



# Heritage Arts & Culture Priorities Advisory Group

## Business Paper

**date of meeting:** Thursday 29 October 2015

**location:** Committee Room  
Port Macquarie-Hastings Council  
17 Burrawan Street  
Port Macquarie

**time:** 10.00am

**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.



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# Heritage, Arts and Culture Priorities Advisory Group

## CHARTER

Adopted: Ordinary Council 19/02/14

### 1.0 INTRODUCTION

The Heritage Arts & Culture Priorities Advisory Group (HACPAG) will provide a forum in which all aspects of Heritage Arts and Culture matters may be discussed, supported and/or facilitated.

The HACPAG will progress actions consistent with ensuring the long-term sustainability of the Heritage, Arts and Culture sector of the LGA which will provide positive benefit to the liveability of the LGA.

The HACPAG may make recommendations to Council.  
It should be noted that the HACPAG has no delegation to allocate funding on behalf of Council.

The HACPAG may make recommendations to Council to advocate, support or facilitate projects, programs or other action in relation to the objectives contained within this Charter. Funds determined by formal resolution of Council are to be applied and expended according to the resolution.

### 2.0 OBJECTIVES

***The short-term (within 3 months) objectives of the HACPAG are to:***

- 2.1 To represent community interest and organisations in the formulation of Councils policies relating to arts, culture and heritage.
- 2.2 To facilitate formal and informal communication and consultation processes with local arts, cultural and heritage organisations, practitioners, advisors and the wider community.
- 2.3 To advise on strategies for fostering greater community engagement and active participation in arts, cultural and heritage programs/projects/policy.

***The ongoing objectives of the HACPAG are to:***

- 2.4 To work with Council to establish the Port Macquarie-Hastings LGA as an heritage, arts and cultural destination.
- 2.5 To promote and support local creative industries and initiatives and facilitate partnerships or links between Council and the community and associate service providers.
- 2.6 Examine the need for skills development workshops to increase the sustainability of the heritage, arts and cultural sector.



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### **3.0 MEMBERSHIP**

A formal Expression of Interest (EOI) process across the local government area will be undertaken as a way of calling for the independent members on the ACHC. Independent members (to a maximum of seven (7) members) will be required to demonstrate a background, thorough understanding and/or qualifications in two or more of the following areas:

- Finance
- Governance
- Arts
- Heritage
- Culture
- Entertainment
- Change Management
- Strategic Business Planning

Other Voting members will be:

- Two (2) Councillors (Chairperson and Alternate - only one of whom can vote at each meeting)

Other non-voting members including other Councillors, senior council staff, State and Federal Government representatives and specific constituent groups or individuals within various sectors may be invited to attend meetings on certain issues to progress agreed actions as approved by the HACPAG.

The number of members appointed to the HACPAG will be made up as outlined above (ie two (2) Councillor (Chair and Alternate) and up to seven (7) Independent Community Members.

Members of the HACPAG will at all times be required to represent the interests of the broader community and be focussed on ensuring the future and ongoing sustainability of the heritage, arts and cultural sector, in line with the Council adopted strategic direction of the Advisory Group.

### **4.0 QUORUM**

The quorum for the HACPAG will be half of the members plus one for any one meeting and must include one (1) Councillor.

### **5.0 TERM**

The initial term of the HACPAG will be for a period of twenty four (24) months, from the date of the first meeting, with a review to take place at the twelve (12) month period to ensure relevance to the ongoing aims of the HACPAG.

### **6.0 APPOINTMENT OF CHAIRPERSON and MEMBERS**

The HACPAG Chairperson, Councillor representatives and independent members shall only be appointed via a Council resolution.

## **7.0 ADMINISTRATIVE ARRANGEMENTS**

Meetings will be held monthly (or more regularly if required) commencing in March 2014. Administrative support will be provided to the HACPAG by PMHC. All HACPAG agendas and minutes will be made available to the public via Council's website.

## **8.0 OBLIGATIONS OF MEMBERS**

In performing their HACPAG duties, members of the HACPAG shall:

- 8.1 Commit to representing the wider community interest in the formulation of council policies relating to heritage, arts and culture.
- 8.2 Provide input into current heritage and cultural strategic planning and resourcing options.
- 8.3 Advise Council on the development of comprehensive cultural strategies.
- 8.4 Represent community interest and organisations in the formulation of Council Policies relating to heritage, arts and culture.
- 8.5 Advise on strategies for fostering community engagement with an active participation in heritage, arts and cultural programs/ projects/ policy.
- 8.6 As individual members of the Advisory Group, facilitate information flow between Port Macquarie-Hastings Council, heritage and cultural organisations and the wider community.
- 8.7 As community members, facilitate partnerships and/or links to establish Port Macquarie-Hastings as a major heritage and cultural destination.
- 8.8 Promote and support local creative industries and initiatives
- 8.9 Adhere to the obligations as set out in Council's Code of Conduct.



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## Heritage, Arts and Culture Priorities Advisory Group

### ATTENDANCE REGISTER

Member	20/05/14	26/06/14	17/07/14	21/08/14	25/09/14
Councillor Trevor Sargeant (Chair)	✓	✓	✓	✓	✓
Councillor Lisa Intemann (Alternate)	✓	✓	✓	✓	✓
Gay Luarance-Daniel	✓	✓	✓	✓	✓
Jenny Hutchison	✓	✓	✓	✓	✓
Margret Meagher	✓	✓	A	✓	✓
Pam Vernon	✓	✓	✓	✓	✓
Lesley Atkinson	✓	✓	A	✓	A
Beau Spry	✓	A	✓	A	✓
<b>Observers</b>					
Robbie Lloyd					A
Debbie Sommers					✓

Member	26/02/15	30/04/15	25/06/15	27/08/15	
Councillor Trevor Sargeant (Chair)	✓	✓	✓	A	
Councillor Lisa Intemann (Alternate)	✓	✓	A	✓	
Gay Luarance-Daniel	✓	✓	resigned	resigned	resigned
Jenny Hutchison	✓	✓	A	resigned	resigned
Margret Meagher	✓	✓	A	A	
Pam Vernon	✓	✓	✓	✓	
Patricia Philp	✓	X	✓	✓	
Mitch McKay	✓	A	✓	✓	
Robbie Lloyd	✓	✓	✓	A	
Lucilla Marshall	✓	✓	✓	✓	
Beau Spry	✓	✓	✓	✓	
Skye Frost	X	X	✓	A	

**Key:** ✓ = Present  
**A** = Absent With Apology  
**X** = Absent Without Apology



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# Heritage Arts & Culture Priorities Advisory Group Meeting

Thursday 29 October 2015

## Items of Business

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**Item: 01**

**Subject: ACKNOWLEDGEMENT OF COUNTRY**

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"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

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**Item: 02**

**Subject: APOLOGIES**

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**RECOMMENDATION**

That the apologies received be accepted.

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**Item: 03**

**Subject: CONFIRMATION OF PREVIOUS MINUTES**

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**RECOMMENDATION**

That the Minutes of the Heritage Arts & Culture Priorities Advisory Group Meeting held on 27 August 2015 be confirmed.



**PRESENT**

**Members:**

Councillor Lisa Intemann (Chair)  
Pam Vernon  
Patricia Philp  
Mitch McKay

**Other Attendees:**

Beau Spry (Place Facilitator)  
Lucilla Marshall (Group Manager - Community Place)

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The meeting opened at 10.12am.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**02 APOLOGIES**

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**CONSENSUS:**

That the apologies received from Councillor Trevor Sargeant, Robbie Lloyd, Margret Meagher and Skye Frost (Place Facilitator) be accepted.

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**03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Heritage Arts & Culture Priorities Advisory Group Meeting held on 25 June 2015 be confirmed.

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#### **04 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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#### **05 BUSINESS ARISING FROM PREVIOUS MINUTES**

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##### Item 08: Heritage Issues, Interpretive Signage and Public Art Policy

The itinerant parking on top of the Lighthouse Keepers Cottage archaeological remains appears to have abated, following the installation of a bollard and temporary signage. Council staff will continue to monitor this situation and as they seek a more permanent solution. Council will continue to support the Port Macquarie Sunrise Rotary in their efforts to seek grant funding to continue works in this area.

##### CONSENSUS:

That Council staff continue to keep HACPAG updated of heritage activities at the Tacking Point Lighthouse.

##### Item 09: Clarence Street Main Street Works

The report was provided on the streetscape works. It was highlighted that Council is in the early stages of developing a Port Macquarie Town Centre Street Planting Master Plan, which will inform future street tree plantings in the Port Macquarie CBD.

##### CONSENSUS:

That Council's Landscape Architect be invited to the next HACPAG meeting to provide a briefing on the draft Port Macquarie Town Centre Street Planting Master Plan.

##### Item 09: Briefing by Aboriginal Liaison Officer

Council's Aboriginal Liaison Officer provided a briefing on recent Aboriginal cultural heritage activities. There is currently a strong focus on telling local Aboriginal stories; a number of Aboriginal public art projects have recently been completed or are currently in planning; family histories and local stories are being recorded at the Imaginarium in Port Macquarie Library. Council has also recently hosted over 150 Aboriginal local government representatives at the 27<sup>th</sup> annual Local Government Aboriginal Network (LGAN) Conference at the Glasshouse.

##### CONSENSUS:

1. That Council's Aboriginal Liaison Officer be congratulated for her recent NSW Indoor Aboriginal Employee of the Year Award.
  2. That Council staff determine if Council has an Aboriginal Sites of Significance register.
  3. That Council staff determine if Council has a soil movement register.
  4. That Council staff ensure that Aboriginal interpretive signage is captured in the LGA-wide interpretive signage audit and inventory.
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5. That HACPAG members are encouraged to maintain awareness of and interaction with our local Aboriginal community and heritage.
  6. That Interpretive Signage be added to the Agenda for the HACPAG October meeting.
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## **06 CULTURAL PLAN BRIEFING**

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### CONSENSUS:

1. That the information contained in the Cultural Plan presentation be noted.
  2. That HACPAG members be afforded the opportunity to be briefed on the final draft of the Cultural Plan prior to its discussion at the next HACPAG meeting in October.
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## **07 REPORT ON THE RECENT EXPRESSION OF INTEREST (EOI) PROCESS**

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This Item was not discussed due to time constraints - to be relisted for discussion at October HACPAG meeting.

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## **08 GENERAL BUSINESS**

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08.01 Next meeting:

10:00am - 11:30am Thursday 29 October 2015 in Councils Committee room. Reminder that social tea and biscuits will be available in the room from 9:45am.

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The meeting closed at 11.43am.

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Item: 04  
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.

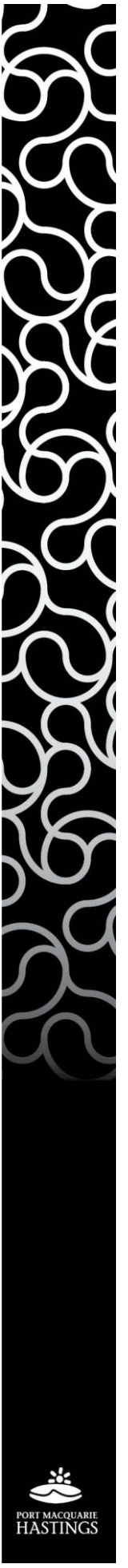
**Non-Pecuniary - Less than Significant Interest:**

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 identified land</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 subject land</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.

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- 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.

**Item: 05**

**Subject: BUSINESS ARISING FROM PREVIOUS MINUTES**

<b>Item:</b>	08	<b>Date:</b>	29/10/2015
<b>Subject:</b>	CLARENCE MAIN STREET WORKS		
<b>Action Required:</b>	That Council's Landscape Architect be invited to the next HACPAG meeting to provide a briefing on the draft Port Macquarie Town centre Street Planting Master Plan		
<b>Current Status:</b>	Council's Landscape Architect is unavailable for the October 2015 HACPAG meeting. Council staff will extend the invitation at for the next HACPAG meeting.		

<b>Item:</b>	09	<b>Date:</b>	29/10/2015
<b>Subject:</b>	BRIEFING BY ABORIGINAL LIAISON OFFICER		
<b>Action Required:</b>	That Council staff determine if Council has an Aboriginal Sites of Significance register.		
<b>Current Status:</b>	<p>NSW Office of Environment and Heritage (OEH) maintains the Aboriginal Heritage Information management System (AHIMS) which includes:</p> <ul style="list-style-type: none"> <li>• information about Aboriginal objects that have been reported to the Director General, Department of Premier and Cabinet</li> <li>• information about Aboriginal Places which have been declared by the Minister for the Environment to have special significance with respect to Aboriginal culture</li> <li>• archaeological reports.</li> </ul> <p>This is the primary avenue for the recording of Aboriginal sites of significance in NSW and is accessible to the general public and Council staff. Port Macquarie-Hastings Council also identifies Aboriginal objects and Aboriginal Places of Heritage Significance within our LGA in Part 4 of Schedule 5 of Councils LEP.</p>		

<b>Item:</b>	09	<b>Date:</b>	29/10/2015
<b>Subject:</b>	BRIEFING BY ABORIGINAL LIAISON OFFICER		
<b>Action Required:</b>	That Council staff determine if council has a soil movement register.		
<b>Current Status:</b>	Further information is being sought around this item. A report is expected for the next HACPAG meeting.		





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**Item: 06**

**Subject: HERITAGE INVENTORY - BRIEFING BY MATT ROGERS, COUNCIL'S  
DIRECTOR OF DEVELOPMENT AND ENVIRONMENTAL SERVICES**

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

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### **RECOMMENDATION**

**That the briefing provided by Council's Director of Development and Environmental Services, Matt Rogers, be noted.**

### **Discussion**

Council's Director of Development and Environmental Services, Matt Rogers, will provide a briefing on Council's plans to update the Port Macquarie-Hastings local government area heritage inventory.

### **Attachments**

Nil

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**Item: 07**

**Subject: CULTURAL PLAN**

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

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**RECOMMENDATION**

**That the Cultural Plan briefing be noted.**

**Discussion**

Council staff will present a briefing on the Cultural Plan.

**Attachments**

Nil

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**Item: 08**

**Subject: MITCH MCKAY BRIEFING - MOMENTS IN FLIGHT**

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

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**RECOMMENDATION**

**That the briefing provided by HACPAG member Mitch McKay around 'Moments in Flight' be noted.**

**Discussion**

Mitch McKay will provide a briefing on the 'Moments in Flight' project.

**Attachments**

Nil

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**Item: 09**

**Subject: PMHC DRAFT PUBLIC ART POLICY**

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

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## **RECOMMENDATION**

**That the report on Councils draft Public Art Policy be noted.**

### **Discussion**

Councils existing 'Art in Public Places' policy was adopted by Council in 2002 as part of the City of the Arts project, and was in need of review to better reflect community and industry vision and current opportunities.

While the principles, vision and values of the existing policy remain current, the Policy does not:

- clearly outline roles and responsibilities for staff and artists
- is not clear on how Public Art is to be financed
- is silent on regular maintenance schedules
- does not comment on opportunities to refresh and reinvigorate existing public art.

In May 2014 HACPAG was presented with a draft Public Art Policy for consideration and over the ensuing months Council staff undertook stakeholder and internal engagement around the document. From the feedback received, there was an understanding of the need to update the existing policy and broad support for the proposed draft policy; however the key elements of contention were around the proposed funding mechanisms to support existing and new public art.

### **Attachments**

Nil

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**Item: 10**

**Subject: REPORT ON THE RECENT EXPRESSION OF INTEREST (EOI) PROCESS**

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

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## **RECOMMENDATION**

**That the report on the Expression of Interest (EOI) process be noted.**

### **Discussion**

The recent resignations of HACPAG members have created two vacant membership places. Council recently undertook an expression of interest (EOI) process to fill one of the vacant positions.

This process followed Council's standard EOI tender process and included advertisements from 19 June to 9 July 2015 in the main local papers (Port News, Camden Haven Courier, and Wauchope Gazette), Council's Tenderlink website as well as our local Council offices and libraries across the LGA over a four week period.

At the close of the EOI process, no submissions were received. The intention is to readvertise the positions after the completion of the Cultural Plan engagement and consultation process, which has highlighted the role of HACPAG and the creative and cultural opportunities in our region.

### **Attachments**

Nil

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**Item: 11**

**Subject: HERITAGE AND CULTURAL INTERPRETIVE SIGNAGE IN PMHC  
LGA**

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

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## **RECOMMENDATION**

**That the information provided around Heritage and Cultural interpretive signage through the Port Macquarie-Hastings LGA be noted.**

### **Discussion**

At the August 27 HACPAG meeting it was resolved to discuss the heritage and cultural interpretive signage that is currently established throughout the LGA and discuss the future of these various signage elements.

The 25 June HACPAG meeting resolved to include interpretive signage into Councils draft Public Art Policy and Guidelines currently under discussion and to also undertake an audit of interpretive signage throughout the LGA.

There are currently various standards and types of interpretive signage throughout the LGA, with some projects being driven by Council and others by the community and various organisations. The Port Macquarie CBD has heritage interpretive signage that is of high and durable quality, and has a consistent theme that effectively forms part of a self guided walking trail. Other parts of the LGA have their own approach to interpretive signage. The various elements of public art throughout the LGA also have various approaches to interpretive signage.

A current action of the draft Cultural Plan is to undertake an audit of the cultural and heritage interpretive signage throughout the LGA.

### **Attachments**

Nil