes Council envisages will be achieved at the conclusion of their term in office.

This is the third six month reporting phase related to the four year Delivery Program 2013-2017, reviewing actions from the six months of implementation of the 2014-2015 Operational Plan.

### Progress Report Summary

#### *Ensuring Good Governance*

##### Results Statements:

- The community actively participates in Council decision making.
- The community is experiencing benefits gained from Council working in alliance with all levels of Government.
- Effective and positive financial management is communicated to the community.
- The staff at Council enjoy a safe, inclusive and supportive environment.

##### Achievement Highlights:

- There has been over 50 Community engagement programs and activities conducted across the Hastings during July to December 2014 to encourage and enable the community to participate in Council's decision making. A number of Community engagement onsite sessions have included topics such as: playgrounds at Endeavour Park Lake Cathie, Amethyst Way Lighthouse and Hudson Ave Port Macquarie; land use for Greater Sancrox, Urban Growth Management Strategy and the Recreation Plan in Wauchope, Laurieton, Lake Cathie and Port Macquarie. There are also over 2,200 participants registered on PMHC listening, the online engagement portal.

## Ensuring Good Governance

- In order to reach a broad range of the community, traditional media has been combined with an increased social media presence to help the community keep up to date with Council news and opportunities to be involved. Social media interaction is increasing and currently there are more than 2,800 followers of Councils facebook page.
- An easy to read Community Report Card was produced and distributed as part of the Annual Report. It provided a snapshot of key achievements against the Operational Plan 2013-2014 actions and a summary of audited financial statements.
- The Customer Service Centres at Laurieton, Port Macquarie and Wauchope have processed over 49,000 counter enquires/transactions and managed over 61,000 calls from July to December 2014 with 89% of initial customer interactions dealt with at the first point of contact and 82% of calls answered within the service standard exceeding the 75% target.
- Investment returns have exceeded the Office of Local Government benchmark and all financial reporting has been completed in line with legislation.
- Implementation of the service review focuses on continuous improvement seeking effective and efficient workplace practice.
- Processing timeframes for Development Applications and Complying Development Applications are more efficient than established service standards.

### *Looking After Our People*

#### Results Statements:

- A range of activities, programs and events are supported or implemented for the multiple generations within our community.
- The community is empowered. It volunteers together to provide support, participates in community activities and uses facilities that are available.
- Community facilities, including sporting cultural and educational are maintained and improved.

#### Achievement Highlights:

- Community safety initiatives have been delivered through providing lifeguard services and presenting the Beach Safety program to over 4,800 students across 22 schools.
- Alcohol free zones in the CBD has been reviewed and new signage erected.
- On-site sewer inspections and public health risk based audit inspections have been delivered in line with services standards.
- Continuation of ongoing improvements carried out at community halls, including the refurbishment and restorations works at Beechwood and Laurieton School of Arts.
- Over 290 events held around the local area by the community utilising parks, reserves and sporting fields.
- Community pride fostered through co-ordinated Council events such as Countdown to Christmas, Moonlight Movies and the Mayors Sporting Fundraiser activities.
- Opening of the new inclusive playground Livvi's Place in Port Macquarie
- Delivery of innovative library services, including the mobile library van visiting schools across the region.

## Ensuring Good Governance

### *Helping Our Community Prosper*

#### Results Statements:

- There is an increased opportunity to undertake tertiary study within the Port Macquarie-Hastings region.
- Airport usage is increasing.
- Business and industry sectors across the local government area are well supported and growing.
- Tourism visitation numbers are increasing.

#### Achievement Highlights:

- Operating revenue for Council business units including the Glasshouse, Airport and Innes Gardens Crematorium is currently 8% higher than the comparable period last year.
- As part of the Economic Development Strategy, the Economic Development Steering Group endorsed the Construction Industry Action Plan which will further guide partnerships with local and regional business networks.
- Development continues on the new Food, Soil and Water Research facility in collaboration with Charles Sturt University.
- Improvements to Innes Garden Memorial Park are underway.
- A review of information services within the Glasshouse has commenced and the rolling five year profit and loss forecasting has been finalised.
- Passenger numbers and aircraft movements have continued to increase at the Port Macquarie Airport with over 3,000 aircraft movements and 116,000 passengers recorded for the period.

### *Looking After Our Environment*

#### Results Statements:

- We have healthy functioning bushland ecosystems, clean waterways and beaches that are rich in biodiversity.
- There is increased recycling and waste reduction across the local government area.
- There is increased usage of reclaimed water across the local government area.
- Our sewerage system is efficient and environmentally compliant.

#### Achievement Highlights:

- Council's weed management and bush regeneration programs are on target including proactive environmental management with over 470 hectares of land treated for invasive weeds and over 700 kilometres of weed dispersal routes targeted. Over 500 hectares of bush regeneration has been undertaken on coastal reserves throughout the region.
- The new domestic waste services were commenced aimed at reducing overall waste to landfill.
- Tree management education is ongoing and being delivered via correspondence and face to face. Investigations on illegal tree removal are continuing.
- Compliance with verification monitoring programs and reclaimed water quality targets have been met.
- Monitoring of water levels and required implementation and promotion of appropriate restrictions has conserved potable water.

## Ensuring Good Governance

- The Development Assessment Panel continue to provide a transparent and efficient legislative process meeting set targets.

### *Planning and Providing Our Infrastructure*

#### Results Statements:

- Open space and recreational facilities are well maintained.
- A focus is on improving transport assets through structured maintenance programs.
- Planning and design for future projects are completed a year ahead for transport, water, sewer, stormwater and parks and recreation assets.

#### Achievement Highlights:

- Design and reconstruction works completed for several projects including Town Centre Master Plan works on Horton St and Short St and the roundabout on Ocean Drive and Houston Mitchell Drive.
- Completion of footpath/cycleway construction projects have included Castle St Laurieton, Bain St Wauchope, Cameron St Wauchope, Comboyne St Kendall, Home St, Lord St and Murray St Port Macquarie.
- Footpath and pavement upgrade completed at Findlay Ave Port Macquarie.
- Clarence St intersection paver repairs complete.
- The Loggy Creek Bridge on Pembroke Road was replaced under budget and ahead of schedule.
- Landscaping works and upgrades have been completed throughout Port Macquarie Town Centre.
- Restoration works at North Haven Community Hall completed in line with project plan and budget.
- Completion of Kooloonbung Creek (Stage 2) shared cycleway.
- Completion of Googik Track - Stage 1.
- Flynn's Beach steps restoration works complete.
- Installation of a high voltage substation at Seymour St Reserve Laurieton complete.
- Completion of the accessible fishing platform at Camden Haven.
- New toilet block completed at the Community Hall Reserve as part of the Bonny Hills Reserve Masterplan.
- Rosewood Road chlorination plant replacement complete.
- The water and sewerage asset maintenance programs are being implemented as scheduled.
- The road resurfacing program is currently on track.
- The unsealed road maintenance program is continuing ahead of schedule and on budget.
- The roadside furnishing program, Bridges and culverts maintenance program, roads drainage maintenance program, Street lighting program are all currently on track in accordance with project and budgets.
- The parks, reserves, sporting fields and beaches maintenance program in on track. Parks furniture, broadleaf weed treatment, mowing and garden maintenance have been a primary focus.
- Draft structure plan for the Greater Sancrox Area presented to Council.
- Draft planning proposal for Thrumster (Area 13) presented to Council and community engagement complete.

## Ensuring Good Governance

- Draft planning proposal for the Local Environmental Plan and Development Control Plan amendments for Port Macquarie central business district fringe presented to Council.
- Draft planning proposal for the staged review of the Port Macquarie-Hastings Local Environmental Plan (2011) presented to Council.

Further details can be found in the attachment to this report providing information on the achievements against the objectives in the Delivery Program 2013-2017.

### Options

It is a statutory requirement to report on the Delivery Program on a six monthly basis. Council could seek further information on the contents of this report or the attachments.

### Community Engagement & Internal Consultation

- Planning and Reporting Officer
- Integrated Planning and Reporting Development Officer
- The General Manager, Directors, Group Managers and staff reporting against the 2014-2015 Operational Plan which provided data for the Delivery Program Progress Report.

### Planning & Policy Implications

This report is aligned with Council's legislative obligations under the requirements of the NSW Integrated Planning and Reporting Framework.

### Financial & Economic Implications

Nil related to this report.

### Attachments

1 [View](#). Delivery Program six monthly progress report July-December 2014.

## Looking After Our People

### What are we trying to achieve?

Our social infrastructure and community programs create a healthy, inclusive and vibrant community.

### What will the result be?

- Community hubs which provide access to services and social connections.
- Services that support an ageing community to live in a way that they desire.
- Available and accessible preventative health and medical services.
- A safe, caring and connected community.
- A healthy and active community that is supported by recreational infrastructure
- A strong community that is able to identify and address social issues.
- Community participation in events, programs, festivals and activities.

### How do we get there?

- 2.1 Create an environment and culture that allows the Port Macquarie-Hastings community to feel safe.
- 2.2 Provide young people with a range of leisure activities and opportunities for personal development.
- 2.3 Provide medical and social services for all members of the community.
- 2.4 Develop partnerships within the community to build on existing strengths and improve areas of social disadvantage.
- 2.5 Create events and activities that promote interaction and education.
- 2.6 Provide social and community infrastructure and services.
- 2.7 Empower the community to be active and involved in community life.
- 2.8 Promote cultural and artistic expression.
- 2.9 Promote a healthy lifestyle through education, support networks and facilities.

## Looking After Our People

**Item:** 10.01

**Subject:** RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - FEBRUARY MEETING

**Presented by:** Community & Economic Growth, Tricia Bulic

### Alignment with Delivery Program

2.9.1 Provide a range of sporting and recreational opportunities.

### RECOMMENDATION

That Council, pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Mayor's Sporting Fund to:

1. Mr Harrison Northey in the amount of \$350.00 to assist with expenses he incurred travelling to and competing at the NSW State Swimming Championships held in Sydney during January 2015.
2. Miss Shelby Grainger in the amount of \$450.00 to assist with the expenses she incurred travelling to and competing at the Australian Indigenous Schoolgirls Netball Championships held on the Gold Coast during January 2015.
3. Miss Annabel Starr in the amount of \$350.00 to assist with the expenses she will incur competing as a member of the NSW Under 20's Ladies Basketball Team to compete in Dandenong Victoria from 22 - 28 February 2015.

### Executive Summary

The Mayor's Sporting Fund Sub-Committee met on 26 February 2015, reached consensus on Item 09 (attached) and now submits the above recommendation for Council consideration.

### Attachments

1 [View](#). MSF Minutes Extract Item 09 February 2015 Meeting

## Helping Our Community Prosper

### What are we trying to achieve?

The Port Macquarie-Hastings region is able to thrive through access to a range of educational, employment and business opportunities.

### What will the result be?

- Greater availability of educational opportunities.
- Key business sectors are able to benefit from our natural and existing attributes.
- Business and industry, training and education facilities sustain our population growth.
- Increased employment opportunities.
- An environmentally harmonious and prosperous tourism industry.
- Widely available communications technology.

### How do we get there?

- 3.1 Create opportunities for lifelong learning and skill enhancement with the availability of a broad range of education and training facilities.
- 3.2 Promote and support an increase in business capacity in order to generate ongoing economic growth.
- 3.3 Expand tourism business opportunities and benefits through collaborative planning and promotion.
- 3.4 Maximise innovation and economic competitiveness by providing high quality communication technology throughout the Port Macquarie-Hastings region.
- 3.5 Target and encourage business enterprise by providing favourable business conditions including infrastructure and transport options.

## Helping Our Community Prosper

**Item:** 11.01

**Subject:** DESTINATION SIGNAGE UPDATE

**Presented by:** Community & Economic Growth, Tricia Bulic

### Alignment with Delivery Program

3.2.1 Identify, support and advocate for effective programs that assist the growth of appropriate business and industry.

### RECOMMENDATION

#### That Council note:

1. Exploring cost effective solutions for the new destination signage continues to be challenging with regard to multiple stakeholder requirements.
2. Future work in this regard will be via a partnered approach, with Council encouraging local and regional industry representatives to take the lead in advocating for long term solutions.

### Executive Summary

A number of reports to Council since 2013 have identified a lack of adequate destination signage and the range of issues relating to implementation. The reports have explored various options available to address this which have then been pursued. Despite these efforts, a readily achievable long term solution has not been realised. It is considered that a focus on advocacy via industry support and regional collaboration will secure the best outcome for a long-term solution.

### Discussion

At the September 2014 Council meeting, Council resolved to:

#### 11.03 DESTINATION SIGNAGE

RESOLVED: Cusato/Turner

#### That Council note:

1. The update on work to identify sites for destination signage that will raise our brand awareness with travellers and draw visitors from the Pacific and Oxley Highways; and
2. A further report will be provided in March 2015, or earlier should destination signage sites be confirmed.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

AGAINST

## Helping Our Community Prosper

Since this time, some possible destination signage options have been further considered, without success. Further, it has been difficult to dedicate Council resources to the task, noting a wide range of competing operational priorities.

Staff recognise that highway destination signage (Pacific and Oxley Highways) continues to be a top priority for the Camden Haven Chamber of Commerce, Greater Port Macquarie Tourism Association and local tourism industry operators, noting most visitors to our region come road transport and the vast number of travellers on this route that could see our brand on prominent highway signage. The highest priority is destination signage to the South of Kew (for northbound Pacific Highway travellers), with west of Wauchope (for east bound Oxley highway travellers) a second priority, and a site on the realigned Pacific Highway to our north, the third priority.

Destination signage has also been recommended as an advocacy priority for our Regional Tourism Organisation, the North Coast Destination Network. Specifically, the proposed focus was engagement with Destination NSW and the Roads and Maritime Services (RMS) for permanent destination signage solutions right along the Pacific Highway, noting its key role in supporting visitation to many destinations on the route.

It is proposed that Council staff continue to support efforts to find suitable destination signage solutions, whilst balancing this with other operational priorities. In particular, it is considered that industry advocacy (in particular, as a multi-region approach) supported by Council is likely to have the best chance of garnering support for a long term solution, such as RMS policy change.

Economic development staff, working with industry on this matter, will continue to keep Tourism and Events Portfolio Councillors informed of progress.

### Options

It is our recommended option that we continue to support industry advocacy with a focus on collaborative (multi-region) advocacy for a change in RMS policy to allow destination billboards/prominent signage to attract visitors. We acknowledge that this is unlikely to be a quick process but will provide a long-term solution.

Alternatively, Council may choose to review current operation priorities to provide dedicated resourcing to pursue identification of parcels of Roads and Maritime Services' Pacific Highway corridor land to the north of Port Macquarie and south of Kew and Oxley Highway land to the west that may be acquired or leased by Council for destination signage purposes.

### Planning & Policy Implications

Nil

## Helping Our Community Prosper

### Financial & Economic Implications

The recommended approach would utilise existing staff resources from Council's Economic Development team. Signage is acknowledged as an important component of destination marketing. Whilst it is very difficult to measure a direct economic return from highway signage, it is recognised as a marketing element that will derive value for local business and our visitor economy.

### Attachments

Nil

## Helping Our Community Prosper

**Item:** 11.02

**Subject:** DIGITAL STRATEGY

**Presented by:** Community & Economic Growth, Tricia Bulic

### Alignment with Delivery Program

3.4.1 Advocate and lobby government for implementation of the National Broadband Network as soon as possible.

### RECOMMENDATION

#### That Council

1. **Agree the draft Digital Strategy be placed on public exhibition for the period 23 March to 19 April 2015.**
2. **Note that the feedback received on the draft and the amended Strategy will be presented for adoption at the May 2015 Council meeting.**

#### Executive Summary

Port Macquarie-Hastings Council staff have worked closely with industry and key stakeholders to develop a Draft Digital Strategy focusing on local industry, business and economic development. The draft Strategy aims to:

1. Expand the opportunities to access high speed broadband; and
2. Support business and industry to maximise the benefit of high speed broadband and other digital technology.

It is anticipated that action undertaken as part of this strategy will also have flow on benefits to the broader community, in terms of access to better digital technology across the region.

#### Discussion

##### Background

Council's 2013-2016 Economic Development Strategy identified a need to:

- 1) *Develop and implement a digital strategy so as to maximise current technologies and future opportunities. (Action 21).*

The Draft Digital Strategy builds on the work undertaken in Council's late 2014 *Infrastructure Gap Analysis* which aimed to analyse the capacity of local telecommunications (and transport) infrastructure. The *Infrastructure Gap Analysis* report identified the following actions should be considered as part of local Digital Strategy:

1. Creation of a central source of information and knowledge potentially hosted by Council;

## Helping Our Community Prosper

2. The facilitation of a forum for the engagement of stakeholders, service providers and other levels of government;
3. The engagement with other levels of government; and
4. The identification of a specific case study area with specific issues that could be surveyed, analysed and resolved. It is considered that such a case study would provide a valuable learning and scoping opportunity for Council in the area of telecommunications.

Council staff have worked closely with the Economic Development Steering Group (EDSG) and the Hastings Business Hub (representatives from local business networks and Chambers of Commerce ) to develop the Strategy. Regular engagement with local communications industry and a range of high speed broadband providers has informed the Strategy's approach.

Council also has ongoing contact with representatives from NBN Co to keep abreast of their current and planned roll out in our region (both fixed line and wireless networks).

### Discussion

The vision of this strategy is that:

*High speed broadband infrastructure contributes to Port Macquarie-Hastings as a great place to do business. Our businesses are actively engaged in maximising the benefit from this.*

In working towards the vision, the Strategy proposes a two pronged approach focusing on both the supply of and demand for high speed broadband. The overall objectives of the strategy are to:

1. Expand the opportunities to access high speed broadband; and
2. Support business and industry to maximise the benefit of high speed broadband and other digital technology.

The key outcomes identified in the digital strategy are:

- An engaged business community and digital industry
- Excellent infrastructure
- Vibrant public spaces for our community and visitors
- Digital leadership and innovation hub
- Central point of information and knowledge

It is proposed that actions to achieve these outcomes will be undertaken by a range of stakeholders working in partnership. These include Council, other government agencies, industry, local business networks and the education sector.

Many of the actions identified in the draft are geared towards promoting the benefits of digital engagement for business through information sharing, education and awareness of the digital technology that is currently available locally. This focus aims to ensure there is sufficient uptake and engagement with technology to attract further investment into the area by high speed broadband and digital technology providers.

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### Options

1. Agree to put Draft Digital Strategy on public exhibition and seek feedback from local business, industry and other stakeholders.
2. Refer the draft Strategy back to Council staff for further amendments.

### Community Engagement & Internal Consultation

The Strategy was developed in consultation with Business Hub representatives. There was regular engagement with high speed broadband providers which has informed the strategy development. The Strategy was reviewed and endorsed by Council's Economic Development Steering Group.

Council ICT and Water and Sewer staff have also been consulted on local infrastructure matters relevant to the strategy.

### Planning & Policy Implications

None.

### Financial & Economic Implications

#### Financial

The Strategy, as drafted, will be implemented using existing Economic Development resources.

#### Economic

Successful implementation of Strategy actions will help grow local economic capacity of the Port Macquarie-Hastings region by encouraging increased digital engagement. Further, it is expected that improved digital technology will foster a range of local industry development, ensure our region remains a competitive investment destination and have follow on benefits to our broader community.

### Attachments

- 1 [View](#). Draft Port Macquarie-Hastings Digital Strategy 2015

## Helping Our Community Prosper

**Item:** 11.03

**Subject:** FREE CAMPING

**Presented by:** Community & Economic Growth, Tricia Bulic

### Alignment with Delivery Program

3.3.2 Implement and support innovative and effective strategies and partnerships that position Port Macquarie-Hastings as a distinct and competitive destination that guides market development, investment and infrastructure in public and private sectors.

### RECOMMENDATION

**That Council:**

1. **Note the outcomes from the Free Camping Management Trial.**
2. **Adopt the draft Port Macquarie-Hastings Free Camping Position Statement.**
3. **Note Council staff will continue to monitor and engage with the free camping environment as per the Position Statement and report back to Council in February 2016.**

### Executive Summary

Council's across the country and overseas are struggling to determine a position on the recent growth free camping. A key challenge is finding a balance between maintaining a visitor friendly approach when tourism is a key sector, supporting local accommodation providers and minimising any negative impacts on communities and the environment. We are yet to find evidence of an approach that satisfies all stakeholders.

The Free Camping Management Trial provided valuable insights into the free camping market segment and provided the platform for the development of a Position Statement which clearly articulates Council's future approach to free camping. In particular the proposed approach is built around welcoming all visitors who respect the local community and environment, not allowing free camping in public areas, education and enforcement of Council's position and on-going monitoring and response to free camping trends.

### Discussion

#### Background

In May 2015 Council agreed to implement Strategy Option 2 (as presented) for the management of free camping in reserves and car parks along coastal areas on a trial basis which included the following three key components:

1. Research to gain an understanding of the free camping visitor segment.

## Helping Our Community Prosper

2. A communication and education campaign to connect with the free camping market, vehicle hire companies and the local accommodation providers.
3. A signage trial in hotspot areas.

Implementation of the trial commenced on the 12 September 2014 with “no camping” signage erected in the following hot spot locations:

### Telegraph Point

1. Log Wharf Reserve

### Port Macquarie

2. John Downes Park
3. Town Beach (skate park end)
4. Town Beach (facilities end)
5. Shelley Beach
6. Flynns Beach
7. Lighthouse Beach (Tacking Point) Surf Club
8. Settlement Point

### Camden Haven

9. Lake Cathie (Lakeside/Beach)
10. Rainbow Beach
11. Dunbogan (Pilot Beach North side)
12. North Haven Beach

A “Where to Camp” brochure was developed in consultation with local camping accommodation providers. A total of 3000 brochures were printed and distributed via accredited local visitor information centres and by Rangers in the execution of their duties.

The “Where to Camp” message was also promoted on the Eat See Do Mobile App, destination website and via a QR code on the “no camping” signs. Response to the QR code was low.

Comprehensive surveying was the feature of the research component of the trial. The free camping and community perceptions surveys commenced on the 15 September 2014 and concluded on 19 January 2015. A total of 300 surveys were completed by free campers and 100 surveys completed by the community, users of the recreational space and adjoining residents.

The interim free camper and community perceptions survey results were presented to Council in November 2014 and the final results at the February 2015 meeting.

The main van hire companies were contacted via phone to determine what information they deliver to their clientele. Most companies were aware of the range of Council regulations and approaches to free camping however subtly encouraged parking at car parks along the beach. During the management trial contact was made with higher level staff of the companies but many were not keen to be engaged. Emails were sent to companies including a link to the “Where to Camp” brochure to inform them about our region’s available camping areas. Generally the willingness to engage with destinations was considered to be poor. The Position Statement will allow for a more clarified stance to deliver further information to the companies to incorporate in their information to clients.

## Helping Our Community Prosper

Throughout the trial period Council staff continued to engage with and monitor other regional approaches to free camping including Byron Bay, Sunshine Coast, Coffs Harbour, New Zealand (Queenstown and Dunedin) and some regions in Tasmania. The approaches have had various levels of effectiveness with the common thread being that these areas had a process and position in place which made education and enforcement much simpler.

### Management Trial Results

In summary, the key findings from the research are:

- 41% were camping in a privately owned vehicle and 35% in hired camper vehicles.
- 76% of free campers surveyed were international travellers and 56% were on a stopover.
- 51% were staying one night, 28% two nights.
- Free camping was the top reason for choosing the location and 16% chose the location due to the natural environment.
- 58% are likely to stay in paid accommodation at some point during their holiday.
- The majority used facilities at free camp locations.
- Apps and word of mouth were the most popular source of information
- Each free camper spends approximately \$76.70 per stay mainly at supermarkets and on fuel
- 77% understood the need to “leave no trace”
- 80% had seen the “camping is not allowed in this area” sign and 56% said it had an influence on their choice of where to stay.
- The “Where to Camp” brochure was popular at the Visitor Information Centre but only 3% of free campers surveyed had seen it.
- The majority Community Perceptions survey participants have observed free campers and are happy to share the space with them.
- 71% welcome free campers and the majority said free campers have a positive impact, should be allowed to park overnight and do not have a significant environmental impact.

The survey results have been further analysed for the development of Council’s future approach to free campers. A full report on the research findings is attached at Appendix 1.

Council’s Rangers have been active in free camping hotspots during the past 12 months and report a high level of cooperation from free campers. There have been five penalty infringement notices issued for parking or littering and around ninety cautions for campsites, littering or parking. As demonstrated by infringement numbers, there have been few examples of offensive rubbish and the Rangers believe that free campers are largely law abiding and willing to respond to requests.

## Helping Our Community Prosper

During the survey period Rangers were instructed to “initially provide a warning with educational material and use infringements as appropriate” (Free Camping Project Plan Option 2 May 2014 Council meeting). The emphasis was on education with enforcement as the last resort.

Before, during and after the trial Council received a range of unsolicited feedback on free camping. Contrary to the community perception survey results, the feedback generally opposes free camping based on environmental impact, safety and amenity.

The following table shows the volume of feedback received regarding free camping.

	<b>Pre Trial (12 months to 14/9/14)</b>	<b>During Trial (14/9/14 to 19/1/15)</b>	<b>Post Trial (20/1/15 to 29/2/15)</b>
Letters/Emails	14	18	12
Phone Calls	0	2	1
In-Person	0	2	-
<b>TOTAL</b>	<b>14</b>	<b>22</b>	<b>13</b>

Over time the level of feedback has fluctuated with complaints peaking at times of increased local, state and national media and social media interest in the free camper debate and as free camper numbers increased during the peak summer season.

The accommodation industry generally opposes free camping on the basis that free camping areas is not regulated or managed and that some campers impact on their facilities via unauthorised use. They are also concerned about the future impact of this growing market segment on accommodation providers, amenity and the natural environment. There is an acknowledgement by some local operators that this is not a target market that would be profitable which the research data confirms.

The tours and attractions segment generally values the free camper market acknowledging they spend little on accommodation however this frees up spending on food and activities. Further, feedback from Greater Port Macquarie Tourism Association representatives indicated concern that a particularly strict “no camping” approach may damage our tourism brand and negatively impact on visitors who may look to return as an older and more “cashed up” visitor in years to come. Taking a no tolerance approach may alienate this market and impact on local tours and attractions businesses viability as visitors move up and down the coast in search of free camp friendly locations. Anecdotal and survey evidence from the tours and attractions segment indicates that free campers are committed to the free camping experience and are unlikely to change their approach to budget travelling.

## Helping Our Community Prosper

### The Future Approach to Free Camping

The development of the Free Camping Position Statement at Attachment 2 has been informed by the free camper and community perceptions research, industry and community feedback, internal consultation and the experiences of other local government areas. The key components of the Position Statement are:

1. An acknowledgement of the Greater Port Macquarie region as a significant visitor destination, a desire to maintain our visitor “friendly” brand and support the established accommodation sector.
2. A welcome to visitors on a platform of respect for the community, environment and place.
3. Council’s policy on free camping and Council’s approach to managing free camping.
4. Definition of Council’s approach to educating the free camping market on policy and accommodation options.
5. A commitment to ongoing review and monitoring of free camping trends locally.

The Position Statement has been developed based on:

1. The expenditure pattern derived from the survey and estimated visitor numbers indicate the free camping market is not significant in comparison to other visitor market segments.
2. Free campers are here for a short period of time and yield is unlikely to be influenced.
3. The likely future impact of free campers on Council facilities such as toilets etc while acknowledging that the current impact is low as a proportion of general community and other visitor use. In addition, the survey indicated a low percentage of self contained vehicles in the free camping sector. The economic impact of this visitor market is not sufficient enough to justify further investment in infrastructure to support or provide for the segment.
4. Signage having an impact on the behaviour of free campers.
5. A need to continue to monitor free camping to ensure that the management approach is dynamic and adaptable.
6. Industry led initiatives, such as discounted fees, being unlikely to change the habits of free campers and an industry survey indicating that local operators still have capacity in peak periods meaning an overflow camping facility is not required.
7. A flexible approach to enforcement as appropriate in peak periods and in locations that receive an influx of free campers.

The implementation of the Position Statement will require the following action:

1. Upgrading the temporary trial signage over the next 12 months to permanent, graffiti proof signage with revised wording consistent with the Position Statement.
2. A review of signage locations and the installation of new signage at Nobby’s Beach and Tacking Point Lighthouse noting signage has recently been installed at Dunbogan Reserve based on community feedback..
3. An update of the Where to Camp brochure with revised content consistent with the Position Statement.
4. Continued presence of Rangers at the hot spot locations in an education and enforcement capacity, subject to existing commitments and future resourcing.

## Helping Our Community Prosper

5. Implement a communication strategy utilising data collected during the research phase of the trial targeted at free campers, vehicle hire companies and the broader community consistent with the Position Statement.
6. On-going observation and recording of free camping activity including the response to the Position Statement.

The research undertaken as part of the trial will be most beneficial in the implementation phase including:

- All marketing efforts need to target the international traveller.
- Utilising on-line means such as wiki camps and word of mouth as the most effective method of reaching the free camp audience.

The need to find new distribution avenues to make the most of the "Where to Camp" brochure.

### Options

1. Adopt the draft free camping position statement and undertake education, enforcement, monitoring and ongoing engagement in accordance with the principles outlined statement.
2. Allow free camping with restrictions around location, time limits, a permit system and/or designated parking areas. A restrictive free camp option would be difficult to administer and enforce adequately.
3. Allow unrestricted free camping public car parks, reserves or road reserves. This would be unlikely to receive community and industry support.
4. Facilitate the establishment of primitive camp grounds at locations which are accessible and attractive to free campers. This would create more competition in the accommodation space and would be unlikely to be supported by free campers as evidenced by the research.
5. Create designated free parking areas. This option would also be difficult to administer and enforce adequately.
6. Move to an RV Friendly Town model in the coastal areas. This option would involve providing free overnight camping which would be unlikely to receive community and industry support.

Option 1 is recommended based on the research collected, feedback received and other Council experiences.

### Community Engagement & Internal Consultation

An industry survey was conducted in February 2014 to canvas operator feedback on the freedom camper market. 19 responses were received.

Tourism Industry Engagement - workshops were held on 28 November 2014 and 23 February 2015 to present research findings, gather local business feedback and explore free camping management solutions.

Free Camping Survey - 300 face to face surveys

Community Perceptions Survey - 100 face to face surveys

## Helping Our Community Prosper

Crown Lands were also engaged and interested in Council's management trial process. Departmental staff are working to respond to a recommendation of the 2014 NSW Parliament *Tourism in Local Communities Inquiry* "That the NSW Government develop guidelines around camping in self-contained recreational vehicles and non-self-contained vehicles on public land." This work will provide an opportunity for Council to advocate for legislative amendment that allows infringements to be issued against a vehicle, rather than only an individual, as is currently the case,

The Regional Tourism Organisation, North Coast Destination Network (NCDN), is in the process of establishing a 'Free Camping Task Force' which aims to work with the NSW Government and other key stakeholders to develop guidelines around camping in self contained recreational vehicles and non-self contained vehicles on public land. NCDN has been consulted as part of this project and Council will remain engaged in their work on free camping in the future.

Internal consultation has involved the following Departments:

- Economic Development
- Environment and Compliance
- Place Making
- Parks and Recreation

### Planning & Policy Implications

The Position Statement, if adopted, forms the basis for Council's policy on free camping.

### Financial & Economic Implications

#### Financial

The financial implications of the Position Statement are as follows:

Signage Upgrade: \$ 5 000.00 in the 2015/16 financial year  
Where to Camp Brochure: \$ 1 000.00 in the 2015/16 financial year  
Communication Strategy and On-Going Monitoring - within existing Economic Development/ Environment and Compliance Resources

Rangers will continue to engage with the free camping segment on a five day roster within existing resources. Education and enforcement over the full seven day cycle would have a financial impact and require additional resourcing should there be a need for that in the future.

## Helping Our Community Prosper

### Economic

The free camping research indicated that the average spend per person per stay was \$76.70 (during the survey period) with most visitors staying one night. The average spend per night for an international overnight visitor to Port Macquarie-Hastings is \$64.00 and the average spend per night for a domestic overnight visitor to Port Macquarie-Hastings is \$142.00 (LGA Profile Destination NSW). This would indicate that the free camp market is important to the local visitor economy and may be impacted by the implementation of the Position Statement.

### **Attachments**

- 1 [View](#). Free Camping Research Final Results
- 2 [View](#). Draft Free Camping Position Statement

## Looking After Our Environment

### What are we trying to achieve?

We understand and manage the impact that the community has on the natural environment. We protect the environment now and in the future.

### What will the result be?

- Accessible and protected waterways, foreshores, beaches and bushlands.
- Renewable energy options.
- Clean waterways.
- An environment that is protected and conserved for future generations.
- Development outcomes that are ecologically sustainable and complement our natural environment.
- Residents that are environmentally aware.
- A community that is prepared for natural events and climate change.

### How do we get there?

- 4.1 Protect and restore natural areas.
- 4.2 Ensure service infrastructure maximises efficiency and limits environmental impact.
- 4.3 Implement total water cycle management practices.
- 4.4 Continue to improve waste collection and recycling practices.
- 4.5 Provide community access and opportunities to enjoy our natural environment.
- 4.6 Create a culture that supports and invests in renewable energy.
- 4.7 Increase awareness of and plan for the preservation of local flora and fauna.
- 4.8 Plan and take action to minimise impact of natural events and climate change.
- 4.9 Manage development outcomes to minimise the impact on the natural environment.

## Looking After Our Environment

**Item:** 12.01

**Subject:** DA 2014 - 0565 - REMOVAL OF TWO DWELLINGS AND ERECTION OF A NEW DWELLING WITH CLAUSE 4.6 VARIATION TO CLAUSE 4.2A (MINIMUM LOT SIZE STANDARD) OF THE PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 21A AND LOT 83 DP 754404, HACKS FERRY ROAD, HACKS FERRY

**Report Author:** Matt Rogers

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**Property:** Lot 21A & 83 DP 754404, Hacks Ferry Road, Hacks Ferry  
**Applicant:** Hopkins Consultants Pty Ltd  
**Owner:** J & C McDonald and J Hack  
**Application Date:** 29 January 2015  
**Estimated Cost:** \$320,000  
**Location:** Hacks Ferry  
**File no:** DA2014 - 0565  
**Parcel no:** 30912 & 30916

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### Alignment with Delivery Program

4.9.2 Undertake transparent and efficient development assessment in accordance with relevant legislation.

### RECOMMENDATION

That the approval of DA 2014 - 0865 for removal of two dwellings and erection of a new dwelling with Clause 4.6 variation to Clause 4.2A (minimum lot size standard) of the Port Macquarie Hastings Local Environmental Plan 2011 at Lot 21A & 83, DP 754404, Hacks Ferry Road, Hacks Ferry, be noted.

### Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegated authority by the Group Manager Development Assessment. Granting consent involved use of Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.2 (minimum lot size standard) by not more than 10%.

The application resulted in the removal of a workers cottage and transportable dwelling on Lot 83 and use of the entitlement of one of the removed dwellings to justify another dwelling being built on Lot 21A.

## Looking After Our Environment

Lot 21A is just below the 40ha minimum lot size standard at 39.45ha and has been shown to not have a dwelling entitlement pursuant to Clause 4.2A. As a result, the applicant has lodged a Clause 4.6 variation to vary the minimum lot size standard for a dwelling.

Pursuant to Clause 4.6(3), consent must not be granted for a proposal that contravenes a development standard unless the consent authority has considered a written request from the applicant that justifies the variation by showing that the subject standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify the contravening of the standard.

As a result of the above, the applicant submitted a Clause 4.6 variation to the standard based on the following reasons:

- The variation is within 1.5% (0.55ha) of the standard and originally complied until Hacks Ferry Road was created. The variation is considered minor.
- The development does not compromise the public interest embodied in the zone.

Having considered the application, Clause 4.2A objectives and the Clause 4.6 variation, Council staff supported the justification provided by the application the following grounds:

- Proposal is consistent with the objectives of the zone and is unlikely to create any impacts of state or regional significance. This consideration is formed largely on the basis that the variation is minor and the additional 0.55ha required to meet the standard would not have resulted in any major change to the area or use of the site. The development will not set any adverse precedent or result in unplanned rural residential development.

The Department of Planning and Infrastructure circular PS 08-003 provides for the Director General's assumed concurrence where such a variation is not more than 10% of the standard.

The Department's circular PS08-014 further reminds councils of their assumed concurrence role in relation to SEPP 1 and Clause 4.6 LEP variations. The circular advises that where Clause 4.6 variations are approved under delegated authority that Council be advised of the decision made and it be appropriately recorded.

Following exhibition of the application, no submissions were received.

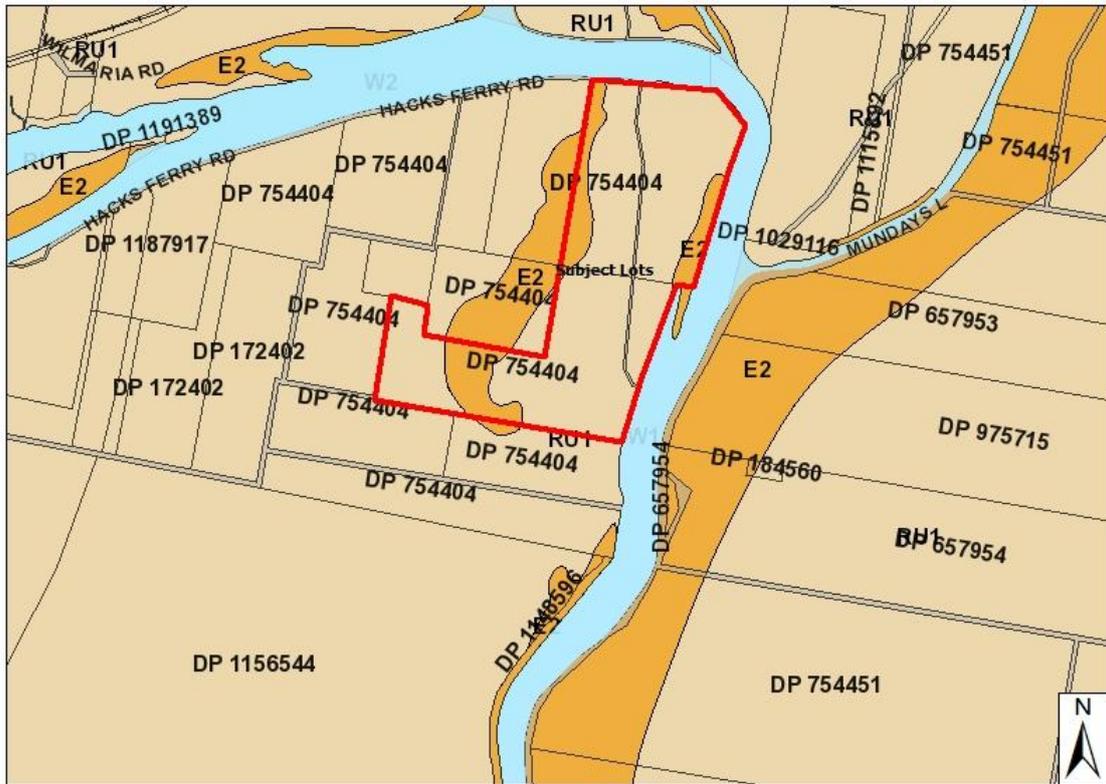
### 1. BACKGROUND

#### Existing sites features and Surrounding development

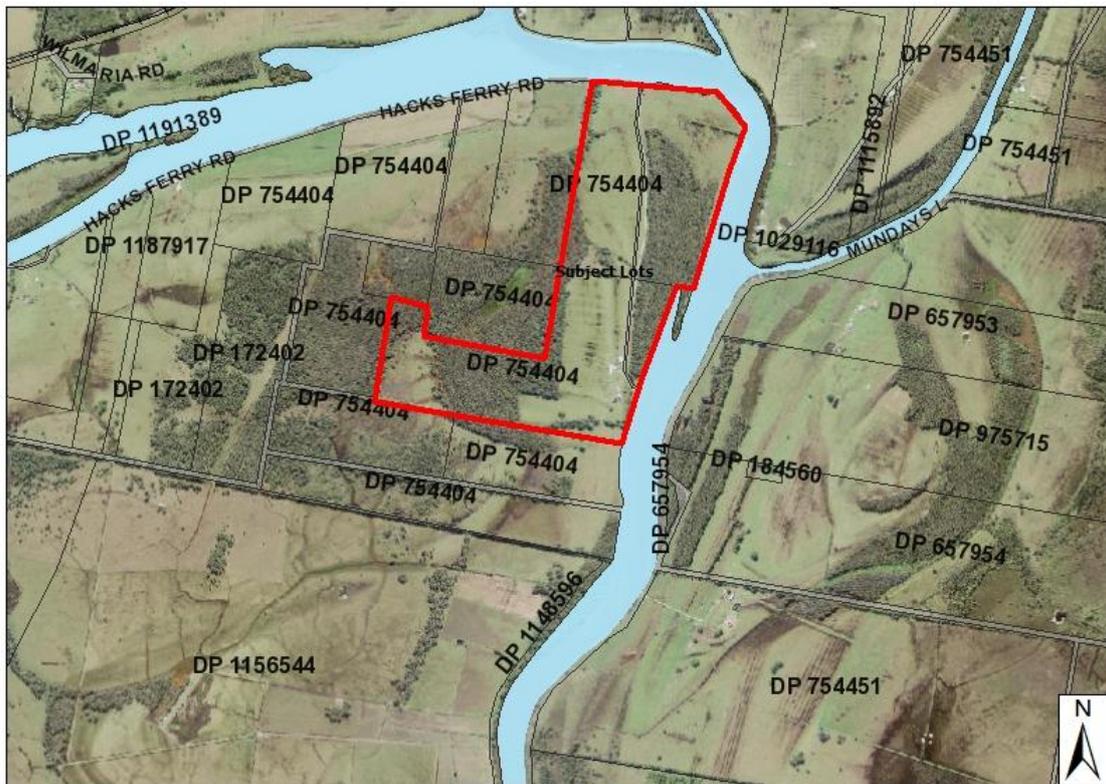
The site has an area of 79.92ha (both lots combined).

The site is zoned RU1 Primary Production and E2 Environmental Conservation in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:

Looking After Our Environment



The existing subdivision pattern and location of existing development within the locality is shown in the following aerial photograph:



2. DESCRIPTION OF DEVELOPMENT



## Looking After Our Environment

Key aspects of the proposal include the following:

- Removal of two dwellings and erection of a new dwelling.
- Clause 4.6 variation to Clause 4.2 (minimum lot size standard) of Port Macquarie Hastings Local Environmental Plan 2011.

Refer to attachments at the end of this report.

### Attachments

- 1 [View](#). DA2014 - 0565 Approved Stamped Plans
- 2 [View](#). DA2014 - 0565 Approved Stamped Site Plans
- 3 [View](#). DA2014 - 0565 Consent Approval

## Looking After Our Environment

**Item:** 12.02

**Subject:** DA 2014 - 801 - 378 LOT RESIDENTIAL SUBDIVISION INCLUDING A CLAUSE 4.6 VARIATION TO CLAUSE 4.1 (MINIMUM LOT SIZE) OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011

**Report Author:** Matt Rogers

**Property:** LOT: 96 DP: 1197050, LOT: 95 DP: 1197050, LOT: 1 DP: 603648, LOT: 51 DP: 1130161, LOT: 11 DP: 1137444, LOT: 53 DP: 1130161, LOT: 18 DP: 776843, LOT: 10 DP: 809815, LOT: 63 DP: 1095861, LOT: 67 DP: 1095861, LOT: 69 DP: 1095861, LOT: 62 DP: 1095861, LOT: 3 DP: 112929, LOT: 71 DP: 1061516, LOT: 39 DP: 1158318, LOT: 40 DP: 1158318, Bestglen Place & Oxley Highway THRUMSTER

**Applicant:** Hopkins Consultants Pty Ltd

**Owner:** K M & C A Gleeson & MMTR Pty Ltd & Others

**Application Date:** 15 October 2014

**Estimated Cost:** \$16,500,000

**Location:** Thrumster

**File no:** DA2014 - 0801

**Parcel no:** 63938

### Alignment with Delivery Program

4.9.2 Undertake transparent and efficient development assessment in accordance with relevant legislation.

### RECOMMENDATION

That the approval of DA 2014 - 0801 for a 378 lot residential subdivision including a Clause 4.6 variation to Clause 4.1 (minimum lot size standard) of the Port Macquarie-Hastings Local Environmental Plan 2011 at LOT: 96 DP: 1197050, LOT: 95 DP: 1197050, LOT: 1 DP: 603648, LOT: 51 DP: 1130161, LOT: 11 DP: 1137444, LOT: 53 DP: 1130161, LOT: 18 DP: 776843, LOT: 10 DP: 809815, LOT: 63 DP: 1095861, LOT: 67 DP: 1095861, LOT: 69 DP: 1095861, LOT: 62 DP: 1095861, LOT: 3 DP: 112929, LOT: 71 DP: 1061516, LOT: 39 DP: 1158318, LOT: 40 DP: 1158318, Bestglen Place & Oxley Highway THRUMSTER, be noted.

### Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegated authority by the Group Manager Development Assessment. Granting consent involved use of Clause 4.6 of Port

## Looking After Our Environment

Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.1 (minimum lot size standard) by not more than 10%.

The application will result in 10 lots out of a total of 378 lots below the minimum lot size standard of 450m<sup>2</sup>. The lots below the standard are as follows:

- Lot 38 = 439.4m<sup>2</sup>
- Lot 93 = 407.7m<sup>2</sup>
- Lot 94 = 441m<sup>2</sup>
- Lot 95 = 423.1m<sup>2</sup>
- Lot 222 = 445.2m<sup>2</sup>
- Lot 223 = 411.7m<sup>2</sup>
- Lot 224 = 413.4m<sup>2</sup>
- Lot 231 = 441.8m<sup>2</sup>
- Lot 370 = 412.9m<sup>2</sup>
- Lot 371 = 412.9m<sup>2</sup>

Pursuant to Clause 4.6(3), consent must not be granted for a proposal that contravenes a development standard unless the consent authority has considered a written request from the applicant that justifies the variation by showing that the subject standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify the contravening of the standard.

1. The applicant lodged a written request to vary the minimum lot size standard and provided the following comments demonstrating contravention of the standard:

*(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case*

2. Applicant's comments: The 10 lots less than 450 sqm but not less than 407.7 sqm are a minor component of the overall proposal and provide an opportunity to test market response and building form on smaller lots in a real world scenario. Should this concept be successful, it provides another method for achieving higher density in the residential areas of Thrumster, consistent with the DCP objectives.

*(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

3. Applicant's comments: Environmental planning grounds in support of this proposal are that the smaller lots are located discretely within standard lots and would not materially impact on the urban form or character of the estate. Compliance with the standard is not necessary as the dimensions of the lots are such that a reasonable dwelling design can be achieved on the lots. Environmentally the lots have equal capacity to accommodate a dwelling as the compliant lots.

In accordance with clause 4.6(4) the applicants written request adequately addressed the matters referred to above and the proposal will be in the public interest as it remains consistent with the standard objectives of the minimum lot size standard and R1 general residential zone.

In accordance with clause 4.6(4) (b) the concurrence of the Director General was not required as Council has an assumed concurrence role as outlined in Planning Circular PS 08-003. Furthermore and in accordance with Planning Circular PS 08-

Looking After Our Environment

014 the lot size variations are within 10% of the 450m<sup>2</sup> lot size standard and determination was undertaken within staff delegation powers.

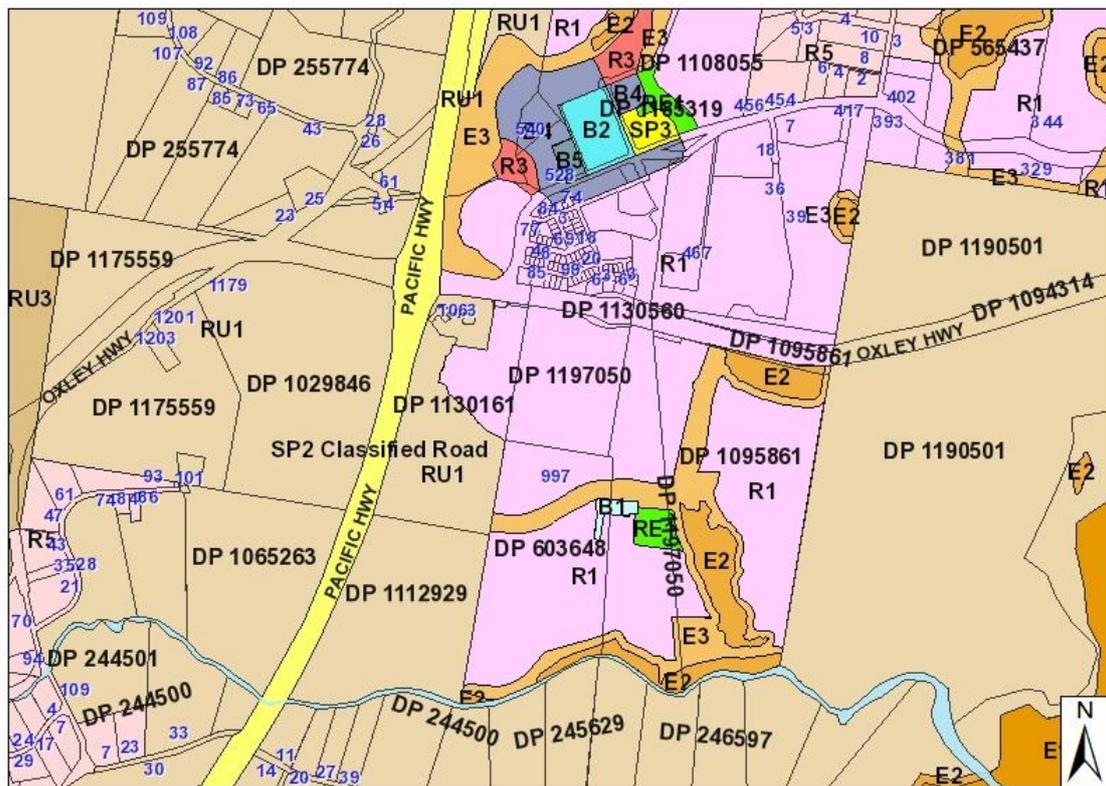
The Department’s circular PS08-014 further reminds councils of their assumed concurrence role in relation to SEPP 1 and Clause 4.6 LEP variations. The circular advises that where Clause 4.6 variations are approved under delegated authority that Council be advised of the decision made and it be appropriately recorded.

Following exhibition of the application, no submissions were received.

1. BACKGROUND

Existing sites features and Surrounding development

The site is zoned R1 General Residential and E3 Environmental Management in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



The existing subdivision pattern and location of existing development within the locality is shown in the following aerial photograph:





## Planning and Providing Our Infrastructure

### What are we trying to achieve?

Our population growth is supported through public infrastructure, land use and development strategies that create a connected, sustainable and accessible community.

### What will the result be?

- Supported and integrated communities.
- Infrastructure provision and maintenance that respects community expectations and needs.
- A natural environment that can be accessed by a network of footpaths, cycleways, coastal and hinterland walkways.
- Accessible, convenient and affordable public transport.
- Employment and population growth that is clustered within urban centres.

### How do we get there?

- 5.1 Create and maintain integrated transport system that eases access between population centres and services.
- 5.2 Ensure transport options are safe, functional and meet access needs across the Local Government Area.
- 5.3 Develop and enhance quality open space and recreational facilities.
- 5.4 Plan settlements to accommodate a range of compatible land uses and projected population growth.

## Planning and Providing Our Infrastructure

**Item: 13.01**

**Subject: QUESTION ON NOTICE - CAR PARKING - PORT MACQUARIE CBD**

**Presented by: Infrastructure & Asset Management, Jeffery Sharp**

### RECOMMENDATION

**That Council note the information in this report.**

#### **Question from Councillor Sargeant:**

What are the options to effectively accommodate the car spaces currently in the proposed Town Square area elsewhere within the CBD so as to enable the town green/town central precinct to become a leisure-rich area, full of people, common projects and things to do and see?

#### **Comments by Councillor (if provided):**

We have become dedicated to accommodating cars in order to cultivate business and to enable people to live better more convenient lives. Our planning and policies are built with cars and car spaces in mind.

The irony is that the more we try to accommodate cars the less pleasant our areas become.

The concept plans depict an outstanding community precinct adjacent the waterfront and directly linked the public area proposed for the Plaza carpark and Town Green West. To diminish the potential of this area by also providing for cars would appear to be poor long term planning particularly if these car spaces can be accommodated elsewhere such as the "hole in the ground".

#### **Response**

The previously exhibited Town Square concept included the provision of car parking.

Parking pressure within the Port Macquarie CBD is often raised by both business and community members and there is little likelihood of this demand decreasing. Whilst there are competing ideals between amenity and access, the communities reliance on cars cannot be underestimated.

Presently Council staff are continuing to work with proposed developments to increase the publicly available spaces within the Port Macquarie CBD.

At this time there are no plans to progress the development of a centralised parking station on Council owned land.

## Planning and Providing Our Infrastructure

**Attachments**

Nil

## Planning and Providing Our Infrastructure

**Item:** 13.02

**Subject:** QUESTION ON NOTICE - FUNDING FOR OCEAN DRIVE / HOUSTON MITCHELL DRIVE ROUNDABOUT

**Presented by:** Infrastructure & Asset Management, Jeffery Sharp

### RECOMMENDATION

**That Council note the information in this report.**

#### **Question from Councillor Levido:**

Can Council be advised of the final funding arrangements for the Ocean Drive/Houston Mitchell Drive roundabout including allocation between Roads and Maritime Services, Council and any benefitted adjoining land owner?

#### **Comments by Councillor (if provided)**

Nil.

#### **Response**

Council has been working with the Roads and Maritime Services (RMS) on the delivery of the roundabout at the intersection of Houston Mitchell and Ocean Drive and will shortly be entering into an MOU for the construction to be undertaken.

The draft MOU contains the current estimate to complete the works of \$5.3M with funding allocations being agreed that RMS will allocate \$3.3M and Council \$2M to the complete the works. It is further proposed that any additional expenditure beyond the estimate of \$5.3M will be met by the RMS.

Council has also recently received an offer from an adjoining landowner to enter into a voluntary planning agreement (VPA). The landowner proposes to make a significant contribution towards the construction of the intersection as well as the construction of a lead in road. The contribution towards the intersection is essentially the forward payment of development contributions with the landowner to receive a credit for road contributions when the adjoining land is developed. The early payment of development contributions will provide Council with increased certainty around cash flow for the project. Further advice on the VPA will be provided to Council as the negotiations are progressed.

Any contribution through the VPA will essentially reduce the Council contribution to these works.

#### **Attachments**

Nil

## Planning and Providing Our Infrastructure

**Item:** 13.03

**Subject:** QUESTION ON NOTICE - LANDSCAPE MAINTENANCE JOHN OXLEY DRIVE AND OXLEY HIGHWAY

**Presented by:** Infrastructure & Asset Management, Jeffery Sharp

### RECOMMENDATION

**That Council note the update provided.**

**Question from Councillor Sargeant:**

Could the General Manager advise as to progress being made with the Roads and Maritime Services as to the landscape maintenance of John Oxley Drive and Oxley Highway as they agreed to regularly undertake?

**Comments by Councillor** (if provided)

Nil.

### Response

Following previous representations from Council to Roads and Maritime Services (RMS) on this matter, the RMS advised that they would be enlisting the assistance of a landscape advisor to ensure more sustainable vegetation management practices along this section of the Oxley Highway.

Most recently the RMS has provided the following action list of works completed and proposed;

#### August 2014

Project inspected by RMS Landscape Advisor. Maintenance program including schedule, activities and targeted locations determined for future 6 months.

#### Sept/Oct 2014

The entire length of the Gateway vegetation was maintained. These items included:

- delineation and sight lines controlled
- removal of weeds from the median using brush cutting and herbicide
- mowing of the grassed verges on both the shoulder and median
- litter collection

#### October 2014

Follow-up inspection undertaken by Landscape Advisor to monitor progress of works.

## Planning and Providing Our Infrastructure

### Early Nov 2014

Longitudinal herbicide application, mainly for control of vegetation around safety barriers and delineation.

### Late Nov 2014

Slashing of grassed verges on both the shoulder and median, including interchanges.

### December 2014

Targeted vegetation maintenance in the vicinity west of the Wrights Rd Roundabout. These items included:

- delineation and sight lines controlled
- removal of weeds from the median using brush cutting and herbicide
- mowing of the grassed verges on both the shoulder and median
- litter collection

### Jan/Feb 2015

Targeted vegetation maintenance in the vicinity east of the Service Centre Roundabout. These items included:

- delineation and sight lines controlled
- removal of weeds from the median using brush cutting and herbicide
- mowing of the grassed verges on both the shoulder and median
- litter collection

### March 2015

Six month inspection undertaken by Landscape Advisor to determine the vegetation development, success of the maintenance program and possibility of contractor engagement to prepare the Weed Management Plan for 2015/16. The need for this plan will depend on the status of the native vegetation.

### April 2015

Proposed targeted control of areas identified in the six month inspection and potentially additional verge mowing.

Council meet with RMS on a monthly basis and will continue to seek regular updates on this matter.

### **Attachments**

Nil

## Planning and Providing Our Infrastructure

**Item: 13.04**

**Subject: FLYNNS BEACH SEAWALL UPDATE REPORT**

**Presented by: Infrastructure & Asset Management, Jeffery Sharp**

### Alignment with Delivery Program

5.3.1 Plan, investigate, design and construct open spaces and recreational facilities.

### RECOMMENDATION

#### That Council:

1. **Note Council's 2014/15 Coastal Management Program funding application to the NSW Office of Environment and Heritage as unsuccessful.**
2. **Note Council's 2015/16 Coastal Management Program funding application to the NSW Office of Environment and Heritage.**
3. **Defer item 5.3.1.2 (i) of the 2014/15 One Year Operational Plan line to the 2015/16 One Year Operational Plan.**

### Executive Summary

This report provides an update on the Flynn's Beach Seawall Upgrade Project. The report confirms that the 2014-15 Coastal Management Program funding application to the NSW Office of Environment and Heritage for this project was unsuccessful, and that a further application has been made for the 2015-16 round of this program. The 2015/16 application now also incorporates feedback from the NSW Coastal Panel. The announcement of successful projects under the 2015-16 Coastal Management Program is not expected until late 2015 (Nov/Dec), therefore the project is recommended to be deferred to the 2015-16 One Year Operational Plan. If successful the funding application is on a dollar for dollar basis and will effectively double the project budget allocation.

### Discussion

#### Background

Council's one year Operational Plan for 2014-15 includes the Upgrade of Flynn's Beach Seawall (item 5.3.1.2(i) budget \$918,006). This project was initiated in 2013 by the Recreation and Buildings Section following storm damage to the existing seawall earlier that year.

A Councillor briefing was undertaken in November 2013 where the various options/concepts for repair were discussed. In accordance with the outcomes of this councillor workshop the Manly Hydraulics Laboratory (a branch of NSW Public Works) have been developing the detailed designs and relevant approvals for the repair of the seawall.

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The detailed design for this upgrade is currently near completion by Manly Hydraulics Laboratory and is expected to be fully completed within the coming 6-8 weeks.

As the project progressed from concept towards a detailed design (including the undertaking of extensive geotechnical investigations) it was recognised that the expected cost to repair/upgrade the wall would exceed the then project budget allocation of approx \$1Million. An application for additional project funding under the 2014-15 Coastal Management Program (administered by the NSW Office of Environment and Heritage) was submitted. This application was on a dollar for dollar basis seeking to effectively double the available project budget for construction.

### Current Status

During December 2014 a response from the NSW Office of Environment and Heritage was received in relation to the 2014-15 Coastal Management Program funding application (attached). Unfortunately the Flynn's Beach Seawall repair/upgrade project did not rank highly enough through the assessment process to receive grant funding under the 2014-15 program. The response did include further information recommending that Council's proposed design and any future funding applications be first submitted to the NSW Coastal Panel for consideration. Following this feedback from the NSW Office of Environment and Heritage, the seawall design was submitted to the NSW Coastal Panel for feedback by Manly Hydraulics Laboratory.

Feedback on the design was received from the NSW Coastal Panel and has led to some additional design works which are currently being finalised by Manly Hydraulics Laboratory.

With the feedback from the NSW Coastal Panel now received and being incorporated into the design, an application to the Office of Environment and Heritage, Coastal Management Program for financial year 2015-16 has been prepared. This funding application seeks to again effectively double the current construction budget available for this project. Applications close on the 12 March 2015 and an announcement on the projects that will successfully receive funding under the 2015-16 program is not expected until late in the 2015 calendar year (similarly to the 2014-15 program announcement which occurred in December 2014).

It is therefore proposed that the Upgrade of Flynn's Beach Sea Wall (item 5.3.1.2(i) budget \$918,006) in the year Operational Plan for 2014-15 be deferred to the 2015-16 one year Operational Plan, in order to potentially double that available construction budget, subject to the 2015-16 Coastal Management Program funding announcement.

In deferring this project as recommended, the Council should note that construction commencement would reasonably follow the busy summer season of 2015/16 (ie Mar/Apr 2016). This delay on a cost/benefit basis is considered reasonable given the potential upside of doubling the available construction budget.

Whilst our previous application for funding did not gain support, the alternative of commencing works with the existing budget allocation is not considered to provide a realistic level of works within this coastal zone.

Should our current 2015/16 application be unsuccessful, Council will need to carefully consider its options in this matter.

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### Options

Council has the option to defer this project to the 2015-16 One year Operational Plan as recommended or not. If the project is not deferred and is endorsed to proceed to construction in the 2014-15 Financial Year, any funding resultant from the 2015-16 Coastal Management Program will not be able to match dollar for dollar and would likely be forfeited.

### Community Engagement & Internal Consultation

Community engagement has been undertaken in the preliminary stages of the project by the Recreation and Buildings Section. Further community and stakeholder engagement will be undertaken in the lead up to, and during the construction period.

Some specific stakeholder engagement is proposed in conjunction with the recommendations of this report so as to keep the key stakeholder (ie Port Macquarie Surf Lifesaving Club, beach users) up to date on the project.

This report has been discussed with Group Manager Building and Recreation and Council's Environmental Projects Officer.

### Planning & Policy Implications

The recommendations of this report will require an amendment to the 2014/15 One Year Operational Plan. Item 5.3.1.2(i) Upgrade of Flynn's Beach Sea Wall (budget \$918,006) will be deferred to the 2015-16 One Year Operational Plan.

### Financial & Economic Implications

The financial implications of these recommendations are discussed in the body of this report.

The deferral of this project to 2015-16 on a cost/benefit basis is considered reasonable given the potential upside of doubling the available construction budget through the 2015-16 Coastal Management Program funding.

### Attachments

1 [View](#). Correspondence from NSW Office of Environment and Heritage

## Planning and Providing Our Infrastructure

**Item:** 13.05

**Subject:** STINGRAY CREEK BRIDGE GRANT FUNDING

**Presented by:** Infrastructure & Asset Management, Jeffery Sharp

### Alignment with Delivery Program

5.1.1 Plan, investigate, design and construct road and transport assets which include pedestrian, cyclist and vehicular needs.

### RECOMMENDATION

**That Council formally accept the grant conditions for Stingray Creek Bridge funding.**

#### Executive Summary

In December 2014 the Hon. Duncan Gay MLC, Minister for Roads and Freight, advised that the NSW Government would provide a further grant of up to \$8.4 million toward the replacement of Stingray Creek Bridge, with Council required to formally accept the conditions presented with the Grant.

#### Discussion

The NSW Government funding is conditional on Port Macquarie-Hastings Council contributing a minimum of \$9.6 million toward this project.

The NSW Government have requested that the Roads and Maritime's role in the project is strengthened and in line with this have requested RMS appoint a specialist bridge engineer to act as a Bridge Assurance Engineer for the project.

Details of the involvement of the Bridge Assurance Engineer were discussed at the most recent Stingray Creek Bridge Steering Group Meeting with their involvement noted and understood.

#### Options

Council can opt not to formally accept the grant conditions for funding; however without this funding we are unable to complete this project.

#### Planning & Policy Implications

Key milestones for this project will be agreed upon in conjunction with the RMS once a tender has been accepted and awarded.

#### Financial & Economic Implications

This grant funding will allow Council to complete this project.

## Planning and Providing Our Infrastructure

### Attachments

- 1 [View](#). RMS Letter regarding Funding acceptance
- 2 [View](#). Letter from the Hon Minister Duncan Gay MLC



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Town Green west (CWA to sea plane)      \$141,000 to \$154,000

These costs are based on very preliminary figures. A more accurate cost estimate would take additional time to research and prepare. These cost estimates also assume that a fill site is available within the Port Macquarie area for the supply of excavated materials.

Due to the high use of this area timing of works would need to be carefully considered to ensure minimal disruption during significant events and tourist periods. This could potentially add to the cost estimates above.

Further, removal and replacement of the existing soil profile with a less compacted material will result in superior turf performance, however, the upgraded surface would then be less tolerant to heavier vehicles associated with events and the damage endured will be more evident and costly to repair. To prevent this damage a number of events held on the Town Green, particularly those that require heavy vehicle access, could be held at other sites.

### Attachments

1 [View](#). Item 06 Town Centre Master Plan Sub-Committee 24/02/2015

## Planning and Providing Our Infrastructure

**Item:** 13.07

**Subject:** EXPRESSION OF INTEREST: REGIONAL TOURISM  
INFRASTRUCTURE FUND - REGIONAL AIRPORTS PROGRAM

**Presented by:** Corporate & Organisational Services, Rebecca Olsen

### Alignment with Delivery Program

3.5.1 Develop, manage and maintain Port Macquarie Airport as a key component of the regional transport network and continue to grow the airport's contribution to the regional economy.

### RECOMMENDATION

**That Council:**

1. **Note the NSW Government Regional Tourism Infrastructure Fund - Regional Airports Program grant funding opportunity; and**
2. **Submit an Expression of Interest for grant funding under this Program for an upgrade of the existing passenger terminal building at Port Macquarie Airport.**

### Executive Summary

The purpose of this report is to inform Council of the Regional Tourism Infrastructure Fund - Regional Airports Program grant funding opportunity announced by the NSW Government in January 2015.

The report also recommends that Council submit an Expression of Interest for grant funding under this Program for an upgrade of the existing passenger terminal building at Port Macquarie Airport to cater for forecast growth in airline services and passengers numbers.

### Discussion

In January 2015, the NSW Government Minister for Regional Tourism announced that up to \$50 million will be made available for regional airport infrastructure projects under the Regional Tourism Infrastructure Fund - Regional Airports Program. The Program is aimed at projects that will boost local tourism and strengthen and diversify regional economies that service popular regional tourism destinations. Correspondence received from the Minister for Regional Tourism as attached to this report confirms that Port Macquarie Airport is one of 30+ regional airports with regular passenger airline services eligible for funding under this Program.

The funding program has a 2-step application process. The first stage requires an initial Expression of Interest (EOI) to be submitted by 31 March 2015 following which projects will be short-listed and invited to submit a more detailed application. The Expression of Interest Guidelines document is attached to this report for further information.

## Planning and Providing Our Infrastructure

The Guidelines provide an overview of the EOI assessment criteria as summarised below, noting that the Program will prioritise projects that benefit regional tourism destinations - demonstrated by overnight visitation, enhanced aviation outcomes, visitor expenditure and passenger movements:

- Strategic Assessment:
  - demonstrate how the project improves the economic growth, productivity and competitiveness of the State;
  - expected regional tourism benefits (eg increased overnight visitation, growth in airline services and passenger numbers);
  - alignment with NSW Government visitor economy objectives and other regional planning strategies.
- Economic Assessment:
  - demonstrated capacity to improve economic growth and productivity;
  - evidence that the project is expected to produce a positive net economic benefit.
- Affordability:
  - affordability of the project relative to the availability of funding.
- Deliverability:
  - demonstrated capacity to deliver the project (procurement, project management, risk management).

The assessment process will be managed by Infrastructure NSW via a Regional Independent Assessment Panel.

At its meeting on 2 February 2015, the Airport Advisory Group discussed options for possible projects to be submitted for funding support under this Program. The projects identified, consistent with the adopted Airport Master Plan included:

- an upgrade of the existing passenger terminal building to cater for forecast growth in airline services and passenger numbers;
- staged provision of a parallel taxiway to cater for light aircraft and increasing levels of general aviation aircraft activity; and
- an upgrade of Boundary Street to improve flood-protection and access to the Airport.

On 2 February 2015, the Acting Group Manager Commercial and Business Services attended a briefing in Sydney on the Regional Airports Program presented by Infrastructure NSW in conjunction with Destination NSW. This briefing confirmed that the focus of the Program and assessment will be on projects aligned with regular passenger airline services that can demonstrate significant tourism and economic benefits to the region.

On the basis of the Expression of Interest Guidelines and briefing provided, it is considered that while each of the above projects is important in the ongoing development of the Airport, the upgrade of the existing terminal building aligned with forecast growth in airline services and passenger numbers including the potential

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introduction of new 180-seat B737/A320 aircraft services, will best meet the aims and objectives of this particular funding program.

It is noted that there is an emerging need, supported by stakeholder feedback, for the staged provision of a parallel taxiway to cater for light aircraft and increasing levels of general aviation aircraft activity at the Airport. It is proposed to make provision for the initial planning and design work required for this new infrastructure to be included in the Airport's forward works program budget.

It is also noted that consideration of planning for the upgrade of Boundary Street has already commenced in conjunction with planning for the development of the Airport Precinct business park and Council's broader regional road network planning.

As such, this report recommends that Council submit an Expression of Interest for grant funding under this Program for an upgrade of the existing passenger terminal building at Port Macquarie Airport to cater for forecast growth in airline services and passengers numbers.

Previous planning and design work (including development consent) has already been undertaken on an upgrade of the terminal building as part of the Stage 1 airport upgrade project commenced in 2010. At the Ordinary Council meeting held on 25 July 2012, Council resolved to defer the proposed terminal building component of the overall upgrade to Stage 1B pending further consultation with the Civil Aviation Safety Authority (CASA) and a review of the Airport Master Plan 2010, as below:

### *10.02 PORT MACQUARIE AIRPORT - PROPOSED STAGE 1 UPGRADE*

*The Administrator advised of a request to address Council from Leigh Fitz-Alan (opposing the recommendation).*

*Mr Fitz-Alan addressed Council in opposition to the recommendation.*

*RESOLVED: Administrator/Porter*

*That Council:*

- 1. Adopt the airside components (runway, taxiways, and RPT apron) as currently designed as the scope of works for the proposed Stage 1A upgrade of Port Macquarie Airport.*
- 2. Proceed to obtain tenders from suitably experienced contractors for the proposed Stage 1A upgrade, being works required to the runway, taxiways and RPT apron to cater for initial operations of Code 4C (B737 / A320) aircraft, via an open tendering process.*
- 3. Defer the proposed landside components (terminal building and car park improvements) to Stage 1B pending further consultation with the Civil Aviation Safety Authority (CASA) and a review of the Airport Master Plan 2010.*
- 4. Proceed with further detailed planning and design for a new rental car and staff car park as identified in the Airport Master Plan 2010, with this work being planned as part of a standalone business case.*

In parallel with the Stage 1A airside upgrade project undertaken in 2013, Council carried out a review of the Airport Master Plan 2010 taking into account the Stage 1A upgrade project and advice received from CASA in relation to changes to aerodrome standards affecting Code 4C airports. The subsequent Master Plan 2010 Addendum Report was presented to Council for consideration and adoption at the Ordinary Council Meeting held on 18 December 2013:

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### 10.01 PORT MACQUARIE AIRPORT MASTER PLAN 2010 ADDENDUM REPORT - CONSULTATION REPORT

Councillor Cusato declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 08:25pm. The Mayor tabled the replacement report for this item.

**RESOLVED:** Levido/Roberts

*That Council:*

1. Note the submissions and feedback received during the exhibition of the draft Port Macquarie Airport Master Plan 2010 Addendum Report;
2. Adopt the Port Macquarie Airport Master Plan 2010 Addendum Report with Option 1 as the preferred short-term / interim development option and Option 2 as the preferred long-term development option, subject to the availability of funding;
3. Continue to liaise with key stakeholders regarding the future development of Port Macquarie Airport as outlined in the Addendum Report; and
4. Proceed with further detailed planning, feasibility and environmental investigations in relation to:
  - widening the runway strip and associated obstacle limitation surfaces in accordance with CASA Code 4C aerodrome standards;
  - development of the proposed Airport Precinct business park; and
  - the provision of flood-free road access via a future North-South (Outer) Link Road.

**CARRIED:** 8/0

**FOR:** Besseling, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner

**AGAINST:** Nil

Councillor Cusato returned to the meeting, the time being 08:36pm.

As per Resolution 2 above, Option 1 was adopted as the preferred short-term / interim development option - this option incorporates further incremental staged development of the existing terminal building to cater for forecast growth in airline services and passenger numbers, with such development subject to the availability of funding.

The Master Plan 2010 Addendum Report notes that the existing terminal building already operates at near capacity during current "busy hour" peak periods.

In accordance with the resolutions from the Council meetings on 25 July 2012 and 18 December 2013, Council staff have continued to liaise closely with CASA in relation to future development of the Airport consistent with relevant aerodrome standards and CASA requirements.

On 6 March 2015, CASA confirmed that the proposed extension of the terminal building is acceptable in consideration of relevant aerodrome standards and the runway strip width exemption EX31/14. CASA's advice includes a number of recommendations which will be addressed in the detailed design of the project to ensure compliance with CASA requirements.

Subject to detailed design and the availability of funding, the proposed scope of the terminal building upgrade includes:

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- redevelopment and expansion of the existing passenger check-in area to cater for additional airline check-in desks and expanded capacity for increased passenger numbers;
- expansion of the existing departure lounge to cater for increased passenger numbers associated with up to 180-seat B737 / A320 aircraft;
- expansion of the checked baggage (security screening) area located behind check-in to cater for the forecast increase in airline services; and
- expansion of the passenger arrivals and baggage claim areas to cater for increased passenger numbers and to provide enhanced facilities.

Subject to the Expression of Interest being successful, a further report will be presented to Council to seek approval for the final scope of works commensurate with the level of funding available.

### Options

Council has the option to either adopt the recommendations of this report, to amend, or not to adopt, noting that:

- the focus of the Regional Airports Program is to drive overnight visitation and associated tourism outcomes aligned with regular passenger airline services; and
- an Expression of Interest must be submitted by 31 March 2015 in order to have an opportunity to obtain grant funding under the Regional Airports Program.

### Community Engagement & Internal Consultation

Consultation has taken place with the following:

- Airport Advisory Group;
- General Manager;
- Director Corporate & Organisational Services;
- Group Manager, Economic Development; and
- Group Manager, Commercial & Business Services.

Community engagement has previously been undertaken in relation to the Airport Master Plan 2010 and Addendum Report.

### Planning & Policy Implications

The proposal to upgrade the existing terminal building is consistent with the adopted Airport Master Plan and Addendum Report.

### Financial & Economic Implications

The final scope of works and corresponding budget will be subject to the success of this funding application and the amount of any funding made available by the NSW Government.

It is proposed to seek 100% of the required budget for this project from the Regional Airports Program noting that Council has recently invested close to \$6 million in the

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\$21 million Stage 1A airside infrastructure upgrade (funded in partnership with the Australian Government via its \$15 million funding allocation).

Limited funding may also be available for this project from the Airport Reserve. The Airport is established as a separate commercial business unit of Council, funded solely by airport operations on a 'user pays' basis - no funding for this project will be required from Council's General Fund.

The Airport plays a key role in underpinning the region's economic development and tourism potential, and as such it is critical that the Airport is positioned to cater for forecast growth in airline services and passenger numbers to realise the associated economic and tourism benefits.

As set out in the Master Plan 2010 Addendum Report, further growth in air services including the potential introduction of up to Code 4C medium jet aircraft such as the Boeing B737-800 and Airbus A320 series aircraft would result in:

- an additional \$86.1 million in gross output per annum\*;
- an additional \$38.2 million in value added or GRP per annum\*;
- an additional \$21.8 million in wages and salaries paid per annum\*; and
- an additional 408 jobs created per annum\*.

\* based on 400,000 passenger movements per annum (currently 230,000 passengers pa).

### Attachments

1 [View](#). RTIF Regional Airports Program - EOI - Hon. John Barilaro MP

2 [View](#). RTIF Expression of Interest Guidelines

## Planning and Providing Our Infrastructure

**Item: 13.08**

**Subject: DEVELOPMENT CONTRIBUTIONS FOR STUDENT ACCOMMODATION - UPDATE**

**Presented by: Development & Environment Services, Matt Rogers**

### Alignment with Delivery Program

5.4.1 Plan settlements to accommodate a range of compatible land uses that meets projected population growth for new and existing developments.

### RECOMMENDATION

#### That Council:

1. **Note the progress of the 18 month trial of the amendment to the Development Contribution Assessment Policy to provide for a new Category of Student Accommodation.**
2. **Amend item 'c' of the trial provisions relating to floor area requirements to a maximum of 15m<sup>2</sup> excluding bathroom facilities.**

### Executive Summary

This report is presented to provide an update on the trial implementation and general feedback on reduced development contributions for student accommodation. As a result of feedback, it is proposed to alter the floor area requirements that qualify a proposal for reduced contributions.

### Discussion

At the meeting of 19 November 2014 Council considered a report regarding options for the reduction in development contributions in order to encourage the construction of student accommodation. Council resolved (Item 13.06) as follows:

*RESOLVED: Levido/Sargeant*

#### *That Council:*

1. *Amend the Development Contributions Assessment Policy, on a 18 month trial basis, to provide for a new Category of Student Accommodation subject to the following provisions:*
  - a) *A contribution rate of 0.175 Equivalent Tenements per Bed/Bedroom for Water Supply, Sewerage Services and S94 Development Contributions.*
  - b) *The Development to be for a minimum of 20 beds.*
  - c) *Maximum floor area for each unit of 12m<sup>2</sup> excluding bathroom facilities.*
  - d) *Arrangements satisfactory to Council are in place to ensure that:*

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- i) *The development is occupied by persons attending or enrolled at a local educational establishment (It is acknowledged that student accommodation would be sometimes used in association with other campus activities such a summer schools, conferences and training).*
  - ii) *If the nature of the occupancy changes to another form of housing, the developer to pay the appropriate contribution rate at the time.*
  - iii) *Each room is to be single occupancy.*
2. *Request the General Manager present a report on the results of the trial to the June 2016 Council Meeting.*
3. *Request the General Manager present a report to the March 2015 Council Meeting on the implementation and general feedback on the Policy.*

CARRIED: 8/0

FOR: *Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts and Sargeant*

AGAINST: Nil

Leading up to the November 2014 report, Council staff had undertaken pre-lodgement discussions with a private developer who proposed a student accommodation development nearby Charles Sturt University (CSU). The development proposal was initially for up to 300 single occupancy units for student accommodation. The units are similar to motel units and include ensuite facilities with shared facilities for laundry and cooking. As part of these discussions the quantum of development contributions had been raised as a significant impediment to the project proceeding.

Under the provisions of Council's Development Contributions Assessment Policy (DCAP) the units would have been assessed based on a category of 'Boarding Houses, Guest Houses, Hostels etc' as 'partially self contained, shared facilities for cooking and laundry but own ensuite per bedroom - not dormitory or bunk rooms'. This would have resulted in Section 94 Contributions (open space, roads, community facilities) and water supply and sewerage contributions of \$10,830 per unit, based on November 2014 rates.

Council considered options for reduction in calculation of contributions and resolved to trial the implementation of a new category for Student Accommodation as described in the resolution above and reduced development contributions per unit at \$5,414 based on November 2014 rates.

### Options

Council could choose to continue with the trial or to make modifications to the trial provisions.

### Community Engagement & Internal Consultation

The broader building industry community was advised that reduced development contributions for student accommodation are in place via Council's e-newsletter. There have been some general enquiries around whether the reduction could also apply to smaller boarding house style developments, however, no formal submissions received other than from a developer adjacent to CSU.

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The Group Manager Economic Development has advised that the Economic Development team have not had specific feedback on the trial provisions, apart from the developer noted below. It is proposed that more active engagement occur with local universities on the matter (CSU, Uni of Newcastle and Uni of NSW) to gain a better understanding of how interest in the provisions compares to levels of interest in student accommodation investment more broadly.

Comments have been received on behalf of developers of a major student accommodation project nearby CSU. The development application for this proposal was lodged in February 2015.

The developers have requested:

1. An increase in the minimum floor area from 12m<sup>2</sup> to 15 m<sup>2</sup>. Currently under the plans submitted the applicants have complied with the minimum 12m<sup>2</sup> from all units except those provided as accessible accommodation. Under the Building Code of Australia a percentage of units are to be provided as accessible units for people with a disability. These types of units cannot be provided within the 12m<sup>2</sup> maximum floor area provision. In support of the request for all rooms to have a floor area up to 15m<sup>2</sup> the applicants advise that that the additional floor space for the student rooms will provide greater internal amenity for students and include additional storage space.

*Comment: A change is supported for the trial as the rooms will still be restricted to occupation by one student. Also the increased size will provide an increased level of amenity and allow reasonable circulation for accessible units.*

2. Explicit reference be made in the Contributions Policy for Local Student Housing to works in kind and material public benefit. The developers consider that it is important that the policy clearly articulates what process is relevant to a proponent of local student housing if they would like to propose a work in kind or material public benefit for either full or partial offset of the contribution amount.

*Comment: Council has a Works in Kind Policy that sets out the process for works in kind and material public benefit. It is considered unnecessary to duplicate provisions in the Development Contributions Assessment Policy*

3. Payment of a reasonable contribution towards the provision of relevant local services and facilities from Crown developments undertaking student accommodation.

*Comment: Council does request payment of contributions in these instances however the Minister for Planning needs to agree to the imposition of any such condition.*

Comments were received from one person following the November 2014 Council Meeting concerned about Council's ability to fund infrastructure if contributions are reduced for certain developments. It was acknowledged in the previous report to Council that there will be a loss of income which needs to be balanced with broader economic considerations.

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### Planning & Policy Implications

A further report on the results of the trial will be presented to the June 2016 Council meeting.

### Financial & Economic Implications

As previously reported any reduction in contribution rates will impact Council's ability to fund works for new development. This loss of income needs to be balanced with the economic benefits of a growing local higher education sector which include:

- Increase in local education attainment levels and skilled professionals
- Creation of Port Macquarie as an 'education destination', including the possible attraction of international students
- Facilitation of research and innovation which is of benefit to the development and sustainability of local business and industry.
- Economic benefits associated with increasing the 18-24 age cohort of the area.

Adequate student accommodation is key to facilitating increased university participation and higher education sector growth in our region.

### Attachments

Nil

## Planning and Providing Our Infrastructure

**Item:** 13.09

**Subject:** LOCAL ORDERS POLICY FOR THE KEEPING OF DOGS AT  
THRUMSTER: SUBMISSIONS REPORT

**Presented by:** Development & Environment Services, Matt Rogers

### Alignment with Delivery Program

5.4.1 Plan settlements to accommodate a range of compatible land uses that meets projected population growth for new and existing developments.

### RECOMMENDATION

**That Council adopt the Local Orders Policy to Restrict the Keeping of Dogs at Thrumster, as publicly exhibited, in accordance with section 161 of the *Local Government Act 1993*.**

### Executive Summary

A local orders policy to restrict the keeping of dogs in part of the Thrumster area was adopted by Council and endorsed by the NSW Department of Planning & Environment in 2008.

The purpose of the policy was to restrict the ownership of dogs on new lots created in areas of Core Koala Habitat and was fundamental to the rezoning of land at Thrumster for urban development. The restriction on keeping of domestic dogs in koala habitat areas is one of a suite of measures in the Koala Plan of Management (KPoM) that are designed to work together to protect koalas and their habitat.

The local orders policy automatically lapsed one year after the last Council election. The purpose of this project is to reinstate the local orders policy.

On 19 November 2014, Council resolved to publicly exhibit a draft Local Orders Policy to restrict keeping of dogs in core koala habitat areas at Thrumster. Public exhibition of the draft local orders policy ran from 28 November 2014 to 23 January 2015, allowing extra time for the Christmas break.

Two persons made a formal submission during the exhibition period and there was some discussion on Council's website during the exhibition period.

Under section 161 of the Local Government Act 1993, after consideration of submissions Council may adopt the policy with or without amendments or not adopt the policy.

It is recommended that Council adopt the draft local orders policy as exhibited, in accordance with section 161 of the Local Government Act 1993.

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### Discussion

The Thrumster Koala Plan of Management (KPoM), approved by the State Government in January 2008, includes an action to impose restrictions on keeping of dogs within certain areas of koala habitat at Thrumster.

To implement this action, a local orders policy to restrict keeping of dogs at Thrumster was approved by Council in June 2008. This policy automatically lapsed one year after the last Council election in September 2012. The purpose of this project is to reinstate the local orders policy.

On 19 November 2014, Council resolved as follows:

*RESOLVED: Levido/Intemann*

*That Council:*

- 1. Publicly exhibit the attached draft Local Orders Policy to Restrict Keeping of Dogs in Core Koala Habitat Areas at Thrumster.*
- 2. Consider a further report following completion of the public exhibition period, including a review of submissions and any necessary amendments to the draft Local Orders Policy.*

*CARRIED: 7/1*

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido and Sargeant*

*AGAINST: Roberts*

On 28 November 2014, a public notice was published on Council's website and in the Port Macquarie News seeking public comment on the draft Local Orders Policy (draft policy). At about the same time, a page was established on Council's PMHCListing website allowing interested persons to make a submission or ask informal questions.

Two persons made a submission and four persons asked questions using the website. Details on these comments are provided in the Community Engagement section of this report further below. The matters raised in comments and submissions can be summarised as:

- Strong support for the proposed restriction (2 submitters)
- Concern over the fairness of the proposed boundary (1 question)
- Whether cats should also be restricted given their impact on other wildlife (1 question)
- Whether fencing dogs in yards would work better than the proposed restriction (1 question)
- Concern over the fairness of the timing of the restriction with regard to recent purchasers of property (1 question)

### Options

Local orders policies are prepared in accordance with Part 3 of the Local Government Act 1993 (the Act). Part 3 of the Act describes the required steps for making a local orders policy such as this one.

Pursuant to section 161 of the Act, after considering all submissions, Council may decide:

1. to amend the draft local policy, or

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2. to adopt it without amendment, or
3. not to adopt it.

If Council decides to amend the draft local policy, and is of the opinion that the amendments are not substantial, it may adopt the amended draft local policy without public exhibition. Any substantial amendment would require a further public exhibition.

Given no issues were raised in submissions, and issues raised informally through the website can be suitably addressed, staff recommend adopting the draft local policy as publicly exhibited (**Attachment 1**).

### Community Engagement & Internal Consultation

Section 160 of the Act requires that the period of public exhibition must be not less than 28 days and submissions may be made within a period of not less than 42 days after publication of the notice.

Community engagement was carried out between 28 November 2014 and 23 January 2015, a total of 56 days. An additional 14 days to the minimum was allowed to account for the Christmas break.

On 28 November 2014, a public notice specifying the above dates was published in the Port Macquarie News.

At the same time a PMHC Listening web page was established and included a Q&A component. Several seed questions were added by Council officers to start discussion.

During the public exhibition period, 349 people visited the project web page, 191 people viewed additional information, and 7 people contributed to the project by leaving a comment or question or making a submission.

Two formal submissions were received via the PMHC Listening website, detailed in the table below.

Submission		Issue
1.	Sunniva Boulton Submission via PMHC Listening (Attachment 2)	I strongly support the restriction on keeping of dogs in the Core Koala habitat areas. Adequate signage needs to be provided to inform dog walkers from outside areas of this restriction.
	<b>Response/ Comment:</b>	Support noted. The need for community education, including signage, is identified in the Koala Plan of Management.
2.	Paul Martin Submission via PMHC Listening (Attachment 3)	I fully support no dog areas to help Koalas. Dogs are in every other backyard, some space without them is not unreasonable. Dogs are a major

Planning and Providing Our Infrastructure

		cause of Koala deaths as is habitat loss, some of the development in the Thrumster area is in Koala’s habitat which makes this dog free area so important.
<b>Response/ Comment:</b>	Support noted.	

In addition, several comments and questions from the general public were posted to the Q&A section. Issues raised in these comments included:

- Will Council reimburse the purchase price of land for lots bought prior to the policy being implemented?

**Response:** Prospective landowners are made aware of the previous policy through section 149 planning certificates issued by Council and this procedure is proposed to continue should Council approve the draft policy.

If a prospective landowner can demonstrate that a planning certificate was issued for a lot without mention of the dog restriction, and that the lot was subsequently purchased in the Dog Restriction Area, Council can decide not to give an order or to modify the order, as described in Section 135 of the *Local Government Act 1993*.

It is noted that, no new lots have been registered in the proposed Dog Restriction Area since the previous policy lapsed, making the scenario unlikely.

- Whether fencing was a better alternative to dog restrictions?

**Response:** Council has a statutory obligation in *State Environmental Planning Policy 44-Koala Habitat Protection* to ensure development is approved consistent with the koala plan of management. The KPOM includes provisions relating to fencing that require that fencing not inhibit movement of koalas.

- Cats should also be controlled.

**Response:** The koala plan of management does not identify cats as a threat to koalas and does not contain any actions relating to their control.

- Will the policy be extended to other areas?

**Response:** There are no plans to extend the policy to areas with existing Koala Plans of Management. However, dog restriction remains a useful mitigation strategy in developing areas and may form one of a suite of measures included in future Koala Plans of Management.

- Why does the boundary affect only one side of Thrumster Street?

**Response:** The Dog Restriction Area boundary does not follow the habitat boundary exactly. An area has been identified that covers the largest portion of core koala habitat with the boundaries following lot boundaries and roads for easier implementation.



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### Planning & Policy Implications

The Thrumster Koala Plan of Management is the key document to guide development outcomes that are compatible with retention and improvement of koala habitat and partly fulfils Council's obligations to comply with *State Environmental Planning Policy 44 - Koala Habitat*.

The KPoM was adopted by Council and endorsed by the NSW Department of Planning & Environment in 2008. It was fundamental to the rezoning of land at Thrumster for urban development.

The restriction on keeping of domestic dogs in koala habitat areas is one of a suite of measures in the KPoM designed to work together to protect koalas and their habitat.

### Financial & Economic Implications

The preparation and implementation of planning controls relating to Thrumster is identified in action 5.4.2.1 in Council's Operational Plan for 2014-2015. Completion of the work in the manner outlined in this report is able to be undertaken within Council's Strategic Land Use Planning Program in consultation with other divisions of Council. The work is funded as a scheduled project within Council's Strategic Planning Program for 2014-2015.

### Attachments

- 1 [View](#). Draft local orders policy
- 2 [View](#). Submission: Boulton
- 3 [View](#). Submission: Martin

## Planning and Providing Our Infrastructure

**Item:** 13.10

**Subject:** TACKING POINT LIGHTHOUSE RESERVE

**Presented by:** Community & Economic Growth, Tricia Bulic

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### Alignment with Delivery Program

5.3.1 Plan, investigate, design and construct open spaces and recreational facilities.

### RECOMMENDATION

**That Council note that works have commenced on Stage 4 of the Tacking Point Lighthouse Reserve Master Plan.**

#### Executive Summary

The purpose of this report is to provide an update to council regarding the ongoing partnership between the Rotary Club of Port Macquarie Sunrise and Council in implementation of the adopted Tacking Point Lighthouse Reserve Master Plan.

Council and Rotary Club of Port Macquarie Sunrise have commenced Stage 4 of the project which includes construction of the walkway linkage from the existing walkway below the lighthouse to the west adjacent to Lighthouse Road.

#### Discussion

For a number of years council has partnered with the Rotary Club of Port Macquarie Sunrise in improving the Tacking Point Lighthouse and surrounding reserve in accordance with the adopted master plan for this space.

To date, Rotary Club of Port Macquarie Sunrise and Council have been able to deliver Stages 1 to 3 of the master plan with funding assistance being provided by the state and federal governments and through donations from local residents and businesses.

Council's Infrastructure Delivery team have been project managing the detailed design of Lighthouse Road upgrade between Davis Crescent and start of the turnaround area below the lighthouse. The design scope also included a walkway connection from Davis Crescent toward the lighthouse.

The design project commenced during the 2013/14 financial year with Land Dynamics being engaged to develop the detailed design, construction cost estimate and a Review of Environmental Factors (REF) for future works. These deliverables were finalised and presented to council in February 2015.

The Rotary Club of Port Macquarie Sunrise has been allocated grant funding of \$28,400 to allow for partial construction of the walkway connection between Davis

## Planning and Providing Our Infrastructure

Crescent and the existing pathway network below the Lighthouse. This grant funding was provided through the 2014 Community Building Partnerships program.

This allocation was granted during the detailed design process. It was agreed by council staff and the Rotary Club of Port Macquarie Sunrise that the commencement of the grant funded project should be deferred until the detailed design process was finalised.

Further, there is an allocation of \$70,000 in the 2014/15 Operational Plan Tacking Point Lighthouse Reserve - Implement Master Plan. Through the design process it became apparent to staff there was limitations to those components of the overall design that could be delivered with this funding allocation. The construction estimate developed by the design consultants indicates that the upgrade of the road and construction of a walkway within the design footprint will cost approximately \$700,000.

The construction of the walkway from the Davis Crescent end requires that the roadway improvements be undertaken at the same time. Given the estimated per metre rates associated with this activity, there will be little community benefit in undertaking \$70,000 worth of work in this area. Further, there will be economies of scale realised in undertaking the roadway upgrade in one stage of works in the future when resources become available.

The best community outcome that can be achieved with the \$70,000 allocation is partnering with Rotary Club of Port Macquarie Sunrise to provide the walkway linkage commencing from the Stage 3 scope of works.

The project scope includes construction of the elevated timber board walk, which will be 52 metres long, and there will be approximately 30 metres of new concrete path to adjoin the existing concrete path.

Completion of the timber boardwalk & associated concrete path will result in vastly improved safety for pedestrians & cyclists in this area as well as providing ample viewing opportunities for the public south across Lighthouse Beach to the Camden Haven.

Civil works are being undertaken by Rotary Club of Port Macquarie Sunrise who have engaged the services of a number of local contractors. Council's Infrastructure Delivery team are coordinating supply and delivery of materials, site compound, traffic control, project documentation and support.

During construction it will be necessary to reduce traffic to a single lane. This will be controlled via automated traffic signals. There will be some delays to motorists during works however it is anticipated that two way traffic flow will be restored after work each day. A large portion of the lower car park area will also be utilised as a site compound resulting in reduced parking opportunities in the area during construction.

The project is expected to take twelve weeks to complete.

### Options

Nil

## Planning and Providing Our Infrastructure

### Community Engagement & Internal Consultation

There has been also been ongoing engagement with members of the Rotary Club of Port Macquarie Sunrise during the detailed design process to keep them informed of design progress, and to keep them updated about potential timelines for construction works as they relate to the allocated grant funds.

The detailed design process has been managed by councils Infrastructure Delivery team who have engaged with staff from Transport & Stormwater Network and Recreation & Buildings sections throughout the detailed design process.

### Planning & Policy Implications

The project scope is consistent with the adopted Tacking Point Lighthouse Reserve Master Plan.

No statutory approvals were required prior to commencement of construction works. A REF has been developed by consultants and subsequently reviewed by staff in accordance with the requirements of the Environmental Planning and Assessment Act 1979. The REF has informed how works should be delivered to minimise a range of possible environmental impacts.

Volunteers working on this project are being managed by council staff in accordance with council and relevant legislative requirements.

Purchase of materials for this project is being undertaken by council staff in accordance with council's purchasing and procurement policy.

### Financial & Economic Implications

There is an allocation of \$70,000 in the 2014/15 Operational Plan Tacking Point Lighthouse Reserve - Implement Master Plan.

The Rotary Club of Port Macquarie Sunrise has grant funding of \$28,400 to allow for partial construction of the walkway connection between Davis Crescent and the existing pathway network below the Lighthouse.

It has been determined that these financial allocations and allocation of volunteer resources to this project will allow for delivery of the construction scope of works identified in the body of this report.

### Attachments

Nil

## Planning and Providing Our Infrastructure

**Item: 13.11**

**Subject: TOWN BEACH MARINE RESCUE & PUBLIC AMENITIES**

**Presented by: Community & Economic Growth, Tricia Bulic**

### Alignment with Delivery Program

5.3.1 Plan, investigate, design and construct open spaces and recreational facilities.

### RECOMMENDATION

#### That Council:

1. **Note the issues and design progress in relation to the Town Beach Marine Rescue and Public Amenities upgrade.**
2. **Increase the available project budget by \$162,901, to cater for internal stairs and other increased requirements as a result of detailed discussions with Marine Rescue.**

#### Executive Summary

The purpose of this report is to outline an identified funding deficit associated with the planned upgrade of the Town Beach Marine Rescue and Public Amenities building, and to identify a potential funding treatment to address this deficit.

The upgrade of this facility is required to address identified structural issues present the building. The upgrade will also significantly benefit Marine Rescue and council lifeguards by providing improved spaces within the facility for their respective operations.

#### Discussion

##### Background

The need for refurbishment of the Town Beach Marine Rescue & Public Amenities building was the subject of a report considered at the June 2013 Ordinary Council Meeting. This report to council flagged an original project cost estimate of \$308,000 which allowed for a modest upgrade of the Marine Rescue facility with external stairs. Essentially this was just a replacement of the existing area with the same footprint. This original budget included design costs and approvals.

The Council resolved on 19 June 2013:

*RESOLVED: Sargeant/Cusato*

#### That Council:

1. **Adopt upgrade Option 1 as the preferred option for the repair and refurbishment of the Town Beach Marine Rescue/Public Amenities building and continue consultation with the Marine Rescue Port Macquarie as to how the**

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- expansion of the radio room can be accommodated by making access internal to the upper level at no extra cost to Council.
2. Engage with other stakeholders regarding additional funding opportunities to cover any shortfalls and reduce Council's financial contribution toward the proposed works.
  3. Include an allocation of \$300,000 within the 2013/2014 Operational Plan to allow for delivery of Option 1 upgrade of the Town Beach Marine Rescue/Public Amenities building.
  4. Upon completion of the redevelopment or upgrade works, undertake an Expression of Interest process for management of Town Beach Kiosk.

*CARRIED:* 9/0

*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner*

*AGAINST: Nil*

In accordance with this resolution, staff continued consultation with Marine Rescue Port Macquarie (MRPM) to progress and finalise the design for the upgrade of the facility to allow for construction to commence.

Council staff, MRPM representatives and the architect appointed to develop detailed design documentation for the upgrade have met on several occasions to review design progress. Through the design process MRPM requirements have increased to include internal stairs which add significant cost to the project.

Through these design negotiations MRPM have consistently advised that they would fund costs associated with fit out of their space. However, there has been some debate about who should be burdened with costs associated with the expanded marine rescue footprint and provision of internal stairs. At this point in time, this matter is unresolved, hence the need for consideration of additional budget.

### Current situation

With modification to the building footprint to include internal stairs and the associated increased floor area, as well as engagement with Marine Rescue throughout this process, the design costs and final estimates were impacted resulting in a considerably higher budget requirement.

The report to the June 2013 Ordinary Council Meeting flagged an estimated project cost of \$308,000. Staff have revisited cost estimates through the pre-construction phase of this project. At this point in time, the revised cost estimate for the project is \$427,600 (Note: this excludes fit out and fittings costs to be met by MRPM). This revised cost estimate includes expenditure to date associated with project design and approvals.

*Refer to the confidential attachment which provides a costing breakdown against project activities titled 'Town Beach Marine Rescue & Public Amenities Revised Project Estimate' which contains information that relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. (Local Government Act 1993 - Section 10A(2)(c)).*

There are a number of reasons for this escalation in project cost estimate including:

## Planning and Providing Our Infrastructure

- Design costs have exceeded expectations given the location and iconic nature of the outcome and increases in footprint due to the internal stairs. Costs have also been impacted by the variability in advice provided by Marine Rescue in determining their needs within the design.
- An estimated construction cost increase of 10% since June 2013.
- The construction contingency allowance is now at 15% as identified by Infrastructure Delivery staff rather than the initial budget estimate of 10%. This is in line with building projects of this nature given now the complexity of the proposed building additions.
- Project management fees were not identified in the original budget as the project was initially to be delivered from within the Recreation & Buildings budget by a salaried officer. As additional resources and modifications to the program have occurred it has become necessary to have the project delivered from within the Infrastructure Delivery team, hence this additional line item. This is an issue which is now being rectified in forward programs.

Staff have investigated a number of ways to address this financial shortfall including review of available funding within financial reserves such as the Major Buildings Reserve and the Crown Reserves Reserve. There is insufficient funding in these reserves to address this shortfall. However, there is potential to fund this financial project shortfall from the Working Capital Reserve.

### Options

Council can adopt the recommendation as presented, or council can consider other options in relation to this matter.

### Community Engagement & Internal Consultation

#### Internal Consultation

At the 9 October 2013 Councillor Briefing session, Chris Jenkins, the project Architect presented to Councillors an amended Concept Plan for this project. This briefing presented an opportunity for councillors to discuss potential issues and consider potential community concerns which were apparent in previous development proposals at this site.

There has also been significant internal consultation involving staff from various departments within council.

#### External Consultation

There has been ongoing consultation with MRNSW representatives since the June 2013 decision to refurbish the existing facility. There has also been ongoing consultation with the appointed project architect and structural engineers in development of plans for this facility.

There has also been community consultation with this project through public exhibition of the project design during the Development Application process.

### Planning & Policy Implications

The project is permissible under the land zoning for this site as identified within the Port Macquarie - Hastings Local Environment Plan 2011.

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Development Application and Construction Certificate approvals have been granted for this project.

### Financial & Economic Implications

As mentioned in the body of this report, additional funding is required to allow for this project to proceed to the construction phase.

To date \$52,841 has been spent on pre-construction activities.

The total project budget (which includes expenditure to date) is estimated at \$427,600. The remaining project budget is \$211,858 which leaves a funding deficit of \$162,901.

It is proposed that this additional funding allocation of \$162,901 be drawn from the Working Capital Reserve.

The upgrade of the sewer pump station switchboard is to be funded by the Sewer Fund and is planned to take advantage of the construction works and disruption on site. It was not identified as part of the building upgrade works originally. This activity is estimated to cost \$20,000.

Project costs associated with fit out and fittings within the Marine Rescue area are to be met by MRPM.

If the budget is increased by the required amount this will allow the project to progress and it is anticipated that construction tenders could be called prior to the end of April 2015.

The previous council resolution included the following action:  
'Engage with other stakeholders regarding additional funding opportunities to cover any shortfalls and reduce Council's financial contribution toward the proposed works'.

Since the time of the resolution Council staff have been working with MRPM supporting their representations to the state government for additional funding for the upgrade of the building. At the time of writing this report, this has not been supported.

### Attachments

- 1 [View](#). Town Beach Marine Rescue & Public Amenities Revised Project Estimate (Confidential)

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**Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE**

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**RECOMMENDATION**

1. That Council move into Confidential Committee of the Whole to receive and consider the following items:

**Item 15.01 Request for Bad Debt Write-Off**

This item is considered confidential under Section 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.

**Item 15.02 Tender T-14-61 Supply and Delivery of Ready Mix Concrete**

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

**Item 15.03 Tender T-15-01 Provision of Building Maintenance Services**

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

**Item 15.04 Supply of two (2) 12,000 Litre Water Tanker Trucks**

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

**Item 15.05 Tender T-14-36 Provision of Structural Engineering Services and Structural Engineering Site Inspection or Supervision**

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

2. That pursuant to Section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole on the basis that the items to be considered are of a confidential nature.
3. That the recommendations made in Confidential Committee of the Whole be made public as soon as practicable.

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**Subject: ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL  
COMMITTEE OF THE WHOLE**

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**RECOMMENDATION**

**That the undermentioned recommendations from Confidential Committee of the Whole be adopted:**

**Item 15.01 Request for Bad Debt Write-Off**

**This item is considered confidential under Section 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.**

**RECOMMENDATION**

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**RECOMMENDATION**