



Ordinary Council

Business Paper

date of meeting: Wednesday 21 June 2017

location: Council Chambers
17 Burrawan Street
Port Macquarie

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.

Community Vision

A sustainable high quality of life for all

Community Mission

Building the future together
People Place Health Education Technology

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)
- 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 on an Agenda Item' form
- 'Request to Speak in the Public Forum' form

These can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.

Requests can also be lodged on-line at:

<http://www.pmhc.nsw.gov.au/About-Us/How-Council-Works/Council-Committee-Meetings/Request-to-speak-on-an-Agenda-Item>

<http://www.pmhc.nsw.gov.au/About-Us/How-Council-Works/Council-and-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.

- Council will permit no more than two (2) speakers 'in support of' and two (2) speakers 'in opposition to' the recommendation on any one (1) Agenda Item.
- A maximum of five (5) speakers will be heard in the Public Forum.
- There is no automatic right under legislation for the public to participate in a Meeting of Council or a Committee of Council.
- For a member of the public to be considered to address Council they must agree to strictly adhere to all relevant adopted Council Codes, Policies and Procedures at all times.
- Consideration of items for which requests to address the Council Meeting have been received will commence at 5:30pm.
- When your name is called, please proceed to the Council Table and address Council.
- Each speaker will be allocated a maximum of five (5) minutes to address Council. This time is strictly enforced.
- Councillors may ask questions of a speaker following an address. Each answer, by the speaker to a question, is limited to two (2) minutes. A speaker cannot ask questions of Council.
- An Agenda Item will be debated by Council following the address.
- Council will not determine any matter raised in the Public Forum session, however Council may resolve to call for a future report.
- If you have any documentation to support your presentation, provide two (2) copies to Council by 12 noon on the day of the Meeting.
- If a speaker has an audio visual presentation, a copy of the presentation is to be provided to Council by 12 noon on the day of the Meeting.
- The following will **not** be considered in the Public Forum (in accordance with the Code of Meeting Practice, clause 2.14.14):
 - Proposed or current development and rezoning applications and related matters.
 - A third (3rd) or subsequent application by a single member of the public to address Council on the same issue in the same calendar year. Council, at its discretion, may elect to exempt representatives or members of community groups from this restriction.
 - Any formal procurement process, contract negotiation or dispute resolution being undertaken.
 - Any matter the General Manager (or their delegate) considers inappropriate for discussion in the Public Forum.
- Council accepts no responsibility for any defamatory statements made by speakers.
- Members of the public may quietly enter and leave the Meeting at any time.



**PORT MACQUARIE
HASTINGS**

Ordinary Council Meeting

Wednesday 21 June 2017

Items of Business

Item	Subject	Page
01	Acknowledgement of Country	<u>1</u>
02	Local Government Prayer	<u>1</u>
03	Apologies.....	<u>1</u>
04	Confirmation of Minutes	<u>1</u>
05	Disclosures of Interest.....	<u>18</u>
06	Mayoral Minute	
	06.01 Mayoral Discretionary Fund Allocations	<u>22</u>
07	Confidential Correspondence to Ordinary Council Meeting.....	<u>23</u>
08	Public Forum	<u>24</u>
09	Ensuring Good Governance	<u>25</u>
	09.01 Status of Reports From Council Resolutions.....	<u>26</u>
	09.02 2017-2018 Councillor and Mayoral Fees	<u>32</u>
	09.03 Delegated Authorities - Certificate of Identification Issued Under the Swimming Pools Act 1992	<u>36</u>
	09.04 Committee Performance.....	<u>38</u>
	09.05 Audit, Risk and Improvement Committee Charter	<u>43</u>
	09.06 Council Policy - Policy Review and Rescissions	<u>45</u>
	09.07 Integrated Planning and Reporting (IPR) Suite of Documents	<u>53</u>
	09.08 Monthly Financial Review for May 2017	<u>82</u>
	09.09 Investments - May 2017	<u>86</u>
10	Looking After Our People.....	<u>95</u>
	10.01 Compliance Policy Review	<u>96</u>
	10.02 Community Halls Management Models	<u>99</u>
	10.03 Community Place Post Event - March and April 2017.....	<u>104</u>
	10.04 Disability Inclusion Action Plan	<u>115</u>
	10.05 Recommended Items from the Mayor's Sporting Fund Sub- Committee - May 2017 Meeting.....	<u>123</u>
11	Helping Our Community Prosper	
	Nil	
12	Looking After Our Environment	<u>124</u>
	12.01 DA2016 - 932 Alterations And Additions To Waste Management Facility - Lot 12 DP 1027602, Lot 11 DP875998, Lot 9 DP 876001 And Lot 1 DP 1120786 Kingfisher Road, Port Macquarie.....	<u>125</u>



12.02	DA2016 - 1008.1 Shop Top Housing Including Clause 4.6 Variation to Clause 4.4 (Floor Space Ratio) Of The Port Macquarie Hastings Local Environmental Plan 2011 - Lot 4 DP 34496, No 149 Gordon Street, Port Macquarie	<u>144</u>
12.03	DA2017 - 99.1 Alterations And Additions To Dwelling Including Clause 4.6 Objection To Clause 4.3 (Height Of Buildings) Of The Port Macquarie -Hastings Local Environmental Plan 2011 And Construction Of Swimming Pool - Lot 31 DP 231816, No 21 Matthew Flinders Drive, Port Macquarie	<u>147</u>
12.04	DA2017 - 103.1 2 Lot Subdivision Including Clause 4.6 Variation To Clause 4.1 (Minimum Lot Size) Of The Port Macquarie Hastings Local Environmental Plan 2011 - Lot 1 DP 541129, No 97 Matthew Flinders Drive, Port Macquarie	<u>158</u>
12.05	Question From Previous Meeting - Watercraft Storage - Hastings River Foreshore, Port Macquarie	<u>161</u>
13	Planning and Providing Our Infrastructure	<u>167</u>
13.01	Transfer of Land to Council for Sewer Purposes.....	<u>168</u>
13.02	Energy Efficient Street Lighting - Light Emitting Diodes (LED)	<u>170</u>
14	Questions for Next Meeting	
15	Confidential Matters	
	Motion to move into Confidential Committee of the Whole	<u>173</u>
15.01	T-17-01 Design Services for Hastings Regional Sporting Complex - Stoney Creek Road, Wauchope	
15.02	T-17-06 Supply and Delivery of a Truck Mounted Street Sweeping Machine	
15.03	T-17-09 E-Waste Collection and Recycling Services	
15.04	T-17-16 North Brother Local Catchments Flood Study	
15.05	T-17-29 Supply of a CCF Class 3.5 Wheel Loader with an operating capacity between 3,500 - 4,000kg	
15.06	T-17-25 Planning and Design of a Parallel Taxiway, Port Macquarie Airport	
	Adoption of Recommendations from Confidential Committee of the Whole	



Item: 01**Subject: ACKNOWLEDGEMENT OF COUNTRY**

"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."

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

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

Item: 03**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

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

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 17 May 2017 be confirmed.

PRESENT

Members:

Councillor Lisa Intemann (Deputy Mayor)
Councillor Rob Turner
Councillor Sharon Griffiths
Councillor Peter Alley
Councillor Justin Levido
Councillor Lee Dixon

Other Attendees:

General Manager (Craig Swift-McNair)
Director of Corporate Performance (Rebecca Olsen)
Director of Development and Environment (Matt Rogers)
Director of Strategy and Growth (Jeffery Sharp)
Group Manager Governance and Procurement (Blair Hancock)
Governance Support Officer (Bronwyn Lyon)
Communications Manager (Andy Roberts)

The meeting opened at 5:30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Mr David Rees from the Port City Church delivered the Local Government Prayer.

03 APOLOGIES

RESOLVED: Levido/Dixon

1. That the apology received from Councillor Hawkins be accepted. Councillor Hawkins being absent on approved leave.
2. That the apology received from Councillor Cusato be accepted. Councillor Cusato being absent on approved leave.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

04 CONFIRMATION OF MINUTES

RESOLVED: Levido/Griffiths

That the Minutes of the Ordinary Council Meeting held on 19 April 2017 be confirmed.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

05 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Intemann

That the Mayoral Discretionary Fund allocations for the period 6 April to 3 May 2017 inclusive be noted.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

06.02 GENERAL MANAGER PERFORMANCE REVIEW PANEL - INTERIM MEMBERSHIP

RESOLVED: Intemann

That Council appoint Councillor Justin Levido to the General Manager's Performance Review Panel from 18 May 2017 until further notice.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

06.03 REGIONAL JOBS AND INVESTMENT PACKAGE

RESOLVED: Intemann

That the Deputy Mayoral Minute on the Regional Jobs and Investment Package not be dealt with.

*CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil*

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Levido/Turner

That Council determine that the attachments to Item Numbers 09.07 and 09.09 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

*CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil*

08 PUBLIC FORUM

There were no applications to address Council in the Public Forum.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 12.01 - Mr Neil Yates in support of the recommendation.

Item 13.05 - Mr Tony Thorne in support of the recommendation.

RESOLVED: Turner/Griffiths

That the requests to speak be acceded to.

*CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil*

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Griffiths

That Standing Orders be suspended to allow Items 12.01 and 13.05 to be brought forward and considered next.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

12.01 DA2017 - 32.1 - ADDITION OF FLOATING PONTOON AND STORAGE SHED FOR JET SKIS ASSOCIATED WITH AN EMERGENCY SERVICES FACILITY (MARINE RESCUE) - LOT 1 DP 1064060, BULLER STREET, PORT MACQUARIE

Mr Neil Yates, Marine Rescue Port Macquarie, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Turner/Dixon

That DA2017 - 32 for the addition of a floating pontoon and storage shed for jet skis associated with an emergency services facility (Marine Rescue) at Lot 1 and 2, DP 1064060, No. 11A Buller Street, Port Macquarie, be determined by granting consent subject to the recommended conditions.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

13.05 PLANNING PROPOSAL - LOT 14 DP240042, PIONEER STREET, NORTH HAVEN. KING AND CAMPBELL PTY LTD FOR RD & ML TATE AND TATE DEVELOPMENTS PTY LTD

Mr Tony Thorne, King and Campbell Pty Ltd, representing the applicant, addressed Council in support of the recommendation.

RESOLVED: Levido/Dixon

That Council:

1. Prepare a planning proposal pursuant to section 55 of the Environmental Planning and Assessment Act 1979 for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011 in respect to Lot 14 DP 240042, Pioneer Street North Haven to change the zoning of the land to part residential, part rural and part environmental protection, as described in this report.
 2. 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. Request that the Secretary of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.
 4. Delegate authority to the Director Strategy and Growth to make any minor amendments to the Planning Proposal as a result of the Section 56 Gateway Determination, prior to public exhibition of the proposal.
 5. Undertake community consultation in accordance with the Gateway Determination.
 6. Receive a report following the public exhibition period to demonstrate compliance with the Gateway Determination and to assess any submissions received.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

09.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Griffiths/Alley

That Council note the information in the Status of Reports from Council Resolutions report.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

09.02 DEPUTY MAYOR FEES WHILE EXERCISING THE ROLE OF MAYOR

RESOLVED: Levido/Alley

That Council apply the adopted Mayoral fee on a pro rata basis to the Deputy Mayor (including the fee payable to a Councillor) for such time as the Deputy Mayor exercises the responsibilities and duties of the Mayor.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

09.03 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR ALLEY

RESOLVED: Turner/Griffiths

That Council grant leave of absence for Councillor Alley for the period 24 June 2017 to 26 July 2017, which includes the Ordinary Meeting of Council scheduled for 19 July 2017.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

09.04 2016-2017 OPERATIONAL PLAN QUARTERLY PROGRESS REPORT AS AT 31 MARCH 2017

RESOLVED: Turner/Alley

That Council note the 2016-2017 Operational Plan Quarterly Progress Report as at 31 March 2017.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

09.05 MONTHLY FINANCIAL REVIEW FOR APRIL 2017

RESOLVED: Griffiths/Turner

That Council adopt the adjustments in the "Financial and Economic Implications" section of the Monthly Financial Review Report for April 2017.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

09.06 INVESTMENTS - APRIL 2017

RESOLVED: Griffiths/Alley

That Council note the Investment Report for the month of April 2017.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

09.07 QUARTERLY BUDGET REVIEW STATEMENT

RESOLVED: Griffiths/Alley

That Council note the Quarterly Budget Review Statement for the March 2017 quarter.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

09.08 OPPORTUNITIES FOR LOCAL FIRMS TO DO BUSINESS WITH COUNCIL

RESOLVED: Alley/Turner

That Council:

1. Continue to implement the currently adopted integrated strategy to support local business.
2. Place the draft Local Preference Policy incorporating a 5% Notional Price Offset, on public exhibition for a period of 28 days from 24 May to 21 June 2017.
3. Request the General Manager provide a briefing to Councillors in August 2017 detailing the submissions received from the public during the exhibition period and a further report to Council.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

09.09 QUESTION FROM PREVIOUS MEETING - TENDER ASSESSMENTS

RESOLVED: Intemann/Levido

That Council note the information provided in the Question from Previous Meeting- Tender Assessments report.

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

09.10 MAKING A DECISION ABOUT FUTURE RATES

MOTION

MOVED: Turner/Alley

That Council note that:

1. The Independent Pricing and Remuneration Tribunal (IPART) have determined that Port Macquarie-Hastings Council may increase its general income in 2017-18 by 5.39%, including the rate peg of 1.5%.
2. The special variation can be permanently retained in Council's general income base.
3. This special variation is effectively a continuation of the current general income base as it replaces the funding provided by the existing special variation which will expire on 30 June 2017.
4. The net impact on rates in 2017-18 is an increase of 1.5%.
5. The mandatory purpose of the special variation is for the maintenance and renewal of Council's road network.

FORESHADOWED MOTION

MOVED: Griffiths

That Council note that:

1. The Independent Pricing and Remuneration Tribunal (IPART) have determined that Port Macquarie-Hastings Council may increase its general income in 2017-18 by 5.39%, including the rate peg of 1.5%.
2. The special variation can be permanently retained in Council's general income base.
3. This special variation is effectively a continuation of the current general income base as it replaces the funding provided by the existing special variation which will expire on 30 June 2017.
4. The net impact on rates in 2017-18 is an increase of 1.5%.
5. The mandatory purpose of the special variation is for the maintenance and renewal of Council's road network.
6. Implement a special rate variation for a four year period.

THE MOTION WAS PUT

RESOLVED: Turner/Alley

That Council note that:

1. The Independent Pricing and Remuneration Tribunal (IPART) have determined that Port Macquarie-Hastings Council may increase its general income in 2017-18 by 5.39%, including the rate peg of 1.5%.
 2. The special variation can be permanently retained in Council's general income base.
 3. This special variation is effectively a continuation of the current general income base as it replaces the funding provided by the existing special variation which will expire on 30 June 2017.
 4. The net impact on rates in 2017-18 is an increase of 1.5%.
 5. The mandatory purpose of the special variation is for the maintenance and renewal of Council's road network.
-

CARRIED: 5/1

FOR: Alley, Dixon, Intemann, Levido and Turner

AGAINST: Griffiths

10.01 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - MARCH AND APRIL 2017 MEETINGS

RESOLVED: *Levido/Dixon*

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

1. Matthew Catania be granted the amount of \$500.00 to assist with the expenses he will incur travelling to and competing at the Australian Junior Athletics Championships to be held at Sydney Olympic Park from 26 March to 2 April 2017 inclusive.
2. Harrison Northey be granted the amount of \$500.00 to assist with the expenses he will incur travelling to and competing at the 2017 Georgina Hope National Age Swimming Championships to be held at Brisbane Aquatic Centre, Queensland from 18 - 20 April 2017 inclusive.
3. Luke Mapstone be granted the amount of \$500.00 to assist with the expenses he will incur travelling to and competing at the 2017 Georgina Hope National Age Swimming Championships to be held at Brisbane Aquatic Centre, Queensland from 18 - 20 April 2017 inclusive.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

11.01 2017-2021 ECONOMIC DEVELOPMENT STRATEGY

RESOLVED: *Turner/Levido*

That Council:

1. Note the submissions and feedback received on the draft 2017-2021 Economic Development Strategy during the public exhibition period 20 March - 17 April 2017.
2. Adopt the 2017-2021 Economic Development Strategy as amended based on public comment and further review by the Economic Development Steering Group.
3. Note six-monthly reports will be presented to Council to update on implementation of the Strategy.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

Item - 12.01 DA2017 - 32.1 - Addition Of Floating Pontoon And Storage Shed For Jet Skis Associated With an Emergency Services Facility (Marine Rescue) - Lot 1 DP 1064060, Buller Street, Port Macquarie - has been moved to another part of the document.

12.02 DA2017 - 149.1 DWELLING AND SWIMMING POOL INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.4 (FLOOR SPACE RATIO) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 65 DP 239779, NO. 13 THIRD AVENUE, BONNY HILLS

RESOLVED: Griffiths/Alley

That the determination of DA 2017 - 149.1 for a Dwelling and Swimming Pool including Clause 4.6 Objection to Clause 4.4 (Floor Space Ratio) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 65, DP 239779, No. 13 Third Avenue, Bonny Hills, be noted.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

12.03 DRAFT WASTE STRATEGY 2017 - 2024 EXHIBITION SUBMISSIONS

RESOLVED: Griffiths/Levido

That Council adopt the Port Macquarie-Hastings Waste Strategy 2017-2024 incorporating the amendments noted in the report.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

12.04 CONTAMINATED LAND POLICY

RESOLVED: Griffiths/Levido

That Council adopt the Contaminated Land Policy and Guidelines as attached to this report.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

13.01 TOWN CENTRE MASTER PLAN SUB-COMMITTEE CHARTER

RESOLVED: Turner/Griffiths

That Council adopt the amended Town Centre Master Plan Sub-Committee Charter in line with the revised Council organisation structure as adopted 19 April 2017.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

13.02 INFRASTRUCTURE WORKS PROGRAM UPDATE

RESOLVED: Levido/Dixon

That Council:

1. Note the information provided in this report.
2. Adopt the adjustments to the 2016/17 Operational Plan as detailed.
3. Adopt the capital works budget adjustments as detailed in the report.
4. Give consideration to including the projects deferred from the 2016/17 Operational Plan into the 2017/18 Operational Plan to be adopted in June 2017.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

13.03 SETTLEMENT SHORES CANAL MAINTENANCE PLAN

RESOLVED: Levido/Griffiths

That Council:

1. Place on public exhibition the draft Settlement Shores Canal Maintenance Plan from 30 May 2017 until 27 June 2017 (28 days).
2. Note that a further report is planned to be tabled at the July 2017 meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

13.04 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

RESOLVED: Griffiths/Dixon

That Council note the Development Activity and Assessment System Performance report for the second quarter of 2016-2017.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

Item - 13.05 Planning Proposal - Lot 14 DP240042, Pioneer Street, North Haven. King and Campbell Pty Ltd for RD & ML Tate and Tate Developments Pty Ltd - has been moved to another part of the document.

14 QUESTIONS FOR NEXT MEETING

14.01 MANAGEMENT OF ROADSIDE VEGETATION

Question from Councillor Griffiths:

Can the General Manager please detail the current processes in place for the management of roadside vegetation and the various resourcing and legislative constraints that exist around this and any other relevant information.

Comments by Councillor (if provided):

Nil.

**14.02 WATERCRAFT STORAGE - HASTINGS RIVER FORESHORE,
PORT MACQUARIE**

Question from Councillor Intemann:

Can the General Manager please provide information on the constraints and opportunities associated with additional watercraft storage along the Hastings River foreshore in Port Macquarie?

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Turner/Dixon

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 T-17-07 Supply of Two (2) 40kw Out-front Self Propelled Mowers

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 T-17-18 Pipeline Design - Beechwood Water Supply Upgrade

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 T-17-20 TCMP Town Square

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 T-17-26 Bespoke Furniture Design and Supply - Town Square Upgrade

This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

Item 15.05 Construction of Houston Mitchell Drive Stages 2 and 3 Update

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.

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.

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 6:47pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 6:54pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Dixon/Alley

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

Item 15.01 T-17-07 Supply of Two (2) 40kw Out-front Self Propelled Mowers

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 quotation, through Local Government Procurement, from Scone Outdoors, for the purchase of two (2) 40kw Out-front Self Propelled Mowers for \$184,014 (excl GST).
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-07.

Item 15.02 T-17-18 Pipeline Design - Beechwood Water Supply Upgrade

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 GANDEN Engineers and Project Managers for \$120,290 (exclusive of GST) to undertake the Pipeline Design of the Beechwood Water Supply Upgrade.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-18.

Item 15.03 T-17-20 TCMP Town Square

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 lump sum tender from Commercial Project Group Pty Ltd for \$2,290,010 (exclusive of GST) to undertake the construction of an upgraded TCMP Town Square.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-20.

Item 15.04 T-17-26 Bespoke Furniture Design and Supply - Town Square Upgrade

This item is considered confidential under Section 10A(2)(d(ii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council.

RECOMMENDATION

That Council:

1. Accept the tender from Street Furniture Australia Pty Ltd for \$159,152 (exclusive of GST) for the design and supply services for bespoke furniture associated with the Town Square Upgrade.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-26.

Item 15.05 Construction of Houston Mitchell Drive Stages 2 and 3 Update

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. Note the update on the progress of the Construction of Houston Mitchell Drive Upgrade Stages 2 and 3.
 2. Approve the project budget adjustment as detailed in the report.
 3. Request the General Manager to Execute the Deed of Settlement and Release.
 4. Maintain the confidentiality of the documents and considerations in respect of Tender T-16-03 and the Deed of Settlement and Release.
-

CARRIED: 6/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner
AGAINST: Nil

The meeting closed at 6:54pm.

.....
Lisa Intemann
Deputy Mayor

Item: 05
Subject: DISCLOSURES OF INTEREST

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:

Name:

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. The Council official must not be present at, or in sight of, the meeting of the Council at any time during which the matter is being considered or discussed, or at any time during which the council is voting on any question in relation to the matter. (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

By <i>[insert full name of councillor]</i>	
In the matter of <i>[insert name of environmental planning instrument]</i>	
Which is to be considered at a meeting of the <i>[insert name of meeting]</i>	
Held on <i>[insert date of meeting]</i>	
PECUNIARY INTEREST	
Address of land in which councillor or an associated person, company or body has a proprietary interest (<i>the identified land</i>)	
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.
MATTER GIVING RISE TO PECUNIARY INTEREST	
Nature of land that is subject to a change in zone/planning control by proposed LEP (<i>the subject land</i>) ⁱⁱⁱ <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 Name:

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^{iv} 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..
 - 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: 06.01

Subject: DEPUTY MAYORAL MINUTE - MAYORAL DISCRETIONARY FUND ALLOCATIONS

Deputy Mayor, Lisa Intemann

RECOMMENDATION

That the Mayoral Discretionary Fund allocations for the period 4 May to 7 June 2017 inclusive be noted.

Discussion

Mayoral Discretionary Fund Allocations

The total commitment from the Mayoral Discretionary Fund from 4 May to 7 June 2017 inclusive was \$650.00.

This included the following:

Donation to Red Shield Appeal Breakfast Launch	\$250.00
Donation to Biggest Morning Tea in Wauchope	\$200.00
Donation to Grooves for Ozzie Fundraiser	\$200.00
	<hr/>
	\$650.00

Attachments

Nil

Item: 07

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

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

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

There are no confidential attachments to reports for the Ordinary Council Meeting

Item: 08**Subject: PUBLIC FORUM**

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.

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: STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

Presented by: Corporate Performance, 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 information in the Status of Reports from Council Resolutions report.

Discussion

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Audit, Risk and Improvement Committee Charter Review (Item 09.04 - OC 16/11/16)		DCP	Mar 2016	Jun 2017
Disability Inclusion Action Plan - post exhibition (Item 10.02 - OC 15/03/17)		DSG		Jun 2017
QFPM - Management of Roadside Vegetation (Item 15.01 - OC 17/05/17)		DI		Jul 2017
Integrated Planning and Reporting (IPR) Suite of Documents - post exhibition (Item 09.07 - OC 19/04/17)		DCP		Jun 2017
WFPM - Watercraft Storage - Hastings River Foreshore, Port Macquarie (Item 15.02 - OC 17/05/17)		DDE		Jun 2017
Future of Committees following establishment of Cultural Steering Group (Item 15.05 - OC 19/04/17)	Item is to be discussed at the next Cultural Steering Group meeting on the 28 June 2017	DSG	Jun 2017	Jul 2017

Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Planning Proposal for Residential Infill and Environmental Purposes - Lincoln Road, Castle Court and Marian Drive, Port Macquarie - post exhibition (Item 13.08 - OC 20/07/16)	Draft LEP on exhibition in June 2017.	DSG	Oct 2016 Jun 2017	Jul 2017
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.	DI	Mar 2015 Jun 2017	Jul 2017
Water Fluoridation - request for detailed information on studies and programs. (Item 10.01 - OC 15/07/15)	Awaiting further information from NSW Health.	DI	Nov 2016 May 2017	Jul 2017
a) Report on progress against the adopted Recreation Action Plan 2015-2025. b) Propose an updated implementation plan that incorporates additional priorities identified in the Optimising Utilisation of Port Macquarie Sports Fields report. (Item 13.09 - OC 15/02/17)		DDE		Jul 2017
Site Specific LEP Amendments - post initial investigations determine whether to proceed with planning proposals to rezone the lands in each case. (Item 12.04 - OC 15/03/17)		DSG		Jul 2017
Settlement Shores Canal Maintenance Plan - Post Exhibition (Item 13.03 - OC 17/05/17)		DI		Jul 2017
Sancrox Employment Land Environmental Lands and Services Planning Agreement - post public exhibition. Classification of Offset Environmental Land (Item 12.04 - OC 10/08/16)	Developer land acquisition processes delayed. Acquisition completed June 2017. Classification to be advertised prior to report to Council.	DSG	Feb 2017 May 2017 Jul 2017	Aug 2017
Long Term Renewable Energy Strategy (Item 12.03 - OC 19/04/17)		DDE		Aug 2017

Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Opportunities For Local Firms To Do Business With Council - Post Exhibition (Item 13.08 - OC 17/05/17)		DCP		Aug 2017
Planning Proposal - Homedale Road Kew - post exhibition (Item 13.07 - OC 14/12/16)		DSG		Oct 2017
Project Management Policy - implementation, operation and effectiveness to date incorporating the views of the Audit, Risk and Improvement Committee. (Item 09.03 - OC 15/02/17)		DCP		Nov 2017
Site Specific LEP Amendments - Status of all proposed site specific LEP amendments following adoption of the revised PMH UGMS and determine priorities in Council's strategic land use planning program. (Item 12.04 - OC 15/03/17)	Report proposed after exhibition, review and adoption of Urban Growth Management Strategy.	DSG	Jul 2017	Dec 2017
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)	Delayed to align with UGMS report.	DSG	Dec 2016 May 2017 Jun 2017	Dec 2017



Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Draft Biodiversity Certification Assessment and Strategy - Port Macquarie Airport and Surrounding Land - viability and implications of the options for securing the required Blackbutt Tallowwood dry grassy open forest and Koala habitat credits, prior to the clearing that creates the demand for those credits. (Item 12.01 - OC 10/08/16)		DDE		TBA
Classification of Land - Lot 5 DP774400 Stingray Creek Bridge Environmental Offset (Item 12.01 - OC 16/11/16)		DCP		TBA
Planning Controls for Short Term Rental Accommodation Report on findings and recommendations arising from the Inquiry 'Adequacy of the regulation of short-term holiday letting in NSW'. (Item 13.07 - OC 16/03/16) Short-Term Holiday Letting - post release of NSW Government response to Inquiry 'Adequacy of the regulation of short-term holiday letting in NSW'. (Item 12.03 - OC 14/12/16)	Pending detailed Government proposals	DDE		TBA
Tuffins Lane Sporting Fields - Terms of Agreement (Item 06.02 - OC 14/12/16)		GM		TBA
Port Macquarie Town Centre Pedestrian Facility Investigations - post community engagement (Item 13.05 - OC 14/12/16)		DI		TBA
Reclassification Of Land For Hastings Regional Sports Complex - post exhibition (Item 13.04 - OC 15/02/17)		DCP		TBA

Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Planning Proposal - Lot 2 DP1091253 Beach St, Bonny Hills (Item 12.02 - OC 19/04/17)		DSG		TBA
Financial Reserves Review - final report (Item 09.05 - OC 19/04/17)		DCP		TBA
Planning Proposal - Lot 14 DP240042, Pioneer Street, North Haven. King And Campbell Pty Ltd For Rd & MI Tate And Tate Developments Pty Ltd - Post Exhibition (Item 13.05 - OC 17/05/17)		DDE		TBA

Cyclic Reports

Report	Reporting Officer	Reporting Cycle
Monthly Financial Update	DCP	Monthly
Investments	DCP	Monthly
Mayoral Discretionary Fund Allocations	GM	Monthly
Development Activity and Assessment System Performance	DDE	Quarterly (May, Aug, Nov, Feb)
Glasshouse Strategic Plan Update	DCP	Biannual (Feb, Aug)
Delivery Program - Progress Report	DCP	Biannual (Mar, Sept)
Operational Plan - Progress Report	DCP	Biannual (May, Oct)
Economic Development Strategy - Progress Report (Item 10.03 - ORD 20/11/2013)	DSG	Biannual (June, Dec)
Mayoral and Councillor Fees (Setting of)	GM	Annually (June)
MIDROC Strategic Plan 2013-2017 Outcomes (Item 08.03 - ORD 21/08/2013)	GM	Annually (July)
Council Policy - Status Report	DCP	Annually (July)
Recreation Action Plan	DDE	Annually (July)
Annual Report of the Activities of the Mayor's Sporting Fund	DSG	Annually (Aug)

Ensuring Good Governance

Report	Reporting Officer	Reporting Cycle
Compliments and Complaints Annual Report	DSG	Annually (Sep)
Council Meeting Dates	GM	Annually (Sept)
Creation of Office - Deputy Mayor	GM	Annually (Sept)
Payment of Expenses and Provision of Facilities to Councillors Policy for Exhibition	DCP	Annually (Sept)
Audit Committee Annual Report	DCP	Annually (Sept)
Annual Report of Disability Discrimination Act Action Plan	DSG	Annually (Sep)
Annual Disclosure of Interest Returns	GM	Annually (Oct)
Payment of Expenses and Provision of Facilities to Councillors Policy for Adoption	DCP	Annually (Nov)
Council's Annual Report	DCP	Annually (Nov)
Update Report - Impact of cost shifting for the previous financial year including any additional categories of cost-shifting that have been identified (Item 09.04 - OC 21/10/15)	DCP	Annually (Nov)

Attachments

Nil

Ensuring Good Governance

Item: 09.02

Subject: 2017-2018 COUNCILLOR AND MAYORAL FEES

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.2.1 Provide effective leadership that supports the community.

RECOMMENDATION

That in relation to Councillor remuneration for the 2017-2018 financial year, Council:

- 1. Pursuant to the provisions of section 248(2) of the Local Government Act 1993, Council set the annual fee payable to a Councillor for the financial year commencing 1 July 2017 to be \$19,310.**
- 2. Pursuant to the provisions of section 249(3) of the Local Government Act 1993, Council set the annual fee payable to the Mayor for the financial year commencing 1 July 2017 to be \$61,430 (this amount includes the fee payable to a Councillor).**

Executive Summary

The Local Government Remuneration Tribunal on 12 April 2017 released its determination in relation to its 2017 annual review for the payment of fees to Councillors and Mayors.

Port Macquarie-Hastings Council is classified as a Regional Rural council. The Tribunal has determined that the revised band of fees for a regional rural council be:

Category	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
	Minimum	Maximum	Minimum	Maximum
Regional Rural	\$8,750	\$19,310	\$18,630	\$42,120

* This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member.

Council, in the past, has adopted the maximum fee determined by the Tribunal for both Councillors and the Mayor.

Discussion

On 12 April 2017, the Local Government Remuneration Tribunal (the Tribunal) made its determination in relation to its 2016 Annual Review for the payment of fees to Councillors and Mayors. The review focused on the determination of annual fees to be paid in each of the categories to councillors and mayors.

The full 2017 Report (Report) from the Tribunal is at attachment 1.

Ensuring Good Governance

The Tribunal, under section 241 of the Local Government Act 1993 (“the Act”), determines annually for each category of council, the minimum and maximum amount of fees to be paid to councillors and mayors.

The Tribunal has determined an increase of 2.5% to mayoral and councillor fees for the 2017/18 financial year, with effect from 1 July 2017.

Following the creation of 20 new councils in 2016, the Tribunal conducted a review of the categories of councils and mayoral offices pursuant to section 239 of the Local Government Act 1993.

The determination provides for the retention of five existing categories (some with new titles) and the creation of two new categories. In accordance with section 239, the categories of general purpose councils have been determined as follows:

Metropolitan	Non-metropolitan
Principal CBD	Regional City
Major CBD	Regional Strategic Area
Metropolitan Large	Regional Rural
Metropolitan Medium	Rural
Metropolitan Small	

Port Macquarie-Hastings Council is classified as a Regional Rural council. The revised table of fees are shown below:

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils – Metropolitan	Principal CBD	26,310	38,580	160,960	211,790
	Major CBD	17,540	32,500	37,270	105,000
	Metropolitan Large	17,540	28,950	37,270	84,330
	Metropolitan Medium	13,150	24,550	27,940	65,230
	Metropolitan Small	8,750	19,310	18,630	42,120
General Purpose Councils – Non-metropolitan	Regional City	17,540	30,500	37,270	95,000
	Regional Strategic Area	17,540	28,950	37,270	84,330
	Regional Rural	8,750	19,310	18,630	42,120
	Rural	8,750	11,570	9,310	25,250
County Councils	Water	1,740	9,650	3,730	15,850
	Other	1,740	5,770	3,730	10,530

* This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member.

Options

Council must determine the Councillor Fee for the 2017-2018 financial year within the relevant band of the 2017 Local Government Remuneration Tribunal determination.

Ensuring Good Governance

Councillor Fee \$8,750 - \$19,310

Council must determine the Mayoral Fee for the 2016-2017 financial year within the relevant band of the 2015 Local Government Remuneration Tribunal determination.

Mayoral Fee \$18,630 - \$42,120

Community Engagement & Internal Consultation

Internal Consultation

- Group Manager Governance and Procurement.
- Director Corporate Performance

Planning & Policy Implications

As per Council's current Payment of Expenses and Provision of Facilities to Councillors Policy:

"Pursuant to section 248 of the Act, Council shall, prior to 30 June each year, set by resolution, the annual fees to be paid to the Councillors for the following year commencing on 1 July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal."

Council's past practice has been to adopt the maximum fee determined by the Tribunal for both Councillors and the Mayor, as shown in the table below.

Individual Councillor Annual Fee	Total Mayoral Annual Fee
\$19,310	\$61,430

Financial & Economic Implications

2017-2018 Budget Allocations:

It was anticipated that an increase would be decided by the Tribunal; therefore, the draft 2017-2018 budget provides provision for:

- Councillor Allowances - \$154,500.
- Mayoral Allowances- \$61,400
- \$215,900

If Council resolved to implement the recommendation as outlined, the costs to Council in 2017-2018 will be:

- Councillor Allowances- \$154,480.
- Mayoral Allowances- \$61,430.
- \$215,910

The budget allocation for the increased fees (combined mayoral and councillor allowances) is only short by \$10. Hence, the budget estimate has materially provided for this increase so it is considered that no amendment to the budget is necessary.

Ensuring Good Governance

Attachments

1 [View](#). 2017 Annual Determination LGRT

Ensuring Good Governance

Item: 09.03

Subject: DELEGATED AUTHORITIES - CERTIFICATE OF IDENTIFICATION
ISSUED UNDER THE SWIMMING POOLS ACT 1992

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

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

- Andrew Rock (Building Surveyor)

Executive Summary

The Council seal is required to be affixed to certificates of identification issued under the *Swimming Pools Act 1992*. A Council resolution is required in order to affix the Council seal to a document.

Discussion

Section 27(2) of the *Swimming Pools Act 1992* requires that Council must issue a certificate of identification to each authorised officer appointed to exercise powers under this Act.

Clause 20 and Schedule 1 of the *Swimming Pools Regulation 2008* prescribes the form of a certificate of identification. The certificate of identification must include amongst other things the seal of the Council.

Council has numerous staff authorised as officers under the Swimming Pools Act. To satisfy the requirements of a properly issued certificate of identification Council's Seal must be affixed.

Clause 400 of the *Local Government (General) Regulation 2005* states that 'the seal of Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the seal be so affixed'.

Council researched a number of avenues and also sought legal advice with regards to the requirements of the issuing of certificates of identification under the Swimming Pools Act and clause 400 of the Local Government (General) Regulation.

Ensuring Good Governance

Council's legal advice was that a Council resolution (specifically referring to the document) would be required to issue each authorised Council staff member a certificate of identification under the Swimming Pools Act.

Options

There are no options in relation to this report. It is a legislative requirement that the Council's Seal be affixed to Certificates of identification issued under the *Swimming Pools Act 1992*.

Community Engagement & Internal Consultation

Community Engagement

Nil.

Internal Consultation

- Director Development and Environment.
- Group Manager Governance & Procurement.

Planning & Policy Implications

A Council resolution, specifically referring to the document, is required to affix the Council Seal to a certificate of identification issued under the Swimming Pools Act.

Financial & Economic Implications

There are no Financial or Economic implications.

Attachments

Nil

Ensuring Good Governance

Item: 09.04

Subject: COMMITTEE PERFORMANCE

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. **Note the information in the Committee Performance report.**
2. **Note that Committees, Advisory Groups and Steering Groups will be formally reviewed at the start of each new Council term following an Ordinary Council election.**

Executive Summary

Following the Ordinary Council election in September 2016, all Subcommittees, advisory groups and steering groups were reviewed, along with relevant Charters and Councillor membership.

It is recognised that as the strategic focus of Council can change over time, it is prudent to review Council subcommittees, advisory groups and steering groups on a regular basis to ensure the ongoing effectiveness of Committees.

Discussion

At the 20 May 2016 Ordinary Council meeting, Council resolved the following (09.05 Committee Review)

RESOLVED: Intemann/Cusato

That Council:

1. *Remove Councillor representation from the following committee:
North Coast Regional Weeds Committee.*
2. *Remove from the Committee Register the following committees:
Road Safety Steering Committee.
Sewerage Steering Committee.
Water Supply Steering Committee.*
3. *Request the twenty six (26) charters that have been identified as needing to be updated are submitted to the August 2016 Council meeting for approval.*
4. *Adopt the charter template provided as the attachment of this report, including additional sections:*
 - a) *Appointment of members.*
 - b) *Obligations of members.*

Ensuring Good Governance

- c) *Secretariat.*
5. *Request a following report to be provided to articulate recommendations to ensure ongoing effectiveness of Committees.*

CARRIED: 9/0

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

AGAINST: *Nil*

This report addresses point 5 of the resolution above.

This resolution was made towards the end of the previous term of Council.

Following the Ordinary Council election in September 2016, a revised Councillor Portfolio structure was adopted by Council at the November 2016 Ordinary Council meeting. In addition to this, Council recently formally reviewed the operation of subcommittees, advisory groups and steering groups at the commencement of the new Council term. This process is articulated in further detail below.

Each Councillor was designated a portfolio over which they had responsibility. The role of designated Chair and Alternate Councillors of each portfolio is to:

- be a key point of contact and to engage with industry and community groups and associations;
- participate and where appropriate, in consultation with the Mayor, lead any Council working groups or meetings formed in relation to the relevant portfolio issues;
- provide guidance and direction to the Council and the organisation through participation, discussion and debate at Council;
- provide a viewpoint as an elected Councillor; and to act as a sounding board for Directors and key staff on issues relating to the portfolio; and
- generally champion the advancement of Council's key priorities and decisions relevant to the portfolio area.

Councillor membership to committees, groups and boards was also considered at the November 2016 Ordinary Council Meeting. At this meeting, Council resolved the following:-

Ensuring Good Governance

RESOLVED: Besseling/Intemann

That Council:

1. Appoint appropriate Councillor representation to the following currently established Committees, Groups and Boards:

Committee / Steering Group	Councillor Representation
Airport Advisory Group	Clr J Levido
Arts Mid North Coast Board	Clr R Turner
Audit, Risk & Improvement Committee	Clr L Intemann Clr G Hawkins
Australia Day Sub-Committee	Clr S Griffiths
Coast, Estuaries & Floodplain Sub-Committee	Clr M Cusato
Local Traffic Committee / Local Development Committee (Traffic)	Deputy Mayor
Mayor's Sporting Fund Sub-Committee	Mayor
Port Macquarie-Handa Sister City Sub-Committee	Clr L Dixon
Port Macquarie-Hastings Access Sub-Committee	Clr P Alley
Port Macquarie-Hastings Economic Development Steering Group	Clr R Turner
Town Centre Master Plan Sub-Committee	Clr G Hawkins Clr M Cusato

2. Dissolve the Glasshouse Sub-Committee and request that the General Manager thank in writing, each of the independent members of the Sub-Committee for their support and contributions.
3. Request the General Manager table a report at the 15 February 2017 Council meeting providing a review and future options for:
 - a) Heritage, Arts and Cultural Priorities Advisory Group
 - b) Aboriginal Advisory Committee
 - c) Implementation and monitoring of the Glasshouse Strategic Plan, particularly in relation to the objectives of the Cultural Plan.
 - d) PMHC Youth Advisory Committee
 - e) Mid North Coast Co-operative Library Committee
4. Request the General Manager undertake a review of the Town Centre Master Plan Sub Committee Charter, with a report to be tabled at the 14 December 2016 Council Meeting.
5. Request the General Manager undertake a review of the Audit, Risk and Improvement Committee Charter to ensure alignment with recent legislation, with a report to be tabled at the 15 March 2017 Council Meeting.
6. Request the General Manager undertake a review of the Airport Advisory Group Charter, with a report to be tabled at the 14 December 2016 Council Meeting.
7. Request the General Manager undertake a review of the following Committees in an effort to achieve a more streamlined approach to such civic event committees, with a report to be tabled at the 15 February 2017 Council meeting:
 - Australia Day Sub-Committee;

Ensuring Good Governance

- Mayor's Sporting Fund;
 - Port Macquarie-Handa Sister City Sub-Committee.
8. Consider alternate Chairs for Committees to be brought to the February 2017 Council meeting.

CARRIED: 8/1

FOR: Besseling, Alley, Cusato, Dixon, Hawkins, Intemann, Levido and Turner
AGAINST: Griffiths

A further report was presented to the February 2017 Ordinary Meeting of Council, and Council resolved as follows:-

RESOLVED: Turner/Cusato

1. Establish a new Steering Group called the 'Cultural Steering Group'.
2. Adopt the Cultural Steering Group Charter as included in this Review of Select Council Committees report.
3. Seek Expressions of Interest (EOI) for members of the Cultural Steering Group, with the results of the EOI to be reported to the 19 April 2017 Ordinary Meeting of Council.
4. Work with members of the following existing Council Committees to transition them into working groups with objectives, actions and reporting lines to the Cultural Steering Group:
 - a) Port Macquarie-Handa Sister City Sub-committee.
 - b) Australia Day Sub-committee.
 - c) Port Macquarie-Hastings Youth Advisory Committee.
5. Work with Heritage, Arts and Cultural Priorities Advisory Group to transition it into the Cultural Steering Group.
6. Replace quarterly Glasshouse reporting to Council with six monthly reporting in February and August each year detailing key performance measures and financial information for the previous financial year period.

CARRIED: 7/2

FOR: Besseling, Alley, Cusato, Dixon, Intemann, Levido and Turner
AGAINST: Griffiths and Hawkins

The review of the Audit, Risk and Improvement Committee Charter has also been completed and is the subject of a separate agenda item in this meeting.

Ongoing Review

Hence, following the Ordinary Council election of 2016, a thorough review of committees has been undertaken to ensure alignment with Councils strategic priorities to assist in ensuring that Committees are effective.

It is recommended that this process is repeated for each new Council term into the future.

It is envisaged that should a subcommittee, advisory group or steering group be considered to not be effective at any time by either Senior Staff or the relevant Councillor that are members to the group, that the matter is discussed with appropriate remedial action to be taken. Remedial action could include formal review

Ensuring Good Governance

of the Committee by Council. It should be noted that Council can also review the performance of a Committee at any time.

Options

Council has an option to review subcommittees, advisory groups and steering groups on a more frequent formal basis.

Community Engagement & Internal Consultation

There has been no external engagement in relation to this report.

The following people have been engaged internally:

- General Manager;
- Directors;
- Group Manager Governance & Procurement.

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

Nil

Ensuring Good Governance

Item: 09.05

Subject: AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. **Adopt the revised Audit, Risk and Improvement Charter.**
2. **Note expressions of interest for members of the Group will be undertaken in late June, with recommended membership to be reported to a future Ordinary Meeting of Council.**

Executive Summary

The attached revised charter was endorsed to be presented to Council by the Audit, Risk and Improvement Committee ("the Committee") at its meeting on 11 May 2017.

Changes recommended to the previously adopted charter include:

- Broadening the Committee's responsibilities to comply with 428A of the Local Government Amendment (Governance and Planning) Bill 2016 [NSW] when it is proclaimed.
- Limiting the appointment of external independent Committee members to a term of four (4) years maximum.
- Minor changes to support alignment of governance requirements similar to recent charters presented to Council and changes to position titles.

Discussion

The current Audit Committee Charter was last adopted by Council on 18 November 2015.

The attached revised charter was endorsed to be presented to Council by the Audit, Risk and Improvement committee at its meeting on 11 May 2017.

The most notable change includes broadening of the Committee's responsibilities to comply with Section 428A of the Local Government Amendment (Governance and Planning) Bill 2016 [NSW] when it is proclaimed. Section 428A is shown below:

- (1) *A council must appoint an Audit, Risk and Improvement Committee.*
- (2) *The Committee must keep under review the following aspects of the council's operations:*

Ensuring Good Governance

- (a) *compliance,*
 - (b) *risk management,*
 - (c) *fraud control,*
 - (d) *financial management,*
 - (e) *governance,*
 - (f) *implementation of the strategic plan, delivery program and strategies,*
 - (g) *service reviews,*
 - (h) *collection of performance measurement data by the council,*
 - (i) *any other matters prescribed by the regulations.*
- (3) *The Committee is also to provide information to the council for the purpose of improving the council's performance of its functions.*

Another change to the previously adopted charter identifies the requirement for three external independent members to be appointed for the term of four (4) years maximum (as noted in clause 3.4). Two of the current external independent members have exceeded this timeframe, therefore, if the charter is adopted Council will be initiating an Expression of Interest (EOI) process to seek two external independent members. The result of the EOI process will be reported back to Council to seek adoption.

Further minor changes support alignment of governance requirements similar to recent charters presented to Council and changes to position titles.

Options

Council could resolve not to adopt the revised attached charter.

Community Engagement & Internal Consultation

External consultation has included consultation with the Audit, Risk and Improvement Committee

The following people have been engaged internally:

- General Manager
- Director Corporate Performance
- Group Manager Governance & Procurement.

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

There are no material financial and economic implications in relation to this report.

Attachments

1 [View](#). Audit, Risk and Improvement Charter

Ensuring Good Governance

Item: 09.06

Subject: COUNCIL POLICY - POLICY REVIEW AND RESCISSIONS

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. Place on public exhibition from 28 June 2017 to 25 July 2017 (28 days) its intention to rescind the following Policies and Procedure:
 - a) Calling of Quotations / Tenders for Contractors Policy;
 - b) Good Governance Policy;
 - c) Plaques Policy;
 - d) Reporting requirements for Community Leases Policy;
 - e) Use of a Purchase Card and or Corporate Card Procedure.
2. Place on public exhibition from 28 June 2017 to 25 July 2017 (28 days) the following revised Policies and Plan:
 - a) Airport Leasing of Land and Buildings Policy;
 - b) Debt Recovery Policy;
 - c) Gifts and Benefits Policy;
 - d) Privacy Management Plan;
 - e) Rates and Charges Hardship Assistance Policy.
3. Note that a further report will be tabled at the August 2017 meeting of Council, detailing the submissions received from the public during the exhibition period.

Executive Summary

Council has a total of 77 Council adopted Policies. A comprehensive Council Policy review is undertaken every twelve (12) months.

As a result of the 2016 Policy review, Council at its meeting held on 20 July 2016 resolved as follows:

09.06 COUNCIL POLICY REVIEW

RESOLVED: Intemann/Griffiths

That Council:

- 1. Adopt the draft policy template attached to the Council Policy Review report.*
- 2. Request that within the next 12 months, the General Manager review all policies that have not been reviewed in the last 12 months that were identified as requiring a change during the 2015 Council policy review.*
- 3. Place on public exhibition from 29 July 2016 to 26 August 2016 (28 days) the Beach Areas Permitting Dogs in the Local Government Area Policy, with the intention to rescind.*

Ensuring Good Governance

CARRIED: 8/0

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

AGAINST: Nil

A number of the Policies, Procedures and Plan identified in this report were listed as requiring review at the July 2016 Ordinary Council meeting.

Council's Policy Register and the Policies the subject of this report are publicly available via [Council's website](#).

A further report will be provided to the July 2017 Ordinary Council Meeting detailing a policy status report as required in the *Making of Council Policy*.

Discussion

A comprehensive Council Policy review is undertaken every twelve (12) months.

Council currently has a total of 77 Policies.

Council's Policy Register and the Policies the subject of this report are publicly available via [Council's website](#).

Following a review of several Policies, it is recommended that some Policies be rescinded, and others be updated.

Policies recommended for Rescissions

It is recommended that the following Policies be rescinded:

- **Calling of Quotations / Tenders for Contractors Policy**

A procurement policy review and update was presented to the Audit Committee at its meeting on 14 February 2013. At that meeting the Audit Committee endorsed the recommendation to rescind the Calling of Quotations / Tenders for Contractors Policy.

A report was subsequently presented to Council at the Ordinary Council Meeting held on 15 May 2013 to adopt and rescind various procurement policies and procedures. Due to an administrative oversight at the time, the Audit Committee's recommendation to rescind the Calling of Quotations / Tenders for Contractors Policy was omitted from the 15 May 2013 Council report.

It is therefore recommended to now rescind this Policy consistent with the 2013 Audit Committee recommendation. It is noted that the requirements for the engagement of contractors is now covered under Council's current Procurement Policy, Tendering Procedure and Purchasing Procedure.

- **Good Governance Policy**

Upon reviewing the Policy, it has been ascertained that the Policy does not provide any additional guidance to Councillors on how to achieve good governance that is

Ensuring Good Governance

not already contained in other Council documents, including the Code of Conduct and various other Council policies. Therefore, it is recommended that the policy be rescinded to eliminate repetition.

- **Plaques Policy**

This Policy has been reviewed and is now considered to be not necessary as the use of plaques or procedures for the opening of new infrastructure is effectively managed on a case by case basis, in consultation with the Mayor, and in accordance with any funding agreement requirements.

It is proposed that the Policy be rescinded and current practice continue, with the relevant action area/asset owner and the Communications team coordinating the method to mark special occasions, as agreed with the Mayor.

As such it is recommended that the Policy be rescinded.

- **Reporting Requirements for Community Leases Policy**

This Policy has been reviewed and is now considered to be not necessary noting that the reporting requirements are included in Council's standard community lease template along with other essential lease clauses that are not covered by the outdated Policy.

As such it is recommended that the Policy be rescinded.

- **Use of a Purchase Card and/or Corporate Card Procedure**

As highlighted earlier in this report, a procurement policy review and update was presented to the Audit Committee at its meeting on 14 February 2013. At that meeting the Audit Committee endorsed the recommendation to change the Purchase Card Policy to a Purchase Card Procedure.

A report was subsequently presented to Council at the Ordinary Council Meeting held on 15 May 2013 to adopt the new Purchase Card (P-Card) Procedure and to rescind the Purchase Card Policy.

While the new Purchase Card (P-Card) Procedure was intended to supersede and replace the Use of a Purchase Card and/or Corporate Card Procedure, due to an administrative oversight at the time, the recommendation to rescind the Use of a Purchase Card and/or Corporate Card Procedure was omitted from the 15 May 2013 Council report.

It is therefore recommended to now rescind the superseded Use of a Purchase Card and/or Corporate Card Procedure consistent with the 2013 Audit Committee recommendation.

The current Purchase Card (P-Card) Procedure forms part of the ongoing scheduled review of existing policies and procedures.

Ensuring Good Governance

Policies Recommended for Updating/Amendment:

The following Policies are currently listed on Council's Policy register, during the review it has been identified that Council has a requirement for these and the current version requires modification.

- **Airport Leasing of Land and Buildings Policy**

The Airport - Leasing of Land and Buildings Policy outlines Council's approach to the leasing of land and buildings at Port Macquarie Airport with the principal aim to "maximise the economic development potential of Port Macquarie Airport by ensuring that land and buildings leased at the Airport are used for aviation related business activities which have the potential to provide significant employment and economic benefits to the Port Macquarie – Hastings region".

The Policy remains relevant in setting out Council's vision for the Airport as defined in the Council adopted Airport Master Plan 2010 and Addendum Report 2013. The policy supports the requirement for certain information to be provided and commitments from lessees as part of commercial property leases at the Airport.

The Policy has been reviewed and updated, with key changes as outlined below. There has been no change in the original Policy objective.

Key Changes

- The new Policy reflects the current lease format in use at the Airport as endorsed by the Airport Advisory Group, including:
- Use of the standard Law Society of NSW lease format.
- The requirement for lessees to submit a "Statement of Business Operations" providing details of the proposed aviation related business activity, as opposed to the previous requirement to submit a formal "Business Plan" – this change has been made in response to feedback from current lessees.
- Negotiation of a suitable lease term taking into consideration industry best practice and including CASA aerodrome standards at the time.
- Public Liability Insurance cover increased to a minimum of \$20 million (from \$10 million).
- Updated list of statutory outgoings payable under the lease.
- The extension of the standard clause in all leases regarding Council's right to utilise the Airport from time to time for special events, to include the specific acknowledgement of the lessee that such events may cause interruption to the lessee's "use and enjoyment" of the property leased, and that the lessee will not be entitled to any compensation or claim in respect of any interruption associated with the conduct of the event.

Other minor changes

- Transfer of content to the new policy template and associated administrative updates, including changes to staff position titles.

Ensuring Good Governance

- **Debt Recovery Policy**

The debt recovery policy provides a framework for making consistent decisions regarding debt recovery. This policy has been reviewed with a number of changes proposed.

These changes are considered both minor and significant in nature and are noted as follows:

Key Change

- Replacement of 5 year cap for arrangements to a 12 month cap, but with discretion allowed based on extenuating circumstances.
 1. The current policy specifies a maximum term of 5 years for arrangements. This is considered too long to be used as a general guide, and not in the best interest of either council or the rate payer. The proposed wording specifies that arrangements should finalise debt within 12 months, however the debtor clerk can exercise judgement in extenuating circumstances.
- Wording to encourage adherence to agreed arrangements.
 2. Removal of ability for pensioners to accrue their rates as a debt against their property or estate

Council has not provided this option for some time as a result of changing community circumstances and applicability. Council prefers to undertake an arrangement with ratepayers to see any outstanding debts reduce rather than accrue. This is also considered to be in the best interests of the ratepayer.

Clarification that the ratepayer will be liable for all debt recovery costs and fees associated with legal action.

Update of General Manager's delegation of authority to be in accordance with current delegations.

Other minor changes

- Transfer of content to a new template.
- Review of policy wording to meet 'plain English' requirements, where appropriate.
- Changes to staff titles.
- Inclusion of instalment dates for rates and charges

- **Gifts and Benefits Policy**

The current Gifts and Benefits Policy was adopted at the October 2010 Ordinary Meeting of Council.

The policy was developed in recognition that the conduct of Council business may give rise to gifts or benefits being offered to Council officials.

Ensuring Good Governance

The objective of the policy is to protect Council officials so that they are not influenced, or perceived that they are being influenced, in the performance of their duties by providing guidance on the procedures to be followed if a gift or other benefit is offered or received.

Key Change

To support a risk based and pragmatic approach to managing Gifts and Benefits at council the existing Policy has been updated to remove the requirement to record gifts and benefits offered under the token value of \$50.

Declaring a gift of token value aligns with the Council adopted code of conduct:

5.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly to your supervisor, the Mayor or the General Manager. The recipient, supervisor, Mayor or General Manager must ensure that any gifts or benefits of more than token value that are received are recorded in a Gifts Register. The gift or benefit must be surrendered to Council, unless the nature of the gift or benefit makes this impractical.

Other minor changes

- Inclusion of guidance on ceremonial gifts;
- Removal of specific examples of gift and benefit situations; and
- Reformatting to the revised policy template.
- **Privacy Management Plan**

Section 33 of the Privacy and Personal Information Protection Act 1998 (PIPPA), required that all NSW Councils prepare a Privacy Management Plan.

Port Macquarie- Hastings Council adopted a Privacy Management Plan "*Hastings Council Privacy Management Plan*" 9 October 2000.

Why is it changing?

Changes were made to PIPPA in 2012. This triggered the Office of Local Government (OLG) to provide a circular (No. 13-03), dated 22 January 2013, with an attached Model Privacy Management Plan.

The OLG advised that Councils should adopt a new Privacy Management Plan, based on the new Model Privacy Management Plan for Local Government or develop their own Privacy Management Plan.

Most Councils adopted, without consideration of the practical implementation the model privacy management plan for Local Government. The model plan is 60 pages with contradictory information.

The Privacy Management Working Group commenced on 22 April 2013 in order to prepare for the amendments to the Privacy and Personal Information Protection Act 1998 (the PPIPA) that came into effect on 12 March 2014.

Ensuring Good Governance

A new plan has been developed by the cross sectional working group. The plan has been developed to be concise and user friendly and also meet PIPPA requirements.

Forms have also been developed to support processes that include requesting and altering personal information making a privacy complaint.

- **Rates and Charges Hardship Assistance Policy**

The Rates and Charges Hardship Assistance Policy provides a framework for Council in providing assistance to customers in hardship. This policy has been reviewed with a number of changes proposed.

These changes are considered both minor and more significant in nature and are noted as follows:-

Minor changes

- Transfer of policy into new format.
- Update of role titles in accordance with structural changes.
- Inclusion of wording "in which currently residing" within the scope of the property for which the hardship application applies.

Key Change

- Clarification that the Blue Pension Concession Card requirement applies under all elements of the policy.
- Inclusion of a sentence which allows other extenuating circumstances to be considered in order to ensure that if appropriate, the policy can be extended.
- Clarification that the policy relates to rates, charges and interest accrued on such debts and in certain circumstances council officers are permitted to extend the application of this policy to certain related fees.
3.
- Clarification of Council's view that waiving rates as a result of land valuation (under Section 601 of the Local Government Act 1993) would generally impose an inequitable burden on other ratepayers. Council does not provide relief under this section currently.

Options

Council has the option to place any, all or none of the identified Policies within this report on exhibition for the purposes of rescission.

Community Engagement & Internal Consultation

Community Engagement

It has been past practice of this Council to place Council Policies identified for rescission or review on public exhibition and call for submissions.

Ensuring Good Governance

Should Council resolve to exhibit any or all of the identified Policies for the purpose of rescission and/or review, a further report will be presented to Council to further consider the Policies subject to the submissions received during the public exhibition period.

Internal Consultation

- General Manager.
- Directors.
- Group Manager Governance & Procurement.
- Council Policy Responsible Officers.

Planning & Policy Implications

This report recommends the rescission of four (4) current Council Policies.

Financial & Economic Implications

There are no Financial or Economic implications.

Attachments

- 1 [View](#). Policy - Calling of Quotations - Tenders for Contractors
- 2 [View](#). Policy - Good Governance
- 3 [View](#). Policy- Plaques
- 4 [View](#). Policy - Reporting Requirements for Community Leases
- 5 [View](#). Policy - Use Of A Purchase Card And Or Corporate Card Procedure
- 6 [View](#). Policy - Airport - Leasing of Land and Buildings
- 7 [View](#). Policy - Debt Recovery
- 8 [View](#). Policy - Gifts and Benefits
- 9 [View](#). Draft Privacy Management Plan
- 10 [View](#). Policy - Rates and Charges Hardship Assistance

Ensuring Good Governance

Item: 09.07

Subject: INTEGRATED PLANNING AND REPORTING (IPR) SUITE OF DOCUMENTS

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. **Adopt the following Integrated Planning and Reporting (IPR) suite of documents:**
 - a) **Towards 2030 Community Strategic Plan**
 - b) **Delivery Program 2017-2021**
 - c) **Resourcing Strategy 2017-2021 with the following components:**
 - Long Term Financial Plan (2017-2027)**
 - Workforce Management Strategy (2017-2021)**
 - Asset Management Strategy and Plan (2017-2027)**
 - d) **Operational Plan 2017-2018**
 - e) **Fees & Charges 2017-2018**
 - f) **Revenue Policy 2017-2018**
 - g) **Rating Maps 2017-2018**
2. **Note the 2017-2018 budget position of a \$586,858 shortfall which will be reported to Council monthly during the financial year.**
3. **Set the interest rate on overdue rates and charges at 7.5% from 1 July 2017 in accordance with the Office of Local Government directive.**
4. **Enter into total borrowings of \$4.85 million as outlined in the Financial Implications section of the report.**

Executive Summary

It is a Local Government statutory requirement for NSW Councils to develop the Integrated Planning and Reporting (IPR) suite of documents, and for them to be endorsed by Council, by 30 June in year following a Council election. The election occurred in September 2016. The legislation (Section 404 and 405 of the Local Government Act (1993)) also requires the IPR suite of documents be placed on public exhibition for a minimum of 28 days before being endorsed by the Council. This occurred from 20 April to 18 May 2017.

At the conclusion of the public exhibition period, a workshop was held with Senior Council staff and Councillors to review and consider all submissions, with a view to identifying changes required to the draft plans. The purpose of this report is to consider the community feedback received during the public exhibition and evaluate

Ensuring Good Governance

the changes and alterations now proposed by staff in order to finalise the planning documents prior to the start of the new financial year.

Changes recommended to the documents are outlined in detail in the body of this report. The budget position has altered between April and June.

The budget statement now indicates a shortfall position of \$586,858.

Total expenditure, excluding depreciation, developer provided assets and infrastructure asset write-offs will be \$229.8m, with total revenues expected to be \$176.1m (excluding the developer provided assets contribution). The difference between the income and expenditure is funded by a combination of loans and money previously allocated to reserves for specific purposes. This results in a net cash shortfall position for 2017-2018 of \$587k. Further information relating to the 2017-2018 budget can be found under the Financial & Economic Implications section of this report, as well as the attached one year 2017-2018 Operational Plan.

The 2017-18 financial year will see Council continue to deliver/commence some major infrastructure works such as Camden Haven River Recreational Boating improvements, Hastings River Drive/Newport Island Road roundabout intersection upgrades, Lake Road upgrade - carriageway between Toorak Ct and Oxley Highway, Hastings Regional Sporting facility, Port Macquarie Airport Terminal upgrade and Small Town Sewerage schemes for Comboyne, Long Flat and Telegraph Point along with Road resealing works and construction of new footpath across the region.

In addition to delivering some major projects, Council will continue to deliver other services such as water and sewer services, library services, cultural services and waste services. We will also continue to maintain our \$2 billion plus of assets on behalf of the community.

Whilst there is a shortfall of \$586,858 for the 2017-2018 financial year the budget is considered representative of key priorities across the LGA. Ongoing financial diligence will occur and be reported to Council to address this position over the coming financial year.

Documents to be endorsed (as attached) are:

- Towards 2030 Community Strategic Plan
- Delivery Program 2017-2021
- Resourcing Strategy 2017-2021 with the following components:
 - o Long Term Financial Plan (2017-2027)
 - o Workforce Management Strategy (2017-2021)
 - o Asset Management Strategy and Plan (2017-2027)
- Operational Plan 2017-2018
- Fees and Charges 2017-2018
- Revenue Policy 2017-2018
- Rating Maps 2017-2018

Discussion

At the ordinary Council meeting on 19 April 2017 Council resolved to place the suite of Integrated Planning and Reporting documents for 2017-2018, listed above on public exhibition for a period of 28 days from 20 April to 18 May 2017.

Ensuring Good Governance

The Integrated Planning and Reporting framework, adopted by NSW Government in 2009, outlines the important relationship between Council's funding priorities, service levels and community expectations. To comply with legislation Port Macquarie-Hastings Council has completed a review and developed its suite of planning documents following the September 2016 council election.

Port Macquarie-Hastings Council suite of IPR documents consists of:

Draft Towards 2030 Community Strategic Plan

Originally adopted in 2011 the plan summarises community aspirations for the future as well as strategies and intended outcomes. It shows the alignment and relationship between the CSP, NSW State Plan, and North Coast Regional plans.

The Community Strategic Plan (CSP) commits to the community vision of "A sustainable high quality of life for all", and also to the mission "Creating the future together - people, place, health, education and technology".

Draft Resourcing Strategy 2017-2021

Comprising of the 10 Year Long Term Financial Plan, 4 year Workforce Management Strategy, and 10 Year Asset Management Strategy and Plan, this document highlights the time, money, assets and people required to meet community priority and aspiration.

Draft Delivery Program 2017-2021 and 2017-2018 Operational Plan

This combined document includes:

Four Year Delivery Program (DP)

Developed by Councillors for their four year term the DP is Council's commitment to undertake principal activities under each of the community themes as established by the CSP within the resources available under the Resourcing Strategy. The DP includes the intended outcomes, how performance will be assessed and a four year financial plan.

One Year Operational Plan (OP)

Supporting the DP is the one year OP which includes individual projects and actions which will be undertaken during the 2017-18 financial year. This document is organised by the community themes that are consistent throughout the integrated council suite of documents.

The OP includes a budget snapshot providing an overview of key projects proposed across the region that have been prioritised by the community, a breakdown of major projects by area.

The proposed 2017-18 capital works program is included within the body of the Operational Plan according to Community Themes and totals \$112.5m.

Ensuring Good Governance

The documents within the framework must align to the quadruple bottom line addressing civic leadership, social, environmental and economic issues in an integrated manner.

The Port Macquarie-Hastings CSP, DP and OP are structured under four community themes that align to the quadruple bottom line:

- Leadership and Governance;
- Your Community Life;
- Your Business and Industry; and
- Your Natural and Built Environment.

To strengthen Integrated Planning and Reporting, Council has achieved 'integration' across the suite of plans by:

- Clearly linking the goals in the CSP to the activities in the DP and OP, using colour coding and alpha/numeric referencing;
- Reflecting asset, financial, and workforce activities in the Resourcing Strategy in both the DP and OP; and
- Identifying activities in Workforce Plan and Asset Plans which will have impact on the Financial Plans.

Some of the major commitments in capital works and operational priorities for 2017-18 include:

Across the region

- Road resealing works throughout the Local Government Area - \$2,050,000
- Local roads proactive transport program - \$1,000,000
- Construction of footpaths in the Local Government area - \$500,000
- Stormwater Renewal Program \$1,000,000

Laurieton/Camden Haven

- Southern Arm Trunk Main trunk main - \$7,500,002
- Camden Haven River Recreational Boating improvements - \$500,000
- Black Swan Terrace - Stormwater detention - \$300,000
- Area 15 sewerage upgrade - \$2,370,000
- Dunbogan Bridge - Reid Street - \$2,500,000
- Playground upgrades:
 - Laura Place Reserve - Laura Place - \$82,400
 - Laurieton Oval - Castle Street - \$82,400

Port Macquarie

- Port Macquarie Airport - Business Precinct/Airport improvements - \$500,000
- Port Macquarie Airport - Terminal Upgrade - \$3,750,000
- King Fisher Waste Depot - upgrade and expansion - \$1,500,000
- Hastings River Recreational Boating Improvements - \$156,000
- Westport Park - riverwall and pathway upgrade - \$375,000
- Granite Street Reservoir demolition and construction - \$5,000,000
- Hastings River Drive and Boundary Street upgrade - detailed designs - \$800,000
- Hastings River Drive/Newport Island Road roundabout intersection upgrades - \$2,700,000

Ensuring Good Governance

- Lake Road upgrade - carriageway between Toorak Ct and Oxley Highway - \$1,800,000

Wauchope/Rural

- Hastings Regional Sporting facility - Stage 1 development - \$4,000,000
- Bulli Creek Bridge replacement - \$1,654,398
- Comboyne Road - Hartys Creek Bridge - \$753,041
- Kindee Bridge repairs - \$550,000
- Small Town Sewerage scheme - Comboyne - \$6,895,944
- Small Town Sewerage scheme - Long Flat - \$ 6,883,220
- Small Town Sewerage scheme - Telegraph Point - \$ 8,243,563
- Playground upgrades:
 - Lasiandra Park, Cameron Street - \$82,400
 - Long Flat Sport and Recreation Grounds - \$40,000
 - Pioneer Park Comboyne - \$82,400
 - Sancrox Reserve, Colvin Street - \$82,400
 - Timbertown Tennis Courts, River Street -\$20,600

Supplementary documents

The full listing of rates, fees and charges, relevant statutory regulations and the proposed income generated is contained in the Revenue Policy and Fees and Charges documents. The supplementary documents to the Operational Plan are:

- Fees and Charges;
- Annual statement of Revenue Policy; and
- Rating Area Maps.

Exhibition Period and Submissions

The draft documents were placed on public exhibition from 20 April to 18 May 2017. The engagement activities undertaken are outlined in the Community Engagement and Internal Consultation section of this report. A number of submissions were received during this period and the details of these, and staff responses, are also outlined in the Community Engagement and Internal Consultation section of this report.

Workshops were also held between staff and Councillors to discuss the submissions and any potential changes to the budget and IPR documentation as a result of the submissions.

The amendments made to the attached documents and budget position are itemised as follows:

Post Exhibition Amendments to Fees and Charges

The following amendments have been made to the Fees and Charges:

- *Interest on overdue rates and charges as set by the Office of Local Government - 7.5%*
- *S603 fee - \$80 – as set by the Office of Local Government*
- *S603 Urgency Fee - \$80 – set to be as per the above-mentioned fee*

Ensuring Good Governance

- *Dash Instead of zero on credit card. (This change is a change to the manner in which the fee is displayed only. This fee is a % of the credit card payment charged in line with the merchant facility fee to Council).*

Post Exhibition Amendments to the Capital Works Program

The capital works program incorporated in the One Year Operational Plan 2017-2018 that was placed on public exhibition was valued at \$93 million.

In the intervening weeks there have been a number of changes to the capital works program as a result of deferrals or adjustments and consideration given to submissions during the exhibition period to operational plan actions.

Additionally, at the May 2017 Council meeting a paper was presented regarding the progress of the 2016-2017 Capital Works Program. This paper detailed the impact that the exceptionally wet weather experienced in the preceding few months had caused on operational works, in particular road maintenance activities. It was resolved a follows:

13.02 INFRASTRUCTURE WORKS PROGRAM UPDATE

RESOLVED: Levido/Dixon

That Council:

1. *Note the information provided in this report.*
2. *Adopt the adjustments to the 2016-17 Operational Plan as detailed.*
3. *Adopt the capital works budget adjustments as detailed in the report.*
4. *Give consideration to including the projects deferred from the 2016-17 Operational Plan into the 2017-18 Operational Plan to be adopted in June 2017.*

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

This has resulted in \$19.6 million additional works program being added to the 17/18 budget.

As a result of these intervening alterations and submission considerations the capital works program outlined in the Operational Plan 2017-2018 is now \$112.5m. The changes to the program are listed below.

Item	Section	Amount
May Council Meeting Adjustments	Various	\$18,749,890
Bold Street Laurieton Pedestrian Crossing Design	Transport & Traffic	\$25,000
Mrs Yorks Garden - Woodland Walk	Parks & Gardens	\$50,000
Ocean Drive - detailed designs North of Miala St to Orana Drive Lake Cathie	Transport & Traffic	\$250,000
Kew Main Street - undertake identified	Transport & Traffic	\$100,000

Ensuring Good Governance

works		
TCMP - Kooloonbung Creek Foreshore - Gordon to Hayward Street Upgrade	Port Macquarie Town Centre Masterplan	\$371,565
TCMP - Clarence Street Landscaping	Port Macquarie Town Centre Masterplan	\$20,000
TCMP - Port Macquarie Town Centre Landscape	Port Macquarie Town Centre Masterplan	\$50,000
Solar System Feasibility Assessments (moved to operational budget)	Facilities	(\$25,000)
Total		\$19,591,455

Item	Section	Amount
Operational Adjustments		
Solar System Feasibility Assessments (moved from capital budget)	Facilities	\$25,000
Tree Maintenance	Trees	\$96,000
Corridor planning - Kendall Road – Ocean Drive – Hastings River Drive regional road corridor	Transport and Traffic	\$250,000
Total		\$371,000

Other Post Exhibition Amendments

At the May 2017 Audit, Risk and Improvement Committee the following recommendation was made and consensus reached:

Ensuring Good Governance

18 AUDIT OFFICE - CLIENT SERVICE PLAN 2017

Reiky Jiang, Audit Office of NSW, via phone linkup, addressed the Committee in relation to the Audit Office Briefing 2017 and answered questions from Committee members.

Kevin Franey, Thomas Noble & Russell, via phone linkup, addressed the Committee in relation to the Client Service Plan 2017 and answered questions from Committee members.

CONSENSUS:

- 1. That the Audit Office Briefing 2017 and Client Service Plan 2017 be noted.*
- 2. That the key personnel risk associated with the annual financial activities be noted.*
- 3. That it be a recommendation to Council that consideration be given to appropriate resourcing to ensure that Council can continue to meet its legislative requirements in terms of financial reporting.*

Based on the consensus, allowance has been included in operating expenses for this resourcing which will impact general fund by approximately \$70k.

Additionally, allowance has also been included for estimated costs to cover the upcoming Council by-election. Whilst the full cost estimate for the by-election is as yet unknown, the impact on the general fund will be approximately \$215k based on the cost of the 2016 Ordinary Council election. It should be noted that this is an estimate only and the remainder of the by-election cost will be covered by the other funds of Council.

Options

It is a statutory requirement to adopt the Integrated Planning and Reporting suite of documents by 30 June 2017. Not adopting the documents cited in the resolution would jeopardise compliance with this legislation.

Council could seek additional information or make other amendments to the documentation.

Community Engagement & Internal Consultation

The draft documents were placed on public exhibition from 20 April to 18 May 2017. During this time the following actions were carried out in order to generate widespread community feedback.

Exhibition Promotion:

- Advertised in Council Matters, posters in all offices and libraries.
- Hard copy of all documents at Council Offices and Libraries.
- Editorial media exposure through print articles, TV news.
- Mayoral promotion through radio spot and Mayor's Column.

Ensuring Good Governance

- Article in Community Connect mailed to all households.
- Enews article sent to all subscribers.
- Enews story to PMHC Listening database.
- Pop up engagement stalls at local shopping centres across the region during the exhibition period.

Exhibition Participation:

On-site pop up community engagement stalls were held in local shopping centres across the region during the 28 days public exhibition. Information kiosks were held as follows noting conversations with the community:

- 27 April 2017 - Wauchope, High Street - (16 conversations)
- 4 May 2017 - PMQ - Settlement City (28 conversations)
- 8 May 2017 - Lake Cathie - Woolworths (13 conversations)
- 9 May 2017 - Laurieton - cnr Bold and Seymour St (13 conversations)
- 10 May 2017 - Wauchope, High Street - (15 conversations)
- 11 May 2017 - PMQ - Hay St Forecourt - (38 conversations)

The "Have Your Say" online portal has obtained the following:

- Total visits - 685
- Max visitors per day - 62
- Engaged visitors - 18
- Informed visitors (downloaded documents) - 195
- Aware visitors (read through documents without downloading) - 546

Total submissions received through letter, e-mail, on-line, and pop-up engagements is 252.

Key submission topics included: Beach to beach (191), Roads (13), Lake Cathie Skate Park (10), Leash free dog area (6), Tidal pool (6), Arts and Culture/facilities (3), Cycleways (3), Footpaths (3), Amenities (2), Kew Master Plan (2), Beach access; Bridges; Buildings; Foreshore; Motor Cycle Friendly Town; Mrs Yorks Garden; PMQ Pool; Rate rise objection; Laurieton tennis club; Beechwood Tennis Club; Trees; Wauchope – Hastings beautification; and Wauchope CBD priorities, Bonny Hills amenities (13).

Submissions response summary

A full hard copy of all submissions received was provided to the Councillors as part of the review workshops. Due to the volume of submissions and supporting documentation received it is impractical to include hardcopies with the attachments to this report, the information and table below instead summarises the submissions and Council's response.

Ref. No	Submission Author Name	Submission summary
Topic: Tidal Pool		
8203	Taylor	Request for Tidal Pool
8207	Woodhall	Request for Tidal Pool

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
8210	Toner	Request for Tidal Pool
8596	Alexopoulos	Request for Tidal Pool
9066	Wilson	Request for Tidal Pool
9071	Robinson	Request for Tidal Pool
<p>Council Response: Council acknowledges community support for development of a tidal pool in the Port Macquarie-Hastings. However, Council's focus in relation to swimming facilities is on the continued upgrade of Wauchope Pool, and planning for the upgrade of Port Macquarie Olympic Pool which is planned to commence in 2017-18. These projects are prioritised over development of a tidal pool as both existing facilities were known to have significant structural issues. This approach is consistent with Council's adopted Asset Management Plan.</p>		
<p>Topic: Arts and Culture</p>		
10016	Williams – Arts Mid North Coast	Lack of Acknowledgement of Country in documents, Creative Aging – aging population and the role of Arts and Culture
<p>Council Response: Acknowledgment of Country: Council acknowledges this submission. The Community Strategic Plan has been amended to include an Acknowledgment of Country.</p> <p>Creative aging is currently dealt with as part of the Cultural Plan outcome which includes partnerships and creative aging. Cultural Plan - Action Plan - Action 2.2 Encourage accessibility and inclusiveness in arts and culture programs as part of everyday life - "Encourage programs that target our ageing population" Two creative ageing programs delivered annually. There is an opportunity to talk about what we as a Council are planning for our aging population as it also comes up in the Urban Growth Management Strategy.</p> <p>Role of Arts and Culture is referred to broadly in the Community Strategic Plan and the Delivery Program/Operational Plan. It is related to the implementation of the Cultural Plan which has over 30 key action areas to future the role of arts and culture in the region. Cultural tourism is included in other key documents including Economic Development Strategy and the Urban Growth Management Strategy as well as the Stage Regional Development plans.</p>		
8843	Baker	Request for cover at the Glasshouse to facilitate dry arrival for shows
<p>Council Response: Council has recently completed writing the four year Disability Inclusive Action Plan 2017-2021. This plan sets out the actions of what council will do in the next four years to make our community more disability friendly. The PMHC Access Sub-Committee prioritised the access requests that were received from the community during public consultation to help develop this Plan. The Plan includes building two new accessible (disability) public toilets, working with Guide Dogs to create two dog off leash (puppy) parks and to undertake an audit of all council disability car parking spaces - the scope of the audit is to measure the spaces if compliant with Australian Standards in dimension and if they are in the most needed locations.</p>		
8903	Name withheld	Lack of arts facility to serve local artists or groups. Would

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		like a dedicated arts hall or funds towards this.
<p>Council Response: In 2010, Council identified a location and undertook some master planning on a creativity centre that would meet the needs of the community, local artists and groups to hold exhibitions, conduct meetings etc. This project currently sits as an action in the newly adopted cultural planning and engagement with the community. This facility will be developed over the coming years. A specific budget for the development of this type of facility is yet to be secured. Council would look for future grant funding and community support to develop this creative centre. Council is also actively looking to use different sites for temporary creative hubs, including development of studios and exhibition spaces to strengthen our creative industries.</p>		
Topic: Beach Access - Flynns Beach Port Macquarie		
228	Gentle	Request for stairs to be constructed on the southern end of Flynns Beach.
<p>Council Response: Council acknowledges that there is merit in providing an access at this location. The draft 2017-18 Operational Plan includes the following action: 2.3.2.4 Commence Regional Master planning for recreational facilities: Performance Measure: Commence master planning for two beaches. The performance measure has been modified to identify Flynns Beach as one of the two beaches to commence master planning. As such, access will be considered during development of the master plan.</p>		
Topic: Beach to Beach Riverwalk		
9615	McCoubrie	Request for funding allocation for Beach to Beach for 17-18 of \$500K and then \$250K for a further two years to deliver the project outcomes
9939	Saunders - Camden Haven Chamber of Commerce	Highlighting the need to support the Beach to Beach pathway
	Numerous submissions	In total, 191 submissions were lodged in relation to the Beach to Beach project.
<p>Council Response: Roads and Maritime Services (RMS) grant application for the Beach to Beach footpath section is pending announcement. Currently, the 2017-18 Operational Plan includes \$160,000 of Council funds for Beach to Beach under item 4.4.1.23 CW Roads and Maritime Services Grants - Safety Program and Active Transport Program, as funds to match RMS funding. Should the RMS bids not be successful, these funds will be used to complete some projects which are currently the subject of the RMS bids to the budget allocation amount.</p>		
Topic: Footpath / Cycleways		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
10050	Bonny Hills Progress Association	Reference to 2015-2016 Operational submission regarding the footpath at Ocean Drive between Rodley Street and Beach Street (south) Bonny Hills
<p>Council Response: With regard to the potential footpath on the Northern (Coastal) side of Ocean Drive between Rodley Street and Graham Street. Council has completed a concept plan and concept cost estimate for a shared path in this location. Currently the project has a concept level cost estimate of over \$1.5 million along with considerable impact upon property access and loss of parking along both sides of the road. Unfortunately, when considering the costs of this project against the potential benefits and other needs, this project sits lower in priority when compared to other requests. As such, progressing this project to detailed design and consultation is currently not an immediate priority for Council but will remain on Council's register for consideration in the ongoing development of works programs.</p>		
10287	Koenig	Schools to Schools (S2S) - Request for budget allocation for Camden Haven schools to schools. Specifically - sections 17 and 18 between Brother Glen and Sirius Drive and section 14 between Glen Haven Drive and the Pacific Hwy overpass
<p>Council Response: With regard to the design for Section 14, 17 and 18, Council applied for and was successful in receiving grant funding from the Roads and Maritime Services (RMS) Active Transport program on a 75/25 cost basis for the design of these sections in 2016-17. These designs (and cost estimations) are currently underway and are expected to be received from the consultant by mid June 2017. Council has applied for funding from the 2017-18 RMS Active Transport program on a 50/50 cost basis for the construction of section 14, on a concept estimate of \$400k total project cost. This estimate is based on previous works along Ocean Dr for the S2S shared path, noting we are still awaiting final designs and cost estimate, however this is a conservative estimate and works are generally at grade. Council's contribution to these works are included in the overall Operational Plan item - 4.4.1.23 CW Roads and Maritime Services (RMS) Grants - Safety Program and Active Transport Program \$500,000. Council have not applied for sections 17 and 18 as these sections are quite complex and will not be at grade, potentially requiring a boardwalk solution. Therefore due to the unknowns with these sections Council will await the design plans and cost estimate and determine what is appropriate and achievable from a delivery perspective before making a further submission for grant funding and allocation of Council funding.</p>		
9939	Saunders - Camden Haven Chamber of Commerce	Concerns for footpaths/pathway at Bonny Hills submitted by Bonny Hills Progress Association Request for Pedestrian crossing Bold Street
<p>Council Response: Pathway at Bonny Hills - Council has developed a concept plan for a pathway along Ocean Drive however due to the high cost and effect on parking and driveways this has been on hold. Detailed community consultation will be required, however this is currently a lower priority than other immediate needs requiring resourcing. Pedestrian crossing - Bold Street Laurieton - Council is currently completing a concept design for the length of Bold St between Seymour and Tunis Sts, which includes a</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		proposed formal pedestrian crossing. It is proposed to utilise the concept plan to inform the detailed investigations (required to meet RMS Warrants for marked crossings) and design for the formalised pedestrian crossing during 2017-18. Upon design completion and following appropriate engagement Council can determine how and when to fund the works including seeking grant funding from the RMS. A new Operational Plan action has been created 4.4.1.31 CW - to undertake detailed investigations and designs for the marked pedestrian crossing at this location. \$25,000 has been allocated in the 2017-18 Operational Plan budget to undertake this work.
9061	Ryan	Request for footpaths in the Sherwood area
<p>Council Response:</p> <p>Council receives a large number of requests for footpaths and as such allocates funding on a regular basis for the construction of new footpaths. Due to the large number of requests new works are prioritised according to public safety, construction costs, road traffic volume and proximity to town centres, amenities and schools. Whilst the Sherwood area isn't currently in the immediate footpath program it will be included in Council's footpath planning register for consideration in future year's budget allocations.</p>		
8742	Davis - Streetwise Road Safety and Traffic Services	Request for additional funding to be allocated to cycleways throughout the LGA
10038	Doyle	Request for additional funding allocation to cycleways in Port Macquarie
9931	No name provided	Lack of funding for cycleways relating to the Bike Plan
<p>Council Response:</p> <p>Council encourages the benefits of cycling and regularly constructs new cycling infrastructure, generally through the provision of shared pathways. In 2016-17 financial year Council has undertaken the following Cycle infrastructure projects:</p> <ol style="list-style-type: none"> 1. Design of Shared Path along Ocean Drive between Brotherglen Drive and Sirius Drive as part of the Schools to Schools network. 2. Design Cycleway (Shared Path) along Ocean Drive from Pacific Highway to Glen Haven Drive as part of the Schools to Schools network. 3. Construct a shared user path along Ocean Drive from Miala Street and the Medical Centre. 4. Construct a shared user path along Ocean Drive from Mountain View Road to Brotherglen Drive as part of the Schools to Schools network. <p>These works have a total value of \$475,000. The Port Macquarie Bike plan and other plans for new cycleway/shared path assist in informing plans for new infrastructure and assist in making nominations through the RMS for grant funding to undertake such works. For the 2017-18 draft Operational Plan Council has applied for approximately \$520,000 of funding from the RMS for the planning, design and construction of shared paths in the LGA. Should all funding applications be successful, Council will then need to contribute approximately \$350,000 to these projects and this funding requirement forms part of the Operation Plan item 4.4.1.23 of \$500,000.</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
Topic: Kew Main Street		
8145	Bignall – Kew Town Centre Committee	Request for Council to complete Stage 2 of the Kew Main St Master Plan that includes pedestrian crossing, marking and sign posting of median and centre parking areas and second stage of beautification works.
9939	Saunders – Camden Haven Chamber of Commerce	Request for Council to complete Stage 2 of the Kew Main St Master Plan that includes pedestrian crossing, marking and sign posting of median and centre parking areas and second stage of beautification works.
<p>Council Response: The Kew Main Street Plan was developed prior to the movement of the Pacific Highway and therefore was created based on an assumed use of the area once the new highway was opened. It is very high level and there are no detailed designs or even engineering concept plans relating to the Kew Main Street, beyond the works recently completed to install the roundabout. As a result of reviewing the current situation, Council has included an Operational Plan line item 4.4.1.34 CW - to undertake detailed investigations, option assessment, concept plans, community engagement, and detailed design and cost estimation, for the north western area of the roundabout (Kew Store). Council will also undertake to update the line marking and regulatory/information signage that is currently in place. \$100,000 has been allocated in the 2017-18 Operational Plan budget to undertake this work.</p>		
Topic: Lake Cathie Skate Park		
9808	McCleary	Support for Lake Cathie Skate Park development
9810	Hale	Support for Lake Cathie Skate Park development
9813	Smith	Support for Lake Cathie Skate Park development
9819	Cook	Support for Lake Cathie Skate Park development
9823	Gray	Support for Lake Cathie Skate Park development
9826	Morley	Support for Lake Cathie Skate Park development
9905	Robinson	Support for Lake Cathie Skate Park development
9907	Hayes	Support for Lake Cathie Skate Park development
9919	Warner	Support for Lake Cathie Skate Park development
10032	Jolly	Support for Lake Cathie Skate Park development
<p>Council Response: The need for development of a master plan for Lake Cathie Foreshore has been identified by Lake Cathie Progress Association and Council have agreed to lead this process during 2017-18. Council recognises the level of current community support for development of a skate park in Lake Cathie. The draft 2017-18 Operational Plan includes the following action: 2.3.2.4 Commence Regional Master planning for recreational facilities: Performance measure: Commence master planning for two beaches. The performance measure has been modified to identify Lake Cathie Foreshore as one of the two beaches to commence master planning. As such, the skate park will be considered during development of the master plan.</p>		
Topic: Leash free dog park in Port Macquarie		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
8221	Clode including a petition with 500 signatures	Request for a leash free dog park in Port Macquarie
8225	Mewett	Request for a leash free dog park in Port Macquarie
8227	Sullivan	Request for a leash free dog park in Port Macquarie
8229	Dein	Request for a leash free dog park in Port Macquarie
8237	Cooper	Request for a leash free dog park in Port Macquarie
8437	McKinnon	Request for a leash free dog park in Port Macquarie
<p>Council Response: Plans to develop leash free dog parks in the Port Macquarie - Hastings are progressing. The Port Macquarie facility has not yet been prioritised by Council. However, given current community support for this project Council is supportive of inclusion of development of a Concept Plan for the facility to be developed at Boom Reserve. Therefore, the 2017-18 Operational Plan has been updated as follows: Operational Plan action 2.3.2.4 Commence Regional Master planning for recreational facilities. Performance measure updated to include: Develop a Concept Plan for the Leash Free Dog facility to be developed at the Boom Reserve Port Macquarie. The Camden Haven facility at Henry Kendall Reserve, Laurieton is also currently under development and will be available for use this year. The Wauchope facility will be incorporated into the Hastings Regional Sports Complex. Planning for this facility has commenced. You can learn more about this project at http://www.pmhc.nsw.gov.au/Culture-Sport-Leisure/Sports-Fields/Hastings-Sports-Precinct-Plan.</p>		
<p>Topic: Mrs Yorks Garden - Woodland Walk</p>		
10035	Davidson – Friends of Mrs Yorks Garden	Request for funding for Mrs Yorks Garden - Woodland Walk
<p>Council Response: Council has in recent years made many financial contributions toward helping the more proactive and motivated community groups achieve their goals where those goals are aligned with Council's. Examples include PM Combined Lions Club with upgrade of Gaol Point; Sunrise Rotary, Lighthouse plan implementation, etc. The request for funding for stairway and viewing deck would go some way toward completing the current approved plan for the site, with the walkway connection to Town Beach North being the exception. An Operational Plan item has been created - 2.3.4.10 CW – Mrs York Garden – construct Woodland Walk. \$50,000 has been allocated in the 2017-18 Operational Plan budget to undertake this work.</p>		
<p>Topic: Port Macquarie Swimming Pool redevelopment</p>		
7625	Freeman – Community Aquatic Centre & key stakeholder support	Would like Council to commence the process for redevelopment of the Port Macquarie swimming pool due to serious structural issues and is beyond its used by date.
<p>Council Response: The submission from the Community Aquatic Centre Committee is acknowledged and</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
<p>the offer to assist Council in planning for an upgraded Port Macquarie Olympic Pool is welcomed. Staff will engage with the committee early in the new financial year to discuss project planning, to support the Operational Plan action - 2.3.2.4 Commence Regional Master planning for recreational facilities. Performance measure: Develop a strategic concept plan for Port Macquarie public swimming pool including the site selection process.</p>		
Topic: Lighting at Laurieton Tennis Courts		
8746	McIntosh	Laurieton Tennis Club
<p>Council Response: Council is influenced by the Camden Haven Sport and Recreation Management Committee in regard to prioritisation of funds at the Vince Inmon Sporting Complex. The committee has to date prioritised lighting upgrades which benefit a number of user groups and maximise the useability of fields at this facility. On this basis, the allocation of funds for Laurieton Tennis Club are not considered a priority for Council at this point in time. However, having staff work with the club to develop a strategy to support the ongoing maintenance and improvement of Laurieton Tennis Club is supported. A number of tennis clubs across the local government area are self-reliant and transitioning the club to this position is possible in the short to medium term. Opportunities to achieve this include (but are not limited to) review of fee structure, membership and marketing models as well as a broad range of grant funding programs available for sport facilities and community infrastructure.</p>		
Topic: Beechwood Tennis Court		
10163	Burn	Resurfacing of Beechwood Tennis Court
<p>Council Response: Should the surface be a hazard for players, Council might be required to contribute towards renewal. However, Council typically require clubs to generate income through use to renew and upgrade facilities. As noted, the club holds significant funds which should be allocated toward court works. Further, there are rebates from Tennis Australia for resurfacing which meet required standards. In this instance the rebate to the club could be \$6,000. Council staff will undertake an assessment of the court surface to determine the urgency of resurfacing before a final decision is made in regard to this request for funding. The community grant path may be most appropriate avenue (assuming eligibility), and may well encourage the club to pursue other grants in future among the significant range of programs that fund works of this nature.</p>		
Topic: Roads		
1871	Dirago	Request for Council to review the situation on Lighthouse Road (East) and the danger to pedestrians.
<p>Council Response: Council are familiar with this section of road. The works that have been designed for Lighthouse Road (east) have been prepared so that the upgrade can be considered along with all other potential road projects across the Local Government Area. However, the estimated project costs are in excess of \$1M and at this time, have not been funded</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		in the 2017-18 Operational Plan. Consideration has been given to recent grant opportunities however to date the project has not meet the necessary funding criteria and therefore formal applications have not been made. Council will further consider funding this project in the preparation of the 2018-19 Operational Plan and budget.
2787	Chard	Maria River Road - request for future bitumen sealing - concerns for safety and need to upgrade Maria River Road
<p>Council Response: Council have considered this request and agree that determining which unsealed roads are the priority for sealing should be considered in the first instance. As a result a new Operational Plan action for 2017-18 will be created to: Undertake broad analysis of priorities for sealing of unsealed roads.</p>		
5796	Mowle - Hastings Construction Industry	<p>Construction Industry (HCIA) Stakeholder feedback on infrastructure priorities. Immediate priority: Lake Rd, Ocean Drv, Boundary St, CBD Pavement, Hastings River Drive Medium priority/future: Southern Orbital Link, Airport Link, Outer Orbital Planning and critical infrastructure: Area 13, Area 14, Area 15</p>
<p>Council Response: Lake Rd - Council is currently in the process of undertaking planning and design for the duplication of Lake Rd from the Oxley Highway to Ocean Drv and this is continued in the 2017-18 draft Operational Plan (OP) 4.4.1.10. Construction of the duplication from Oxley Highway to Toorak Ct is scheduled to commence in the 2017-18 draft OP 4.4.1.11 allocated \$1.8m.</p> <p>Ocean Drive - Detailed designs for duplication from Green Meadows Dr to Matthew Flinders Dr are complete with the final round of community engagement occurring in May. Future delivery of this project will be dependent on the availability of external grant funding. Project may need to be delivered in stages. There is no specific timeline on this, however Council will be working with the RMS and local members on how the staging may be undertaken.</p> <p>Boundary St and Hastings River Drv (Hughes Pl to Boundary St), options assessments and concept plans are being undertaken as part of the 2016-17 OP. The draft 2017-18 OP Item 4.4.1.13 has \$800,000 allocated for detailed design on this project.</p> <p>CBD Pavement - all pavements are assessed based on Council's hierarchy and risk assessments. Currently William St from Murray St to Hay St is planned for Asphalt replacement in May/June 2017. Gordon Street between Horton St and Lake Rd commences May 2017. Pavement rehabilitation for Gordon St between Horton and Ocean Drv is currently under investigation. There are some significant pavement issues and water main relocations that will be required to enable the pavement works to be completed and investigations have commenced into how to best integrate all the required works. Current plan is for the Gordon St pavements in this location to be dealt</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		<p>with in the next 2-4 years.</p> <p>As per the Council resolution from May 2015, investigations have been underway into orbital roads and a secondary link to the airport. The traffic modelling for these is included within the Areas Wide Traffic Study which is due for completion mid 2017. An engineering feasibility study is also underway to look at potential corridors and construction issues for an outer orbital and secondary airport link. Following the final outcomes of this study (which will incorporate information from the area wide traffic study) a pathway for future planning and investigations can be considered.</p> <p>Development Servicing Plans (DSP): With the recent high level of incoming s94 and s64 contributions, council now has funding to undertake planning and pre-construction for critical infrastructure in the main release areas. The following are industry priorities:</p> <p>General comment: The priorities of the HCIA are noted and this information will be taken into consideration in development of Council's forward works program. Specific comments on the individual items are provided below.</p> <p>Area 13 DSP - Section 94 & Section 64 Funded Infrastructure -Area 13 • Priority 1 - John Oxley Drive Upgrade & Intersections/Pre-construction Works comment: There is only minimal local s94 funding available as most of the contributions to date have been used as offsets for works in kind for local infrastructure • Priority 2 - Sewer Servicing & Reclaim Mains comment: This work has either commenced or is in the planning phase.</p> <p>Area 14 DSP - Section 94 and Section 64 Funded Infrastructure - Area 14• Priority 1 - Ocean Drive Upgrade & Intersections Pre-construction comment: There is only minimal local s94 funding available as most of the contributions to date have been used as offsets for works in kind for local infrastructure. • Priority 2 - Completion of Trunk Sewer & Water Mains comment: This work is ether under way or needs to be undertaken in conjunction with subdivision developments in the locality.</p> <p>Area 15 DSP - Section 94 & Section 64 Funded Infrastructure - Area 15 • Priority 1 - Area 15 Sewer Network (SPS & SRM) Comment: Work has commenced on the construction of the Sewer Pump Station with design work being undertaken for the upgrade of Kew Sewer Treatment Plant to cater for the long term growth of the area • Priority 2 - Major Roadwork Links Comment: Development in this precinct has not commenced and Council has no funding at this stage to undertake road links which will need to be constructed as part of the conditions of consent for development with contribution offsets to be provided.</p>
6525	Warner – Lake Cathie Progress Association	1. Ocean Drive Lake Cathie 2. Lake Cathie Master Plan
9228	Roberts	Ocean Drive Lake Cathie
9939	Saunders – Camden Haven Chamber of Commerce	Ocean Drive Lake Cathie - upgrade
<p>Council Response:</p> <p>Ocean Drive: Plans for this area were developed over a decade ago during a different economic climate and different approach to Council's road asset management. Council</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		<p>has a key driver to ensure the maintenance of its existing assets reduces deterioration of the network on a public risk basis, and that upgrades to infrastructure are prioritised based on fit for purpose requirements and the overall network need in terms of traffic capacity and safety. As such, works are heavily focused towards maintaining the network with few upgrades, and while there are designs for a major upgrade of this section of road, other upgrade works are of a higher priority. Council is currently planning on undertaking road maintenance activities in the coming months on Ocean Drive including rehabilitating from 200m north of Middle Rock Rd to Fiona Cres, and resealing from Fiona Cres north to the bridge. The plan is to complete the rehabilitation in the 2016-17 financial year and undertake the reseal in the 2017-18 financial year. Once the pavement temperatures return to the required levels in September; current temperatures are too low for resealing.</p> <p>Furthermore, and as a result of discussion on this topic, Council has now included a new Operational Plan action 4.4.1.32 - to undertake corridor planning – Kendall Road – Ocean Drive – Hastings River Drive regional road corridor. \$250,000 has been allocated in the 2017-18 Operational Plan budget to undertake this work.</p> <p>Included also is an additional Operational Plan action 4.4.1.33 CW - to undertake detailed designs for Ocean Drive Lake Cathie (north) Miala Street to Orana Drive. \$250,000 has also been allocated in the 2017-18 Operational Plan budget to undertake this work.</p> <p>Lake Cathie Master Plan - The draft 2017-18 Operational Plan includes the following action: 2.3.2.4 Commence Regional Master planning for recreational facilities: Performance measure: Commence master planning for two beaches. The performance measure has been modified to identify Lake Cathie Foreshore as one of the two beaches to commence master planning.</p>
9226	Geddes	Ocean Drive Lake Cathie - concerns for safety of cyclist and road users - would like council to consider suggested rules and traffic flows as provided on the RMS website
		<p>Council Response:</p> <p>Under the minimum passing distance road rule passed on 1 March 2016, drivers will be exempt from the following (existing) road rules as long as it is safe to pass the bicycle rider with at least a metre of space and they have a clear view of approaching traffic:</p> <ul style="list-style-type: none"> • Keep to the left of the centre of the road (two-way road with no dividing line) • Keep to the left of the centre of the dividing line - broken and unbroken lines • Keep off a flat dividing strip • Keep off a flat painted island • Driving within a single marked lane or line of traffic • Moving from one marked lane to another across a continuous line separating the lanes <p>This means, that in order to allow drivers the minimum distance required, the road rules have been amended to permit motorists to cross centre lines (including double unbroken centre lines), straddle lane lines and drive on painted islands to pass cyclists but only when it is safe to do so. If drivers cannot pass a bicycle rider safely they should slow down and wait until it is safe to pass the rider leaving the minimum distance.</p> <p>Where there are double white lines, the onus rests with motorists - "if drivers cannot pass a bicycle rider safely, they should slow down and wait until it is safe to pass the rider, leaving the minimum distance".</p> <p>When planning and designing any road upgrade, Council considers all aspects of community need, road use and topography and pedestrian, cyclist and motorist safety</p>

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		to ensure the best outcome within the available budget, while complying with the required Australian Standards. Any future designs for this section of Ocean Drive will consider the high level of cyclist use, among other things. Council has also included a new Operational Plan action 4.4.1.32 in 2017-18 to undertake corridor planning – Kendall Road – Ocean Drive – Hastings River Drive regional road corridor.
9201	Byatt	Concerns that improvements to Wauchope and CBD are not a priority of Council
<p>Council Response: Council has been undertaking the detailed design for the works identified in the adopted Wauchope Main Street Plan, and has recently had final Roads, Maritime Services (RMS) approval of the plans and cost estimates. Council has applied for \$1.8m in funding from the RMS for the 2017-18 financial year to implement the detailed design. Council is currently awaiting notification from the RMS as to whether it has been successful in this grant application.</p>		
8593	Forster	Request for Orbital Road
<p>Council Response: As per the Council resolution from May 2015 investigations have been underway into network planning options including an Orbital road. The traffic modelling for this is included within the Area Wide Traffic Study which is due for completion mid 2017, and an engineering feasibility study is also underway to look at potential corridors and construction issues for an orbital road. Following the final outcomes of these two studies a pathway for future planning and investigations can be considered.</p>		
8735	Forster	1. Settlement Point Rd upgrade and include cyclepath/walkway 2. Cyclepath along John Oxley Drv from Lake Innes to Thrumster
<p>Council Response: 1. Whilst Settlement Point road upgrade is not currently identified for funding within Council's immediate budgeting it is identified as a road for future consideration for upgrade, including shared path access, which is identified for future provision in the Port Macquarie-Hastings Bike plan. 2. As development occurs in the Thrumster area, a future upgrade will be required for John Oxley Drive and a cycleway/shared will be considered at that time.</p>		
8899	Wilbore	Request for repair and resurfacing of Gordon St PMQ
<p>Council Response: Pavement reconstruction and upgrades on Gordon St between Horton St and Lake Rd commences in May 2017. Pavement rehabilitation for Gordon St between Horton and Ocean Dr is currently under investigation. There are some significant pavement issues and water main relocations that will be required to enable the pavement works to be completed, and investigations have commenced into how to best integrate all the required works. Current plan is for the Gordon St Pavements in this location to be dealt with in the next 2-4 years.</p>		
9053	Payne	Request for resurfacing at Bellbowrie St PMQ and Western end of Bay St
<p>Council Response: Council is planning for the rehabilitation of Bellbowrie St and Bay St. To accommodate</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		these works there are water mains that first need to be moved to allow the pavement to be properly repaired. In coordinating these works it is planned to have the roads rehabilitated in the next 2-3 years.
9200	Johnson	Link Road - Lake Innes to Lighthouse
<p>Council Response: As per the Council resolution from May 2015, investigations have been underway into network planning options including an Orbital road which includes a link from Lake Innes to Lighthouse. The traffic modelling for this is included within the Area Wide Traffic Study which is due for completion mid 2017, and an engineering feasibility study is also underway to look at potential corridors and construction issues for an orbital road. Following the final outcomes of these two studies a pathway for future planning and investigations can be considered.</p>		
9653	Dowse	Request for improvements to the corner of Hastings River Drive and Aston Street Port Macquarie
<p>Council Response: Council has historically used the area as an informal staging area for Road related works rather than a stockpile site. However the site does sit within Council's road corridor and Council reserves the right to stockpile at this location in future as required, as we have done previously with Hastings River Drive duplication works. As the area is within the roads corridor and has historically been used by motorists as a pull over bay, informal parking and turn around bay, it has not been top-dressed or turf seeded. Council has future plans to upgrade the intersection to provide improved pedestrian access. These upgrades will provide an opportunity to improve the amenity of this corner. The timing of these works will be subject to future funding opportunities.</p>		
9673	Crofts	Would like to know if Pembroke bridge (Stoney creek) is listed for repairs/replacement
<p>Council Response: Council has 154 bridge structures and major culverts to maintain including 80 Timber bridges. Currently Stoney Creek Bridge on Pembroke Rd has a priority ranking of 48. Currently there are no plans for major rehabilitation or renewal, however maintenance work will be undertaken as required to ensure the structure remains serviceable in line with Council risk prioritisation across all bridge structures.</p>		
Topic: Various		
10050	Hafey – Bonny Hills Progress Association	1.Lack of detail provided in the Operational Plan relating to items that have a performance measures of "Project delivered according to approved project plan" 2.Concern with useability of the documents for the community 3.Various comments on specific Operational Plan line items
<p>Council Response: 1 - In relation to performance measures "project delivered according to approved project plan". These items are associated to Capital Works projects. Under the Operational Plan Action, the 'CW' means that a particular item is a 'Capital Work' (CW) and is linked to the list of 2017-18 Capital Works Program towards the end of each Community Theme. Thus: 2.3.3.6 CW - Carry out playground equipment replacement program,</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		<p>with a performance measure of replacement delivered according to approved schedule. This is linked to the list of 2017-18 Capital Works Program on page 70-71, and details the playgrounds that are on the approved schedule.</p> <p>2 - The PDF format is used by Council because of the security of the content within digital documents. However, Council would like to work with BHPA committee to support this requirement.</p> <p>3 - 1.2.1.1 – In relation to the request to formally meet with Council on a regular basis, Council staff will contact Bonny Hills Progress Association to discuss this further.</p> <p>1.4.1.4 CW - Yes, aerial photography images are available to the public. Fees associated with obtaining this imagery are detailed in Council's Schedule of Fees and Charges 2016-17</p> <p>4.1.5.04 - Noted error in title - this will be amended to Skyline Place.</p> <p>4.4.3.3 - Council confirms its previous advice that the results of the Area Wide Traffic Study will be available to the community when the final report is considered by Council. The final report and Council review is expected in mid 2017 with a report to Council expected in the latter part of 2017.</p> <p>2.3.4.4 - Lake Cathie Bonny Hills Sporting Complex -There has been a change in approach to the project since development of the Operational Plan. The developer now has lead responsibility for development of the Lake Cathie Bonny Hills Sporting Complex and the 2017-18 Operational Plan will be amended to reflect this. The detailed design is based upon the approved Concept Plan.</p> <p>2.3.2.5 CW - Camden Haven River Recreational Boating Improvements: This project includes the upgrade of Bruce Porter Reserve Boat Ramp, Laurieton and Dunbogan Reserve Boat Ramp as per the recently adopted Roads & Maritime Services (RMS) Camden Haven River Recreational Boating Needs Investigation. It is anticipated that RMS funding will be allocated to supplement Council's funding to allow for full scope upgrade of both of these facilities as per the Concepts developed in the Investigation.</p> <p>2.3.3.10 CW - Spoonneys Bay Reserve: BHPA support for this project is noted.</p> <p>2.3.3.1 CW - Parks Signage: This budget is primarily for the provision of new and renewal of existing ordinance and risk based signage in parks. The provision of interpretive signs is typically a stand alone project within the Operational Plan, or forms part of the scope of a larger project. i.e. the current upgrade of Queens Lake Walking Trail.</p>
220	Williams	<p>1.Request for additional staff for tree management</p> <p>2.Suggest that the water meter reader have small motor bikes</p>
		<p>Council Response:</p> <p>1.Council acknowledge this submission. In order to manage high risk trees a new Operational Plan action has been created - 4.6.1.7 - Tree maintenance - undertake pruning or removal of high risk trees. \$96,000 has been allocated in the 2017-18 Operational Plan budget to undertake this work.</p> <p>2. Unfortunately due to location of meters the use of small bikes is not practical for meter readers. Wherever possible motor vehicles are used and parked at various locations, and runs scheduled to maximise their benefit. However generally it is necessary to walk to the meter.</p>
8232	McKenzie	Objection to rate rise and use savings to fund existing projects

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		<p>Council Response:</p> <p>Council does hold cash reserves as an alternative to (or to supplement) borrowing. However there are restrictions on these reserves which limits the purpose for which they can be used. As at June 2016, Council held \$214 million in cash and reserves. Predominantly, these reserves are all allocated for specific purposes, with 70% of these reserves legally only being able to be used for the purpose for which they were collected (for example for water and sewer). The remaining reserves are also predominantly held for specific purposes (for example, for the development of the Airport, or to fund projects which have already commenced). The balances of these reserves are audited annually and published in Council's financial statements. The Port Macquarie-Hastings area is a high growth centre of the North Coast region and is expected to accommodate a significant proportion of regional growth over the next two decades. The population will grow from 79,114 in 2016 to 102,926 in 2036. As a consequence of this growth, Council must not only provide services to the existing community and maintain existing assets, but Council must also plan for future maintenance and capital expenditure on the infrastructure that will be needed to support the community, business and visitors to the area into the future. The balances of these reserves are invested until such time as they are required. These investments are made in accordance with Council's investment policy and a Ministerial order which are designed to minimise risk to Council. With respect to the special variation applied for in February, I would like to clarify that this application was to embed an existing rating variation. The impact of the variation applied for would be an increase of rate peg only, not a further increase to the ratepayer</p> <p>It should also be noted that at the Ordinary Council Meeting held on 17 May 2017, Council resolved the following recommendation:</p> <ol style="list-style-type: none"> 1. Note that the Independent Pricing and Regulatory Tribunal NSW (IPART) have determined that Port Macquarie-Hastings Council "may increase its general income in 2017-18 by 5.39%, including the rate peg of 1.5%. 2. Note that the special variation can be retained in the Council's general income base permanently. 3. Note that this special variation is a continuation of the funding provided by the existing special variation which expires 30 June 2017, and is for the purpose of maintaining and renewing Council's road network.
9059	Ottaway	Would like to know what is happening with the PMQ foreshore
		<p>Council Response:</p> <p>Council and other land management agencies have well developed plans associated with future upgrade of Port Macquarie's foreshores. Council and Department of Primary Industries-Lands (DPI) have recently developed Concept Plans for the upgrade of the foreshore from Kooloonbung Harbour to the Town Green and from Town Green to the end of the breakwall. The implementation of the plans are now being considered by Council and DPI-Lands.</p> <p>The upgrade of Town Green East commenced on Monday 15 May 2017 and will run through until November 2017. This project will deliver a new, wider 5 metre concrete path along the foreshore which will provide a more comfortable and accessible link between Lady Nelson Wharf and the breakwall, and new lighting and seating will create a more usable and relaxing space.</p> <p>The sea wall will also be rejuvenated, with 2,500 tonnes of new rock being brought in to protect the area. Stormwater upgrades will occur and the existing power and lighting will</p>

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		<p>be replaced to make the area more appealing.</p> <p>The upgrade of Port Macquarie Coastal Walk is also a priority for Council. Planning for the upgrade of the coastal walk has commenced with upgrading of priority sections to commence later in 2017.</p> <p>Upgrading of the revetment wall and installation of a shared walkway/cycleway through Westport Park is planned for 2017-18. This project is aligned with the Westport Park Plan of Management and will improve accessibility in this significant public space.</p>
9074	Cole	Request to demolish the food for less building
		<p>Council Response:</p> <p>Council does not own the Food for Less building. Council's role is limited to managing the car park area on behalf of the NSW Government. It should also be noted that Council does not have the power to require demolition of the building for atheistic purposes. Any broader plan for the waterfront, Food for Less building, Kooloonbung foreshore and the Plaza car park site will require consideration and approval by the property owners, i.e., the NSW State Government and Woolworths. Council will seek to take an active role in any discussions on this matter.</p>
9176	Henry	New Bonny Hills amenities block at Rainbow Beach only has toilets and no change shed/area and regular cleaning
		<p>Council Response:</p> <p>Plans for Rainbow Beach Reserve to undertake this project have been in place since adoption of the Bonny Hills Master Plan in 2012. Council noted the concerns of cleanliness of toilets for use as change rooms. Council will investigate the frequency of cleaning and increase, this should the current level of service be inadequate. Council will consider an appropriate cleaning regime for the Rainbow Beach facility going forward to ensure they are appropriate for use as a change room.</p>
9178	Jones	New Bonny Hills amenities block at Rainbow Beach raising the question on why the amenities need to be moved. Why can't council renovate the existing?
		<p>Council Response:</p> <p>Downsizing and relocation of the Rainbow Beach reserve amenities has been on Council's agenda since adoption of the Bonny Hills Reserves Master Plan in 2012. Recent community engagement was undertaken to ascertain exactly where the facility should be located.</p>
9675	Parker	Requesting that Council grant permission for resident to beautify the area under the figs at the front of houses in Hastings St Wauchope
		<p>Council Response:</p> <p>Staff will contact the author of this submission to discuss further.</p>
9900	Name withheld	Request for funding allocation for an Athletics Track be placed as a high priority for Council's future planning.
		<p>Council Response:</p> <p>Council recognises the need for a range of sporting facilities to be provided to accommodate the broad range of sports being played within the local government area. In line with this need, Council has developed master plans for a number of Port Macquarie sporting fields including Wayne Richards Park, which identifies inclusion of an athletics facility (Stage 4). Timing for delivery of this stage of Wayne Richards Park is not known at this time. Council's current focus in relation to sports facilities is development of Hastings Regional Sports Complex, detailed design of Lake</p>

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		Cathie/Bonny Hills Sports Fields, Thrumster Sports Fields and Wayne Richards Park Stage 3, as well as improving the quality of existing Port Macquarie sports fields to maximise utilisation.
10039	Pursehouse - Rep of Wauchope Chamber of Commerce - Motorcycle Friendly town	Requesting support for Motorcycle Friendly Town initiative
<p>Council Response: Council acknowledges the success of the Motorcycle Friendly Town Initiative and the great work by volunteers to grow the concept. Council will continue to work with the Wauchope Chamber of Commerce to support initiatives under the program as they link to our Operational Plan priorities 3.2.1 Support vibrant commercial, tourism, recreational and or community hubs across the region. 3.4.2 Support local business networks. 3.1.4 Marketing and public relations support under our Destination Management Plan implementation.</p>		
10162	Roberts	Consideration of a rego card for annual beach permits holder to allow multiply vehicles registered to the same owner to be used under the one permit
<p>Council Response: There is no intention to introduce a multi-vehicle beach permit in the Port Macquarie-Hastings local government area. The overwhelming majority of applications for permits are for a single nominated vehicle. If additional vehicles are used for beach driving, then a separate beach permit must be purchased. Port Macquarie-Hastings Council has reciprocal arrangements with Kempsey and Nambucca Shires to mutually recognise each others beach permits, allowing holders to access all permissible four-wheel driving beaches in these three local government areas. MidCoast Council has also expressed a desire to join this arrangement in the near future. None of these councils issue permits for multiple vehicles, so for PMHC to do so would unnecessarily complicate this mutual arrangement between the Mid North Coast councils.</p>		
10032	Jolly	Request to keep Lake Cathie open Expansion of Kenwood Drive bridge and dredging south of the bridge
<p>Council Response: Lake Cathie - Council's Adopted Lake Cathie Opening Strategy allows for the artificial opening based on a set of agreed and approved triggers. The duration of any one opening is governed by proceeding weather and ocean conditions. The strategy balances the needs of amenity, recreation pursuits, flooding and environmental assets within the bounds of state and federal legislation. In accordance with this Strategy, Council has no commitment to prolong the duration of an opening, or permanently keep the lake open. Expansion of Kenwood Drive - In 2011, Investigations were made in testing the enlargement of the Kenwood Drive Bridge and additional dredging upstream to improve water flows and quality to the Lake Cathie System. This Hydrodynamic report concluded that there was marginal benefit in undertaking these works. These findings were reported through Council's Coast Estuary and Flood sub Committee and further</p>		

Ensuring Good Governance

Ref. No	Submission Author Name	Submission summary
		supports maintaining Council's current Lake Opening Strategy.

Internal Consultation

The following levels of staff have reviewed, assessed and considered the draft documents throughout the public exhibition period:

- Councillors.
- Executive.
- Senior Leadership Team/Group Managers.
- Integrated Planning and Reporting Development Officer.
- Planning and Reporting Officer.
- Staff.

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

The 2017-2018 Budget

Within the One year Operational Plan is an overview of how the proposed activities included in the plan will be funded, including the budget statement and capital works program.

The 2017-2018 budget forecasts a budget shortfall (excluding depreciation and loss on disposal of assets) of \$586,858. This compares to the \$840,219 shortfall in the previous (2016-2017) budget.

During the 2015-2016 budget compilation process, it was identified that Stormwater maintenance continues to be an area which is underfunded. As a result, an additional allocation of \$500,000 was made for this purpose. This \$500,000 has been continued in the 2017-2018 financial year.

Ensuring Good Governance

Budget Summary

	2017-2018 Budget \$'000
Operating Budget	
Operating Income	176,125
Developer Provided Asset Contributions	6,500
Operating Expenses (ex depreciation, loss on the disposal of assets and interest expense)	(102,816)
Interest Expense	(3,097)
Net Operating Budget	76,712
Capital Items	
Net transfers from reserves	48,271
New Loans	4,850
Purchase of Assets	(112,567)
Developer Provided Assets	(6,500)
Loan Principal Repayments	(11,353)
Net Capital Result	(77,299)
Budget Result surplus/(shortfall)	(587)

The total expenditure in 2017-2018 will be \$236.3m which includes the following breakdown:

Expenditure

	\$'000
Ongoing operational costs (excluding depreciation, interest on loans and asset write offs)	102,816
Capital Works Projects	112,567
Developer Provided Assets	6,500
Debt Servicing Costs	14,450
	236,333

Council's projected income for 2017-2018 is forecast at \$182.6m, broken down as below:

Ensuring Good Governance

Income

	\$'000
Rates and annual charges	91,264
User charges and fees, for services such as water, waste management, building and planning, animal registration, crematorium, airport and library	32,993
Interest Income	5,620
Grants and contributions made up primarily of state and federal government grants and developer contributions.	41,223
Developer provided asset contributions	6,500
Other revenue such waste management income, rental of Council facilities and fines.	5,025
	182,625

Loans and Borrowing

To provide for the future needs of our community, Council borrows money to fund infrastructure and community assets which cannot be funded out of normal revenue sources.

Total borrowings for 2017-2018 will be \$4.850 million. This includes proposed new borrowings as shown below:

New Borrowings by Project	Amount
Stormwater Renewal Program	1,000,000
Bulli Creek Bridge Replacement	375,000
Hartys Creek Bridge Replacement	475,000
Dunbogan Bridge - Reid Street	2,500,000
Footpath Construction	500,000
	4,850,000

Rates, Fees and Charges

A full listing of rates, fees and charges, relevant statutory regulations and the proposed income is provided in the attached Revenue Policy and Schedule of Fees and Charges. Once adopted all of these documents remain publicly available from Council's website, libraries and offices.

The allowable increase for general rates in the 2017-2018 financial year has been set at 1.5% by the Minister of Local Government and this has been applied in full to the proposed income calculations.

The 2016-2017 budget was the final year of an expiring 4.43% Special Rate Variation (SRV). This SRV commenced in the 2012-2013 financial year and has provided valuable funding for critical infrastructure works. In February 2017, Council applied to IPART for a Special Rate Variation of 3.89% plus rate peg, to embed the funds from the current 4.43% Expiring Special rate Variation. This application was approved and as such the rating figures in the fees and charges include the amount of the SRV.

Ensuring Good Governance

Funding over the five years to 2016-2017 has included:

- Over \$2m in Unsealed Road Maintenance
- Over \$4m in High Traffic Resurfacing
- Over \$1m Rejuvenation
- Close to \$1m in Road Construction

Attachments

1 [View](#). Towards 2030 Community Strategic Plan

2 [View](#). 2017-2021 Delivery Program and 2017-2018 Operational Plan

3 [View](#). 2017-2021 Resourcing Strategy including Long Term Financial Plan,
Workforce Management Strategy and Asset Management Strategy and Plan

4 [View](#). 2017-2018 Fees and Charges

5 [View](#). 2017-2018 Revenue Policy

6 [View](#). 2017-2018 Rating Maps

Ensuring Good Governance

Item: 09.08

Subject: MONTHLY FINANCIAL REVIEW FOR MAY 2017

Presented by: Corporate Performance, 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 and Economic Implications" section of the Monthly Financial Review Report for May 2017.

Executive Summary

This report will detail the monthly budget adjustments to 31 May 2017.

The Council adopted budget position as at 1 July 2016 was a shortfall of \$840,219. Adjustments made up to 30 April 2017 have improved the budget position to a surplus of \$178,894. The budget adjustments for May 2017 contained within this report maintain this surplus position.

Discussion

Monthly Budget Adjustments for May 2017

Each month, Council's budgets are reviewed by Managers and Directors with any required adjustments 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 original adopted 2016-2017 budget along with the proposed movement of funds to accommodate any changes.

At the May 2017 Council meeting, a report was detailed regarding the status of the Infrastructure works program. At this meeting it was resolved that:-

RESOLVED: Levido/Dixon

That Council:

- 1. Note the information provided in this report.*
- 2. Adopt the adjustments to the 2016/17 Operational Plan as detailed.*
- 3. Adopt the capital works budget adjustments as detailed in the report.*
- 4. Give consideration to including the projects deferred from the 2016/17 Operational Plan into the 2017/18 Operational Plan to be adopted in June 2017.*

Ensuring Good Governance

CARRIED: 6/0

FOR: Alley, Dixon, Griffiths, Intemann, Levido and Turner

AGAINST: Nil

The budget adjustments adopted by Council in the May 2017 report have not been included in this report.

Monthly Budget Review Summary

Original Budget as at 1 July 2016	Shortfall	(\$840,219)
<u>Plus adjustments:</u>		
July Review	Shortfall	(\$156,268)
August Review	Balanced	0
September Review	Surplus	\$7,725
October Review	Surplus	\$94,718
November Review	Surplus	\$505,761
January Review	Surplus	\$5,447
February Review	Surplus	\$561,730
March Review	Balanced	0
April Review	Balanced	0
May Review	Balanced	0
Forecast budget position for 30 June 2017	Surplus	\$178,894

May 2017 Adjustments

The following adjustments reflect budget movements as a result of over-expenditure reviews, transfers between accounts, grant funding, transfer from reserves and additional receipts etc that have no impact on the budget position (for example additional income has an associated expenditure budget):

Description	Notes	Funding Source	Amount
Reserve Transfers	1	Reserve	\$900,514
Additional income	2	Reserve	\$972,273
S94 Fund recoupment	3	S94	\$1,151,175
Transfers between accounts	4	Revenue/Reserve	\$539,224
Grant Projects	5	Grant	\$94,400
Over-expenditure Reviews	6	Revenue	\$8,720
Council reports	7	Reserve	\$1,104,366
Total			\$4,770,672

The following are included in the May 2017 adjustments:

Ensuring Good Governance

1. A number of budgets have been adjusted using reserve funds this month:-
 - \$67,000, Kerb Ramps & Refuges, PM Lau and Kew - Construction of Kerb ramps at 20 locations is now complete, however the cost for the completion is \$67,000 over the allocated budget. As the works included locations in the PM CBD there was substantial footpath alterations required to accommodate kerbs.
 - \$12,000, Boronia Street Pedestrian Refuge - The initial estimate for the Boronia Street pedestrian refuge has resulted in an additional \$12,000 being required due to additional pavement works.
 - \$27,300, Kendall Road Pedestrian Refuge - This project required additional footpath works along with a section of retaining wall.
 - \$190,700, Pappinbarra Road Frazers Creek - This project was heavily affected by the month of rain in March 2017.
 - \$135,000, Ocean Drive Shared path - Mountainview Road to Brotherglen - The initial estimate for this project showed that the allocated budget would be insufficient due to detailed investigations on the site, additional works required to enable the footpath to be placed including driveway and drainage adjustments and reprofiling the verge.
 - \$248,514, Mid Coast Road Services Settlement
 - \$220,000, Cairncross Facility Upgrade and Expansion approvals - This project commenced in October 2014 but was not carried over due to uncertainty with the extent of the budget that would be required this financial year. This budget is to cover the expected expenditure in 2016/17.
2. Council has received a payment from Smithbridge Australia Pty Limited for liquidated damages that were time related at the point of the assignment of the contract from Smithbridge to Waterway for Stingray Creek Bridge. These funds have been transferred to reserves for future expenditure on road infrastructure projects.
3. An adjustment has been made this month to recoup \$1,151,175 in S94 funds on road projects that were completed in previous years but insufficient S94 balances did not allow the usage of S94 funds at the time.
4. To better control budgets there was a need to carry out the following transfers between accounts:
 - \$90,000 has been transferred to the Engineering Data Standards Review from unexpended funds in the stormwater management area.
 - \$50,000 has been transferred to Water Quality Monitoring from Chemical Dosing System Upgrade within the water fund.
 - A total of \$399,224 has been transferred from the roads maintenance allocation to the following
 - o Additional Road Funding - \$286,824
 - o Reseals - \$112,400These transfers are to allow the accurate capitalisation of projects.
5. A number of grant adjustments have been included this month:-
 - \$20,000 Library Vroom Augmented Library Spaces

Ensuring Good Governance

- \$50,000 Kooloonbung Ck Nature park - Boardwalk Timber Replacement. Council has allocated an additional \$15,696 of its own funds to this project to match the grant.
 - \$20,000 Wauchope Pool - Council has received \$1,500,000 in grant funding for this project however only \$20,000 will be expended in this financial year.
 - \$4,400 Saving our Species Sophora Tomentosa reintroduction grant.
6. Executive have approved an over-expenditure review in the amount of \$8,720 for Floodplain Management Plan Implementation - This project has required the undertaking of flood extent mapping and additional hazard & hydraulic mapping. Not having this information would have provided an incomplete and inferior product that would compromise Council's ability to accurately assess development within the lower estuary reaches of the catchments within the LGA.
7. \$1,104,366 has been allocated to the Houston Mitchell Drive Stages 2 & 3 project in line with item 15.05 to the Committee of the Whole meeting on 17th May 2017.

It should also be noted that:

- Any overspends greater than \$50,000 and 2% of the project budget are reviewed and approved by the Executive Group, being their function to oversee operational activities and approve operational actions.
- Any potential 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

There are no planning and policy implications.

Financial & Economic Implications

Attached to the report for information is each individual budget adjustment by Division and Section. The budget movements within this report maintain the budget surplus at \$178,894.

Responsible Accounting Officer Statement

The approved budget result for 2016-2017 after the April 2017 Council meeting was a surplus of \$178,894. This report has made no change to this position. The surplus position is considered a satisfactory result for the year.

Attachments

1 [View](#). May 2017 budget Review

Ensuring Good Governance

Item: 09.09

Subject: INVESTMENTS - MAY 2017

Presented by: Corporate Performance, 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 May 2017.

Executive Summary

- Total funds invested as at 31 May 2017 equals \$251,983,253.
- At the 15 March 2017 Council meeting, the adjustments contained within the Monthly Financial review were adopted. These adjustments included budget adjustments to interest. As a consequence of these changes, the annual investment income budget increased from \$4,350,600 to \$6,690,179. The actual year-to-date investment income of \$6,771,181 now represents 101.21% of the total annual revised investment income budget of \$6,690,179.
- In line with Council's Investment Policy, the total portfolio has performed above benchmark levels.

Discussion

Overview

Councils (including Port Macquarie-Hastings Council) provide a broad range of services and associated infrastructure to their communities.

These services include (but are not limited to) the following:

- Water and Sewer services;
- Waste services;
- Port Macquarie Regional Airport;
- Cemeteries;
- Roads and Bridges;
- Various Recreation and Cultural facilities.

The Port Macquarie-Hastings area is a high growth centre of the North Coast region and is expected to accommodate a significant proportion of regional growth over the next two decades. The population will grow from 79,114 in 2016 to 102,926 in 2036.

Ensuring Good Governance

As a consequence of this growth, Council must not only provide services to the existing community and maintain existing assets, but Council must also plan for future maintenance and capital expenditure on the infrastructure that will be needed to support the community, business and visitors to the area into the future.

Council holds cash reserves as an alternative to (or to supplement) borrowing. As at June 2016, Council held \$214 million in cash and reserves. Predominantly, these reserves are all allocated for specific purposes, with 70% of these reserves legally only being able to be used for the purpose for which they were collected (for example for water and sewer). The remaining reserves are also predominantly held for specific purposes (for example, for the development of the Airport, or to fund projects which have already commenced). The balances of these reserves are audited annually and published in Council's financial statements.

The level of reserves held by Port Macquarie-Hastings Council is not disproportionate to other similar Councils, noting that different Councils provide different services. Not all Councils provide Water and Sewer services for example which require significant capital investment.

The balances of these reserves are invested until such time as they are required. This report details how Council invests these reserves to ensure the appropriate balance between risk and financial return (through interest).

In April 2017 at the Ordinary Meeting of Council, Council resolved to undertake an external independent review of Council's internal and external financial reserves. Staff have been sourcing an appropriately skilled supplier to undertake this review and it is envisaged that negotiations with this preferred supplier will be finalised shortly with the review to commence once negotiations are complete.

In addition, in May 2017 at the Ordinary Meeting of Council, Council resolved to defer \$18.7 million of Capital Works to the draft 2017/2018 Operational Plan (these works are considered in a separate report in this agenda titled *Integrated Planning and Reporting (IPR) Suite of Documents*). In essence, the funding for these works will now remain invested until these works are undertaken in 2017/2018.

Current Investments

Council is required to undertake investments in accordance with section 625 of the Local Government Act 1993. This report provides details of Council's investments, and certifies that all funds that Council has invested as at 31 May 2017, comply with this Act.

All investments have been made in accordance with the Act and Regulations, and Council's Investment Policy.

As at 31 May 2017, the investments held by Council totalled \$251,983,253 were attributed to the following funds:

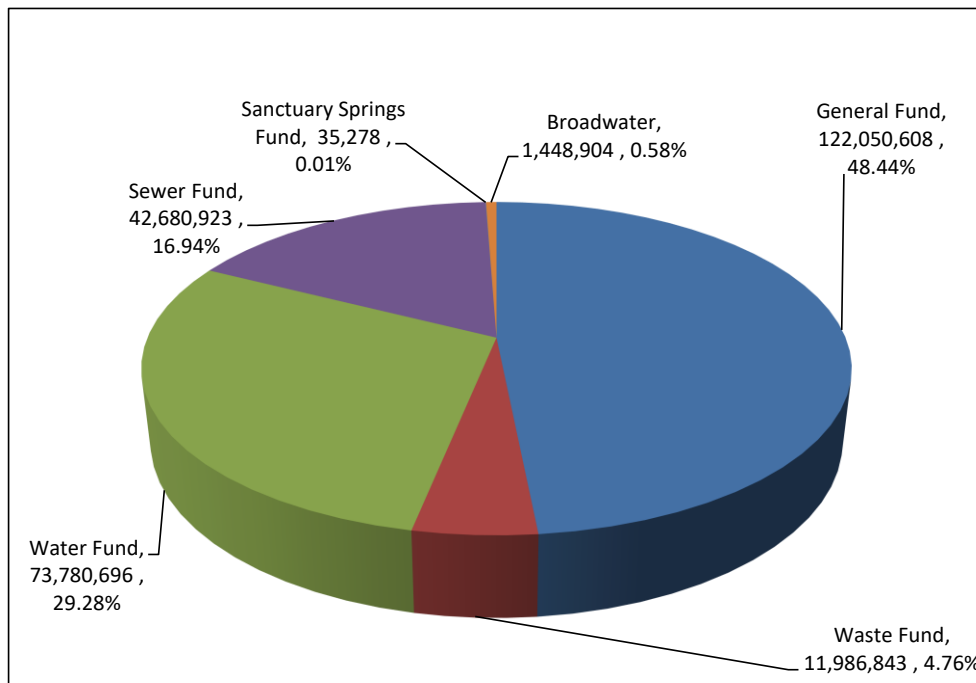
Ensuring Good Governance

General Fund	122,050,608.42
Waste Fund	11,986,843.35
Water Fund	73,780,696.48
Sewer Fund	42,680,923.39
Sanctuary Springs Fund	35,277.66
Broadwater	1,448,903.70
	251,983,253.00

Whilst the current level of investments remain high, these largely relate to funds which have legal restrictions (for example water and sewer), or for funds held for specific purposes.

These funds may be spent in the shorter or longer term depending on the required timing of future works. The totals will fluctuate dependent on the status of individual projects.

Investments by Fund - as at 31 May 2017



Portfolio Performance

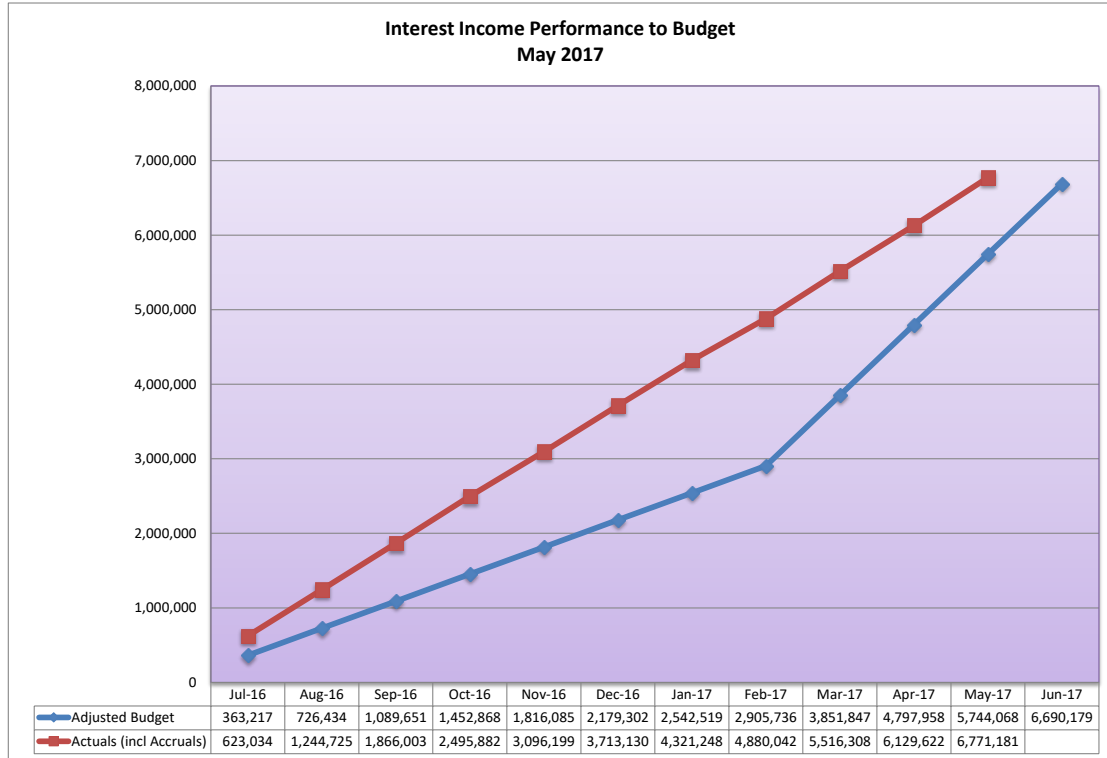
- Council's total investment portfolio performance as at 31 May 2017 was 1.24% above the benchmark (3.09% against 1.85%). Benchmark being the Bank Bill reference rate as at 29 May 2017 in the Australian Financial Review published 1 June 2017.
- Adjustments to budget which were adopted at the 15 March 2017 Council meeting result in an increase in the annual investment income budget from \$4,350,600 to \$6,690,179. These budget adjustments have been apportioned over the remaining months of the year.



GOVERNANCE

Ensuring Good Governance

- The actual year-to-date investment income of \$6,771,181 now represents 101.21% of the total annual revised investment income budget of \$6,690,179.



The year-to-date actual reflects total earning including both cash and accruals.

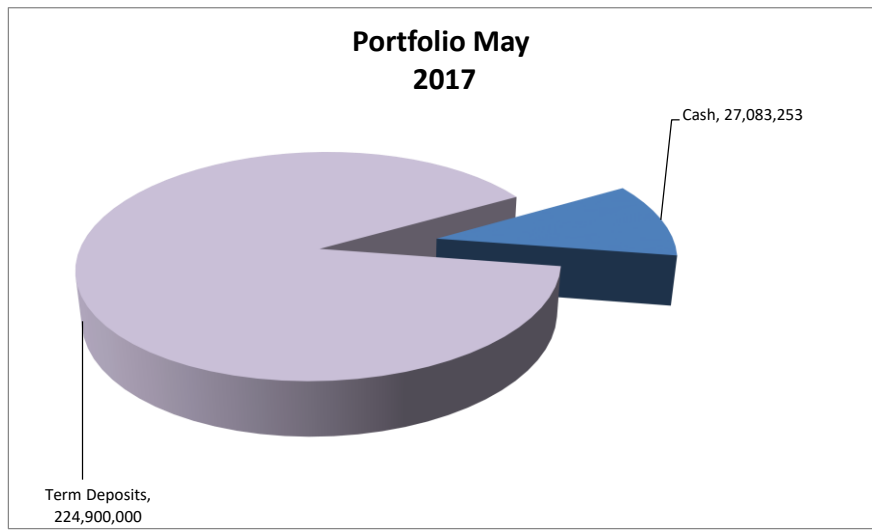
The variation in slope in the blue budget line represents an adjustment (and increase) to the investment income budget following a Council resolution in March 2017.

Investment Portfolio Mix

Council's current portfolio is made up of cash and term deposits. The total term deposits represent 101.21% of the total investment portfolio. As at 31 May 2017, the total investment portfolio was \$251,983,253 which is up from \$238,935,446 as at the end of April 2017. This consists of term deposits of \$224,900,000 and cash \$27,083,253.



Ensuring Good Governance



Term Deposits - Current month \$224,900,000 - Prior month \$218,900,000

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 as at 31 May 2017 is as follows:

Table 1 - Term to Maturity

This table shows the amounts invested by various maturity profiles. These are in accordance with limits established by Council’s Policy:

Term to Maturity	Balance \$	% Held	Policy Min	Policy Max
0 - 12 months	\$107,900,000	47.98%	40.00%	100.00%
1 - 3 years	\$101,000,000	44.91%	0.00%	60.00%
3 - 5 years	\$16,000,000	7.11%	0.00%	30.00%
Grand Total	\$224,900,000	100.00%		

Table 2 - Overall Portfolio Credit Framework

The institutions that Council invests with have credit ratings. Council policy specifies limits that can be invested within each rating band. These limits are to help avoid over exposure in any rating category. The table below groups the amounts held with various institutions based on their respective credit ratings, and compares the total to the maximum limit set for each credit rating category. Investments are within policy.



Ensuring Good Governance

Rating Framework	Total	% Held	Maximum % Policy
A	79,000,000	35.13%	60.00%
AA	109,900,000	48.87%	100.00%
BBB	30,000,000	13.34%	15.00%
ADI/Unrated	6,000,000	2.67%	10.00%
Grand Total	224,900,000	100%	

These tables show the total amount held for Council's term deposits as at 31 May 2017.

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.

Cash - Westpac Business Cash Reserve Account
Current month \$27,083,253 - Prior month \$20,035,446

This is not available unrestricted cash.

This is a maxi account which the Council uses as a cash management tool only. Funds are transferred in and out of this account daily prior to investment, given its higher rate of interest than the general payment account. Levels in this account vary dependent on the time of month and rate payer/creditor cycle.

Throughout the full month of May, \$9 million in funds matured with \$15 million in funds reinvested into term deposits. There was a large spike in receipts at month end as a result of the quarterly rates instalment due date. These funds will be reinvested early next month.

It should be noted that funds currently within the Westpac Business Cash Reserve Account are attracting an interest rate of 2.2% being the current cash rate plus 0.7% (based on the cash rate drop on 3 August 2016), which performs better than the benchmark (1.85% 29 May 2017).

The largest sector of the portfolio is the term deposit allocation of \$224,900,000 (last month \$216,900,000) or 89.25% of the total.

Ensuring Good Governance

Investment Portfolio by Maturity Date - as at 31 May 2017

Inv Name	Type	Rating	Purchase Date	Maturity Date	Yield	Face Value
National Australia Bank	TD	AA	7-Jul-16	1-Jun-17	2.97%	3,000,000
Bank of Queensland	TD	A-	18-Jun-15	18-Jun-17	3.05%	2,000,000
National Australia Bank	TD	AA-	18-Jun-15	19-Jun-17	2.99%	1,900,000
Holiday Coast Credit Union	TD	ADI/Unrated	7-Jul-16	7-Jul-17	3.00%	2,000,000
Westpac Banking Corporation	TD	AA	7-Jul-16	7-Jul-17	2.91%	3,000,000
Bendigo Bank	TD	A-	22-Jul-15	24-Jul-17	3.10%	4,000,000
Bendigo Bank	TD	A-	8-Mar-16	8-Aug-17	3.15%	3,000,000
Police Credit Union SA	TD	ADI/Unrated	12-Feb-16	14-Aug-17	3.10%	2,000,000
National Australia Bank	TD	AA-	15-Aug-16	14-Aug-17	2.81%	2,000,000
AMP Bank	TD	AA-	4-Sep-15	4-Sep-17	2.90%	5,000,000
Westpac Banking Corporation	TD	AA-	4-Sep-14	4-Sep-17	4.07%	2,000,000
St George	TD	AA-	8-Sep-16	8-Sep-17	3.00%	5,000,000
St George	TD	AA-	27-Sep-16	27-Sep-17	3.00%	4,000,000
Bendigo Bank	TD	A-	8-Oct-15	8-Oct-17	2.98%	5,000,000
Bank of Queensland	TD	A-	19-Jan-17	19-Oct-17	2.80%	5,000,000
ANZ Bank	TD	AA-	13-Nov-12	13-Nov-17	4.87%	2,000,000
Bank of Queensland	TD	A-	13-Nov-15	13-Nov-17	3.00%	2,000,000
Westpac Banking Corporation	TD	AA-	23-May-16	23-Nov-17	2.95%	3,000,000
Westpac Banking Corporation	TD	AA-	8-Sep-16	8-Dec-17	3.00%	3,000,000
Newcastle Permanent	TD	BBB+	14-Dec-15	14-Dec-17	3.20%	2,000,000
ME Bank	TD	BBB+	24-Jan-17	22-Dec-17	2.75%	2,000,000
Bendigo Bank	TD	A-	14-Jan-16	15-Jan-18	3.10%	2,000,000
Bank of Queensland	TD	A-	16-Nov-16	16-Jan-18	2.85%	2,000,000
Westpac Banking Corporation	TD	AA-	19-Jan-17	19-Jan-18	3.01%	5,000,000
Westpac Banking Corporation	TD	AA-	24-Jan-17	24-Jan-18	3.00%	2,000,000
Police Credit Union SA	TD	ADI/Unrated	12-Feb-16	12-Feb-18	3.15%	2,000,000
Bank of Queensland	TD	A-	16-Nov-16	16-Feb-18	2.85%	2,000,000
Bendigo Bank	TD	A-	8-Mar-16	8-Mar-18	3.20%	3,000,000
Westpac Banking Corporation	TD	AA-	15-Mar-17	15-Mar-18	2.91%	2,000,000
Westpac Banking Corporation	TD	AA-	27-Mar-17	27-Mar-18	2.87%	1,000,000
Defence Bank	TD	BBB+	22-Mar-16	22-Mar-18	3.25%	4,000,000
Westpac Banking Corporation	TD	AA-	11-Apr-17	11-Apr-18	2.85%	3,000,000
Westpac Banking Corporation	TD	AA-	27-Apr-16	27-Apr-18	3.29%	4,000,000

Ensuring Good Governance

Inv Name	Type	Rating	Purchase Date	Maturity Date	Yield	Face Value
Bendigo Bank	TD	A-	16-May-16	16-May-18	3.05%	2,000,000
Newcastle Permanent	TD	BBB+	16-May-16	16-May-18	3.10%	2,000,000
ME Bank	TD	BBB+	19-May-17	19-May-18	2.70%	3,000,000
Westpac Banking Corporation	TD	AA-	19-May-17	21-May-18	2.77%	4,000,000
Bank of Queensland	TD	A-	20-Jun-13	20-Jun-18	5.00%	4,000,000
Bendigo Bank	TD	A	7-Jul-16	6-Jul-18	3.05%	2,000,000
Bank of Queensland	TD	A-	16-Nov-16	16-Jul-18	2.92%	3,000,000
Westpac Banking Corporation	TD	AA-	15-Aug-16	15-Aug-18	2.96%	3,000,000
Bank of Queensland	TD	A-	16-Nov-16	16-Aug-18	2.92%	3,000,000
Westpac Banking Corporation	TD	AA-	4-Sep-14	4-Sep-18	4.22%	4,000,000
Bendigo Bank	TD	A-	7-Sep-15	7-Sep-18	3.00%	5,000,000
St George	TD	AA-	8-Sep-16	8-Sep-18	3.10%	5,000,000
St George	TD	AA-	27-Sep-16	27-Sep-18	3.10%	4,000,000
Bendigo Bank	TD	A-	10-Nov-16	9-Nov-18	3.00%	4,000,000
Westpac Banking Corporation	TD	AA-	10-Nov-16	10-Nov-18	3.00%	4,000,000
National Australia Bank	TD	AA-	19-May-17	19-Nov-18	2.66%	2,000,000
ME Bank	TD	BBB+	14-Dec-15	14-Dec-18	3.33%	2,000,000
Westpac Banking Corporation	TD	AA-	19-Jan-17	21-Jan-19	3.17%	5,000,000
Rabobank	TD	Aa2	20-Jan-15	20-Jan-19	3.90%	2,000,000
Westpac Banking Corporation	TD	AA-	24-Jan-17	24-Jan-19	3.15%	2,000,000
Newcastle Permanent	TD	BBB+	8-Mar-16	8-Mar-19	3.60%	2,000,000
Bendigo Bank	TD	A-	15-Mar-17	15-Mar-19	3.10%	4,000,000
Bendigo Bank	TD	A-	27-Mar-17	27-Mar-19	2.95%	2,000,000
Westpac Banking Corporation	TD	AA-	27-Mar-17	27-Mar-19	3.01%	2,000,000
Bendigo Bank	TD	A-	11-Apr-17	11-Apr-19	3.00%	3,000,000
ME Bank	TD	BBB+	27-Apr-17	27-Apr-19	2.93%	4,000,000
ME Bank	TD	BBB+	19-May-17	20-May-19	2.87%	3,000,000
Rabobank	TD	Aa2	23-May-16	23-May-19	3.15%	6,000,000
Bendigo Bank	TD	A	7-Jul-16	8-Jul-19	3.15%	2,000,000
Westpac Banking Corporation	TD	AA-	15-Aug-16	15-Aug-19	3.10%	3,000,000
Newcastle Permanent	TD	BBB+	15-Aug-16	15-Aug-19	3.00%	2,000,000
St George	TD	AA-	8-Sep-16	8-Sep-19	3.20%	5,000,000
St George	TD	AA-	27-Sep-16	27-Sep-19	3.20%	4,000,000
ME Bank	TD	BBB+	24-Jan-17	24-Jan-20	3.26%	2,000,000
Newcastle Permanent	TD	BBB+	10-Mar-16	10-Mar-20	3.70%	2,000,000
Bank of Queensland	TD	A-	19-May-17	19-May-20	3.00%	3,000,000
Bank of Queensland	TD	A-	24-Jan-17	25-Jan-21	3.65%	2,000,000
Westpac Banking Corporation	TD	AA-	21-Feb-17	22-Feb-21	3.39%	2,000,000
Bank of Queensland	TD	A-	10-Mar-16	10-Mar-21	3.80%	3,000,000
Westpac Banking Corporation	TD	AA-	21-Feb-17	21-Feb-22	3.61%	2,000,000
National Australia Bank	TD	AA-	21-Feb-17	21-Feb-22	3.46%	5,000,000
Bank of Queensland	TD	A-	15-Mar-17	15-Mar-22	3.80%	2,000,000
Total TD's						224,900,000
Westpac Business Cash						
Reserve Account	CASH				2.20%	27,083,253
Total Portfolio						\$251,983,253

*The investments highlighted in yellow in the table above are new investments for May 2017.

Ensuring Good Governance

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. The investments placed this month were term deposits. 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

There are no planning and policy implications.

Financial & Economic Implications

Benchmark and budget levels have been met on a year to date basis. On an annual basis, if benchmark levels are not reached, then this may result in budget cuts in other areas to fund the shortfall.

Council's total investment portfolio performance for 31 May 2017 is 1.24% above the benchmark (3.09% against 1.85%) and year to-date income is 101.21% of the total annual budget. The annual investment income budget was increased from \$4,350,600 to \$6,690,179 by resolution at the 15 March 2017 council meeting.

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.

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 to date Council has refunded bonds with an associated interest component of \$39,515.19 which will be monitored and advised monthly.

Certification

I hereby certify that the investments listed within this report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

Robyn Wilson
Responsible Accounting Officer

Attachments

Nil

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: COMPLIANCE POLICY REVIEW

Presented by: Development and Environment, Matt Rogers

Alignment with Delivery Program

2.1.3 Implement inspection, compliance and education practices that ensure acceptable levels of public and environmental health; meet building and fire safety standards.

RECOMMENDATION

That Council:

1. Place the draft Regulatory Enforcement Policy on public exhibition between 22 June to 19 July 2017.
2. Note that a further report will be tabled at the August 2017 meeting of Council detailing the submissions received from the public during the exhibition period.

Executive Summary

The current Port Macquarie-Hastings Compliance Policy, which dates back to 2007, is in need of review. Since its last revision, the structure and role of the Council's Compliance Section (now Regulatory Services) has changed significantly.

The regulatory role of local government organisations has been the subject of scrutiny by a number of oversight bodies such as the New South Wales Ombudsman, Independent Commission Against Corruption and the Independent Pricing and Regulatory Tribunal, who have made a number of recommendations for improvement in a series of reports to the New South Wales government.

As a result, review of the current Compliance Policy has been undertaken, taking into consideration the recommendations of these oversight bodies, and "best practice" based on benchmarking of other councils and the adoption of established "best practice".

The basis for the revised policy is tailoring the response to complaints by regulatory staff based on "risk management" principles, taking into consideration the potential for harm to the community and the best use of the Council's finite human and physical resources.

Discussion

The review of the current policy commenced in late 2015 in conjunction with the Council-wide Services Review and followed a number of reviews by external agencies into the regulatory role of government agencies:

Looking After Our People

The most significant of these were:

1. "Local Government Compliance and Enforcement" - Independent Pricing and Regulatory Tribunal (2013)
2. Guidance for Regulators to Implement Outcomes and Risk-Based Regulation" - NSW Department of Premier and Cabinet (2014)
3. Enforcement Guidelines for Councils - NSW Ombudsman (2015)

The common theme through these papers was that government agencies should implement regulatory policies and procedures which target unlawful activity based on risks to regulatory outcomes and proportionate to patterns of non-compliance.

These reviews advocated a "risk based" approach to regulation, supported by a robust and transparent compliance and enforcement regime.

Staff have introduced procedures progressively over the last few years which ensure a response proportionate to the scale of "offending" and which seek to negotiate a "solutions-based" outcome, with punitive measures used as a last resort, natural justice principles are applied and, where possible, expensive litigation is avoided.

The response to more significant matters is often affected by the number of minor complaints received by the Council in relation to issues such as boundary disputes, and minor noise and storm water complaints. Attending to these often ties up valuable staff and financial resources and reduces the time available to address more important and higher risk matters on hand.

A number of New South Wales councils have revised their procedure regarding complaints received about regulatory matters and have introduced an initial priority assessment based on risk to the community to determine the appropriate response, which can vary between immediate to none. For example, the Newcastle Council no longer takes action in relation to the following complaints:

- ✓ Dividing fence disputes
- ✓ Barking dogs (where no independent witness is obtained)
- ✓ Storm water nuisance complaints
- ✓ Domestic noise complaints

A briefing was provided to Councillors in May 2016 regarding the proposed policy review and the principle of a "risk based" approach to regulatory matters. A draft copy of the policy was presented to Councillors at a briefing in early May of this year.

Note that a change is proposed to the title of the Policy to eliminate potential confusion between this policy and another policy of Council's with the same name that deals with internal compliance matters. It is proposed to call the reviewed policy the Regulatory Enforcement Policy.

Options

1. Place the draft Regulatory Enforcement Policy on public exhibition from 22 June to 19 July 2017 as recommended by this report.
2. Reject the draft policy and refer it back for further consideration and review.
3. Retain the existing policy.

Looking After Our People

Community Engagement & Internal Consultation

The review of the policy was conducted by the Group Manager, Regulatory Services and overseen by an internal Reference Group comprising of a cross-selection of managers from areas within the Council which interact with the community.

External consultation, to date, was conducted with the following organisations:

1. Coffs Harbour City Council
2. Great Lakes (now Midcoast) Council
3. Newcastle Council
4. Parramatta City Council
5. NSW Ombudsman's Office
6. Fair Trading NSW
7. Environmental Protection Authority (NSW)

The policy will be exhibited via the Council's "Have Your Say" page on the Council's Website, advertisements in local newspapers and at the three Council Customer Service Centres. Copies of the draft policy will also be provided to the NSW Ombudsman's Office and The Independent Pricing and Regulatory Authority for their information and comment.

Planning & Policy Implications

There are no adverse planning and policy implications in relation to this report. Updated policy provisions are being proposed and these will form new policy should Council resolve to make changes following the proposed public exhibition process.

Financial & Economic Implications

There are no significant adverse financial or economic implications expected in relation to this report.

Attachments

- 1 [View](#). Draft Regulatory Enforcement Policy

Looking After Our People

Item: 10.02

Subject: COMMUNITY HALLS MANAGEMENT MODELS

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.7.1 Encourage and build capacity for community groups to be active, successful and sustainable and support growth of volunteer base.

RECOMMENDATION

That Council endorse the proposed models of management for Council owned community halls.

Executive Summary

Council currently has responsibility for 17 community halls across the LGA, with various management structures in place. These halls provide a vital service to our towns and villages and are often community hubs. Following a 12 month review, a change of management model is proposed to provide best outcomes for both the community and Council and revitalise the use of these halls.

Discussion

There are currently 17 community halls in the local government area with many different management styles including; halls managed by Section 355 (S) 355 Committees, Council managed and community owned and run halls. The current management approach includes nine S355 committee managed halls, five Council managed (customer service centres) and four leased halls.

In 2011 Council instigated a new model of management for community halls. In recent years this has seen a decline in use, loss of income and a struggle to find volunteers to support the management committees.

The intent of the change in 2011 was to streamline the financial model for management of Council owned halls and introduce S355 committees to manage the halls. There was a belief that increased income with this model would offset the financial burden of building maintenance and provide oversight over the halls. This has not been the result.

Expected annual halls income targets of \$103,000 expressed in the decision of 2011 has not been attained, with income averaging \$83,597.00 per year over the last three years. Excluding staff time, the current model has resulted in an average net cost to Council of \$126,000.00 (Refer to attachment 2).

Looking After Our People

In addition to the S355 Committee managed halls, Council also has responsible for directly managing five halls including Laurieton School of Arts, Jubilee Hall-Dunbogan, Beechwood Hall, Lake Cathie Hall and North Haven Hall.

A central issue constraining the financial viability of the S355 halls is their inability to apply for grant funding to support their operations. This also limits the opportunities available to community to self-determine the direction of their own halls. Under the current model the financial liability for the management, maintenance and operation of these halls rests solely with Council.

Over the past two years, staff has seen a sense of loss of 'community ownership', and some groups, including Pembroke and Beechwood, have folded. There is a perception that another level of process (bureaucracy) has been put in place which is having a negative effect on how our halls are being used and maintenance levels have decrease as there is no longer community buy in to the facilities. Where in the past groups had looked for ways to improve the halls and monitor use of utilities this ceased, and costs have increased for both utilities and maintenance.

One of the key areas that have impacted on the overall management of the halls and an additional burden of cost to Council was the previously unknown impact of volunteer resources on the management of the halls. Prior to the change of management model for our Community Halls, the Groups managing them were very self-sufficient and were able to maximise the skills of their local community in helping maintain, clean and monitor the condition of the halls.

Proposed Model

Council staff commenced a review of the existing management structures for the Council owned Community Halls following the 2015/16 budget discussions regarding the ongoing maintenance costs for facilities. Staff have been working with local community groups to understand the support that may be needed in delivering sound management for these facilities by those groups appropriately skilled and able.

Through this review, there is now an opportunity to return ongoing management of five of the facilities back to those community groups who were able to provide effective management in the past. With a renewed sense of ownership and pride in the halls and their associated activities, these communities will assume a greater sense of connection and responsibility.

If a new 'leased' model is adopted Council will continue to work with the committees and management groups to:

- Look for opportunities to support the community in their activities, events and programs;
- attend an annual committee meeting;
- Support community capacity building and sharing of knowledge of members of the committees;
- Encourage groups to raise income for all activities including cleaning and general maintenance;
- Support groups to apply for additional funds through grants;
- Encourage groups to leverage resources from within their communities and
- Look for additional in-kind support from the local area.

Looking After Our People

The change to the operating model would also see benefits for Council in:

- Reduction of Halls administration through Customer Service Centre and Financial Services;
- Managing advice on halls and facilities;
- Managing and monitoring income; and
- Staff time and contractors costs in maintaining the halls.

The intent is to commence with a trial leases with five community groups that have indicated they would like to change from the current management model. It is anticipated that future leases will be a standard community lease of 5 years with a 12 month review clause in the lease. Our standard lease also provides for either party to terminate with 3 months' notice.

If Council adopt the approach to community hall management model the current 355 Committees will need to be dissolved through a formal resolution of Council and a process of community engagement undertaken.

Attachment 1 provides an overview of the current proposed management model by asset.

Options

That Council seek additional information regarding the Community Halls Management Models.

Community Engagement & Internal Consultation

Council commenced discussions with all the current S355 committees and users of Council own halls in early 2016 and have continued to engage with the groups actively over the past 12 months to determine preferred management approach by each committee. Over the past three months each committee has been asked to nominate their preferred model going forward and this is reflected in the tables above.

- Current 355 Committees - Wauchope Arts, Wauchope Youth, McAdams, Port Macquarie Senior Citizens, Lorne, Bonny Hills, Port Macquarie Historic Courthouse, Pappinbarra Recreation Reserve
- Current Hall Lessee - Wauchope Senior Citizen, Wauchope CWA, Wauchope Former - Baby Health Clinic, Port Community Church (Emerald Downs Centre), Holy Trinity Church – Laurieton, Long Flat Community Hall,

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Community Halls use is identified in the Operation Plan -

- 2.6.1 Work with Rural communities to identify, evaluate and address community needs;
- 2.6.2 Create access to community facilities that allow a range of social, health and wellbeing activities.

Looking After Our People

Financial & Economic Implications

The anticipated impact to Council of the proposed new management model is:

	Based on current model and costs	Based on 5 initial leases - Expected costs limited - Insurances and fire checks Average	Based on all halls being leased - Expected costs limited - Insurances and fire checks Average
Annual anticipated future cost to Council -	\$209,597	\$119,445	\$15,351
Annual anticipated income	\$83,597	\$45,452	\$7,280
Anticipated net result	\$126,000	\$73,994	\$8071

This proposal has been based on engagement with current Hall Committees and there has been support for the additional five halls to be leased. In time, it is anticipated that all the Halls could move to this model. It may take a number of years and a change in community support for this to occur.

The fees associated with a Community lease (for non-profit organisations) are as follows:

- Application Fee - \$678.00 (once off fee for drafting of lease)
- Rental - \$520.00 per annum

The community group through the lease to be established, would also be responsible for:

- Water usage (only where the hall is separately metered)
- Garbage Service
- Maintenance of the facility (including vandalism)
- Contents Insurance
- Rates
- Pest control
- Cleaning
- Electricity
- Graffiti Removal
- Security
- Pest control
- Hygiene
- Grounds maintenance

With these items included in the lease, this would see a net reduction expenses to Council of these items. Management expenses for the halls are currently included in the Recreation and Building Budget (Building Maintenance) for Council.

Looking After Our People

Under the terms of the lease, Council would continue to be responsible for structural insurance and maintenance of essential services including - fire equipment and testing, and this will continue into the future.

There would also be a reduction in staff time to manage the properties.

The Council will continue to work on capital improvements on the assets in accordance with the Asset Management plans and this has not been included in this funding model.

Attachments

1 [View](#). Proposed model of hall management

2 [View](#). Community Hall Costs - 10 year graph comparison

Looking After Our People

Item: 10.03

Subject: COMMUNITY PLACE POST EVENT - MARCH AND APRIL 2017

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.8.1 Support, facilitate and advocate for arts and cultural programs that engage the community and deliver a range of high quality performing, visual arts and cultural development services.

RECOMMENDATION

That Council note the information included in the Community Place Post Event - March and April 2017 report.

Executive Summary

From March 2017 we have seen the design and delivery of significant community events including hosting Seniors Week, Youth Week, the Mayors' Sporting Fund Bowling Day and the next round of the Hastings Moonlight Movies programme. As well as the second Artwalk and the annual Heritage Festival. The purpose of these events were to celebrate national festivals, provide educational and mentoring opportunities for young people and seniors, raise funds towards the Mayor's Sporting Fund and to bring the community closer to council by activating and transforming spaces into engaging cultural precincts.

Discussion

Council plans and delivers these programs on an annual basis and this year's program of activities was more comprehensive and attended by more community members than ever before. The events attracted over 4500 attendees across the activities.

Seniors Week

The programme ran from the 3 March to the 13 March 2017. Highlights of the 10 day festival included:

- In the lead up to Seniors week there was an additional three week program for the Seniors Art and iPad workshops at the Glasshouse which culminated in a 10 day exhibition in the Glasshouse Foyer;
- Launch of Seniors Week and Exhibition Opening featuring 'The Five Grannies' singing group;
- Port Macquarie-Hastings Council's Sensational Seniors Expo with a record 85 information and community stalls at Panthers Auditorium;
- The Big Chat one day symposium for aged care industry workers with presentation by the Aged & Disability Officer;

Looking After Our People

- Library programs for seniors including Virtual Reality workshops and laughter yoga; and
- Port Macquarie Hastings Council was invited to contribute the research of Lecturer (Lois Towart) from the University of Technology Sydney to facilitate this; Ms Towart visited the Seniors expo to interview staff and stall holders as part of her research into ageing demographics and retirement communities.

Event Outcomes:

- 150: Number of seniors attending programs and workshops at the Libraries.
- 1000+: Number of seniors attending PMHC Sensational Expo.
- 10: Number of senior artists learning new art techniques at the iPad & art workshops.
- 85: Number of aged care industry workers attending The Big Chat One Day Symposium.

Whilst the number of participants at the 2016 event was similar to those attending last year, there were a record number of exhibitors at the expo this year.

What was achieved?

Measure	Outcome	Amount
Cost to Council	Council Budget - Community Place	\$ 4,000.00
Grant Funds	Arts Mid North Coast	\$ 300.00
Sponsorship achieved	Panthers free venue hire with 180 chairs and 90 trestles for Seniors Expo	
Event Attendees	Four events	1245

Youth Week - *Get involved, be heard, make a difference.*

The Port Macquarie-Hastings Youth Advisory Council (YAC) was the main organising body for the local 2017 Youth Week Program. YAC team members were involved in the planning, coordination and running of all local events, from 8 -11 April.

Council was fortunate to receive a NSW Government Youth Opportunities grant for \$11,700 and a NSW Youth Week Government grant for \$2,000.

The Youth Week Programme for 2017 focused on Inclusion, Skills Development, Wellbeing, Creativity and Fun/ The program of activities included;

- The Regional Youth Music Conference held at Rydges, Young people spent the day learning to successfully navigate the music industry from the people behind their favourite bands;
- Youth Week Waves and Melodies Music Festival, this free all ages music festival provides a safe drug and alcohol festival space for young people whilst showcasing the best youth local music talent, building performance confidence and abilities for the artists this year for the first time we added special guest headliner The VANNS;
- Youth Week Skateboard Competition this was held at the Port Macquarie Skate Park. Professional style skateboard competition consisting of four categories, Under 13, Under16, Opens and Bowl Jam. The event included live Music, DJ's and MC's also;

Looking After Our People

- Youth Week Opportunities Festival Held on the Hay Street Forecourt/Glasshouse, Council lead 20 Youth focused services, groups and education providers to provide fun, creative, skill building and wellbeing workshops/activities throughout the event;
- Youth Week Instagram Photo Competition, young people were given the opportunities to hash tag (#) their best images (theme- Being Young) to Instagram for the chance to win a prize. Finalists were exhibited during ArtWalk with the community judging the best image for the win;
- Youth Week Library activities included Cosplay, Manga/Anime illustration workshops and the Makers Market;
- Youth Advisory Council's Youth Week Scavenger Hunt. All elements of this competition required competitors to develop new skills, help the community and give back to score points; and
- Youth Homelessness Matters Day, highlighting the growing issue of youth homelessness here and across the country.

Port Macquarie - Hastings Council Youth Week 2017 also had an increase in event sponsors and support by local businesses including:

- MJR Presents
- Rydges Port Macquarie
- Laing & Simmons
- The Burger Rebellion
- Innervision
- Pretty Rad
- Social Grounds
- Jimbo the Barber
- Green Triangle Skateboards
- DVS Shoes
- Volcom
- Modus Skate
- Picture Wheels Company
- Saltwater Wine
- Focus Magazine

Their combined financial sponsorship was \$5,500, with an estimated in-kind support of \$11,000. The in-kind support included prizes, advertising, merchandise, venue spaces and management of events.

YAC team members were involved in the planning, coordination and running of all local Youth Week events, resulting in each of the 10 official YAC members providing more than 320 volunteering hours between January and Youth Week.

Those volunteering hours were equal to approximately \$11,894.40 (based on Centre for volunteering hourly rate of \$37.17) which demonstrated their commitment and passion in delivering the week's events and participating in their community.

Individual YAC members took the lead on a number of projects including the recruitment of teams of young people to help create, research, plan and coordinate these events, with mentoring and support from Council's Youth Development Officer.

Looking After Our People

The YAC helped design local promotional material including the Port Macquarie - Hastings Council 2017 Youth Week program brochure. The YAC also spoke at community meetings and school assemblies. Updating event development through social media was a key channel for communication to assist in advertising all events.

Event Outcomes:

- 50: Number of registration for the Youth Music Conference.
- 1000+: Number of young people/general community members attending Waves & Melodies.
- 50: Number of competitors registered for the Skateboard Competition.
- 400+: Number of Spectators attending the Skateboard Competition.
- 500+: Number of attendees for the Youth Opportunities Festival.
- 137: Number of images entered into the Instagram Photo Competition
- 774: Number of community members that judged the finalists on the instagram competition during ArtWalk.
- 200+: Number of attendees during Youth Week Library Activities
- 20000+ Number of young people engaged through Social Media during the Youth Week Period

What was achieved?

Measure	Outcome	Amount
Cost to Council	Council Budget - Community Place	\$ 5,070.00
Grant Funds	NSW Govt FACS Youth Opportunities Grant	\$11,700.00
	NSW Govt Youth Week Grant	\$ 2,000.00
Sponsorship achieved	15 Local Businesses provided support, cash, vouchers or prizes as well as time	\$16,500.00*
Volunteers	YAC hours contributed	\$11,894.40
Event Attendees	Seven events	3100 attendees**

*33% increase on 2016

**300% increase on 2016

Mayors Sporting Fund Bowls Day Fundraiser

The Bowls day was held on Friday 7 April. This event is one of three fund raising events for the Mayor's Sporting Fund held throughout each calendar year. The event was again sponsored and supported by Pycon Homes and Construction, the Port City Bowling Club, and a number of other local businesses located within our LGA. The event was a great success with \$4,258.00 (nett) being raised from the day; with all monies raised going directly to the Mayor's Sporting Fund.

Event Outcomes:

- Naming Rights Sponsor secured for the event in 2017 with an option extended to take up sponsorship in 2018
- 19 Teams registered to compete in this year's event
- All prizes and trophies provided for the event were secured as "goods-in-kind" sponsorship in the lead up to the event.
- Many live crosses from the event on the day by Triple M and Hit FM Radio Stations

Looking After Our People

- Coverage by local television station PRIME 7 of the event

What was achieved?

Measure	Outcome	Amount
Cost to Council	Mayor's Sporting Fund Budget	\$1,127
Income	Registrations	\$2,280
Sponsorship	Naming Rights Sponsor - Pycon Homes & Construction	\$2,500
In Kind Sponsorship	Advertising (Print, Television, Radio) Prizes and donation of food & beverage	\$11,60 \$1,960
Event Attendees		100

Hastings Moonlight Movies

Screenings of the "Hastings Moonlight Movies" were planned and successfully delivered during the April School Holidays. In the lead up to Easter the popular children's movie "HOP" was screened at Lake Cathie on 13 April with a crowd estimated in excess of 350 joining us for a movie under the stars. "Secret Life of Pets" was screened at Wauchope on 19 April with approximately 350 people gathering on Bain Park. The final screening for this round of movies was "Eddie the Eagle" screening on 21 April on Town Green, Port Macquarie and was again well attended by approximately 400 people.

Event Outcomes:

- Great Feedback gained from many of the movie patrons as they were packing up after the movie - "thanks to council for again providing this great free community event".
- Ongoing support from food businesses located within proximity to each screening location - some choosing to put together "movie night" family food deals; some considering putting on "extra staff" to cater for expected increase in business volume noticed from previous movie night experiences.
- Total number of attendees exceeded 1,100

What was achieved?

Measure	Outcome	Amount
Cost to Council	Council Budget - Community Place	\$ 3700.00
Event Attendees	Three events	1100

This is an increase in participation as last year's proposed events were rained out.

Heritage Festival

The programme ran from the 16 to the 30 April 2017. A key element of the Festival planning is to encourage children and families to participate and get involved with our local heritage. Our local Festival, while running in conjunction with the National Heritage Festival, is usually scheduled to coincide with the NSW school holiday period. Highlights of this year's 17 day Festival included:

- More than 15 events across the LGA;

Looking After Our People

- Estimated more than 3000 attendees across the events;
- Archaeological and heritage walking tours or Port Macquarie, Laurieton and Wauchope CBDs and some historic cemeteries;
- Local and family history research workshops at Port Macquarie and Wauchope libraries;
- Museum and historic site open days across the region;
- Archaeology and heritage 4WD tours through Wauchope hinterland up to Mount Seaview;
- Community working bees across a number of local heritage sites;
- Kendall underpass heritage public art project which saw Council and the Kendall Heritage Society remove graffiti from the Graham Street underpass and paint a new heritage themed community mural;
- Heritage themed iPad Art workshops at Port Macquarie Library and Lake Innes archaeological ruins;

Festival Outcomes:

- 15+: Number of event coordinated across the LGA for the Festival
- 3000+: Number of people attending events across Festival
- 12: Number of people learning new techniques at the Heritage iPad Art workshops
- 8+: number of media articles about the Festival or respective events across LGA papers

What was achieved?

Measure	Outcome	Amount
Cost to Council	Council Budget - Community Place	\$ 3083.68**
Partnerships	Local museums and community groups across LGA	
Number of events		15+
Event Attendees		3000+

** Heritage Events budget of \$7,300 split across multiple heritage events throughout the year

Artwalk

Following from the success of the 2016 Artwalk program, the second annual ArtWalk program was held on Thursday 20 April in the Port Macquarie CBD from 6pm - 9pm. The program, a new initiative developed in 2016 with the aim to activate the Port Macquarie CBD by leveraging our existing cultural and creative heritage, local businesses, public art as well as highlight and raise the profile of our regional artists and arts businesses and our cultural facilities. The program was designed to work with existing businesses that are located within the Port Macquarie CBD with a working group of local businesses, artists and Council to shape the event. The 2017 event saw a huge increase in the number of participants and venues, with over 42 live sites on display. Resulting in a huge crowd of est. 9000 people attending this new cultural event.

Highlights included:

- More than 40 events throughout Port Macquarie CBD Cultural Precinct;
- 36+ local artists exhibited
- Estimated more than 9000 attendees;

Looking After Our People

- Temporary Public Art Digital Projections;
- Artbites restaurant experiences;
- A heritage feature exhibition (Artwalk will be held during Heritage Week)
- Exhibitions in cultural organisations and local businesses; and
- Live Art Activation - performers, musicians and artists.

Artwalk Outcomes:

- 29+: Number of business participant surveys
- Increased awareness of our arts and cultural businesses in the CBD;
- The work of over 36 local artists was exhibited and promoted to the general public;
- Increased visitation to local arts and cultural business and commercial businesses and cultural sites;
- Activation of the CBD during the evening;
- A unique experience that encouraged community engagement and participation with art.
- 200+: Number attendee surveys from the night, with responses detailed below:

Artwalk Survey Results

Participant responses:

- 76.04% of participants who came down for the event were local. Showing an increase in outside visitors to the event.
- Of the 196 people surveyed, 93.19% of people came downtown specifically for this event.
- 98.45% of participants rated their overall experience of Artwalk as either good or excellent.
- 92.19% of participants said that they came down here with a group of people.
- 71% of the attendees who completed the survey were aged between 26 - 54 years of age, followed by seniors aged 55 and above at 14%.
- 100% of responses indicated that they would participate in this program again.
- 95.43%% of participants indicated that the Artwalk event increased their awareness of Arts, Cultural and creative businesses downtown.
- The average spend of participants who took the survey at the Artwalk event was \$66.19 per person.

Business responses:

The three top reasons why artists and businesses participated in Artwalk were:

1. To raise the profile of their business/self-key objectives
 2. To support local artists community
 3. To be part of a community event
- 88.89% of business who participated agreed that Artwalk raised the profile of their business/self.
 - 66.67% agreed that Artwalk increased patronage to their business
 - 77.78% agreed that Artwalk brought new people who had never been to their business before.

Looking After Our People

- 88.89% agreed (11.11% neutral) that Artwalk met their expectations as a business/contributor/presenter.
- 100% agreed that Artwalk was a successful event
- 75% said the flow on effect of Artwalk has seen an increase in sales
- 88.89 said that the flow on effect of Artwalk has seen an impact of on their profile.
- 87.5% said that the flow on effect of Artwalk has seen an increase in foot traffic

Artist responses:

- 66.67% made sales on the evening.
- 53.33% had enquires about their work after the Artwalk event.
- 85.71 believe that Artwalk has raised their profile
- 57.14% has since had discussions with local business about further collaborations together.
- 100% of artists and businesses said that they would participate in Artwalk again.

What was achieved?

Measure	Outcome	Amount
Cost to Council	Council Budget - Community Place	\$ 15,540.86
Partnerships	Local artists, museums, galleries and businesses	
Number of events		42
Local artists engaged		36
Event Attendees		9000+*
Artwalk App views	New 2017 initiative	4816

* Increase of approximately 300% from 1st year

Options

Council can note the information in this report or recommend another action.

Community Engagement & Internal Consultation

Seniors Week Community Engagement & Consultation

There was extensive engagement in planning for and delivery of the Seniors Week with community partners including:

- Alzheimer's Australia
- Arts Mid North Coast
- Australian Centre for Arts & Health
- Catholic Care of the Aged
- Hastings District Respite Care
- Hastings Valley Fine Arts
- LGNSW
- NSW Government Seniors Week
- Residents Action Network
- Salvation Army Aged Care
- U3A
- Uniting Care Ageing

Looking After Our People

Youth Week Community Engagement & Consultation

There was extensive engagement in planning for and delivery of the Youth Week with community partners including:

- Hastings Youth Advisory Council
- Charles Sturt University
- Port Macquarie/Wauchope TAFE
- Southern Cross University
- Camden Haven High School
- Port Macquarie Police
- Headspace
- Ability Links
- Girls Space
- Community Drug Action Team
- Luminosity Youth Summit
- #LitFest2444
- Horses Help Human
- Green Triangle Skateboards
- Domestic and Family Violence

There was extensive engagement in planning for and delivery of the Youth Week with business partners including:

- MJR Presents
- Rhi Rebellion
- Inner Vision Surf and Skate
- Pretty Rad Store
- Burger Rebellion
- Social Grounds
- ETC

Mayor's Sporting Fund Bowls Day - Community Engagement & Consultation

- Mayor's Sporting Fund Sub-Committee

Community Partners included:

- Triple M & Hit FM Radio Stations
- Prime 7 Television
- Port News & Express Newspapers
- Port City Bowling Club & their supporting businesses
- Wauchope Sports & Trophies
- Wiggly Tail Butchers
- Stocklands
- Beach House Apartments, Port Macquarie
- Boat House Boat & Stand Up Paddle Hire, Port Macquarie
- Bennetts Steel
- Holiday Coast Credit Union

Hastings Moonlight Movies - Community Engagement and Internal Consultation

Community & External Partners include:

- Roadshow Village
- Coastal Security

Looking After Our People

- Local Police & Emergency Services
- Local Businesses in vicinity of each screening
- Mobile Coffee Van operator

Heritage Festival - Community Engagement and Internal Consultation

Community Partners included:

- LGA Museums and heritage community groups
- Other community groups such as Rotary etc
- LGA schools
- National Parks & Wildlife Services (NPWS)

Artwalk - Community Engagement and Internal Consultation

Community Partners included:

- Port Macquarie Emergency Services
- Local Port Macquarie CBD Businesses
- Local Artists
- Port Macquarie Museum
- Arts Mid North Coast
- Sunset Galleries
- CSU
- Businesses and Creative Industries

Planning & Policy Implications

Delivery of the events is aligned with:

- Operational Plan action 2.5.1.1 Develop, implement and evaluate a Seniors' Week program;
- Aged & Disability Officers' State Government Service Requirements to support Home and Community Care programs and services and facilitate inclusion of HACC target population (seniors) in local activities;
- 2016-2019 Cultural Plan -
 - 2.2 Encourage accessibility and inclusiveness in arts and culture programs as part of everyday life. Encourage programs that target our ageing population;
 - 5.5.2 Ensuring festivals and events programming has appeal throughout our community through diverse programming and ensuring accessibility through low cost and free programming options;
- Meet the objective in the Delivery Program to provide young people with a range of leisure activities and opportunities for personal development;
- Social Strategy 2013-2017, 3.3.1, 3.3.2, 3.3.5 Supporting Young People and People 18-35 years;
- Operational Plan 2016-17,
 - 2.2.1 Build capacities in the community to support young people. 2,3,1 Advocate, support and/or implement wellness and healthy lifestyle in accordance with the 2013-2017 social strategy; and
 - 2.9.1 Provide a range of sporting and recreational opportunities
 - 2.5.1 Provide sponsorship and expertise to community groups that coordinate social and community events
 - 2.5.1.9 Coordinate civic events that bring the community together

Looking After Our People

Financial & Economic Implications

All of the above community events were designed and delivered through an allocated budget as per the 2016/17 Operational Plan.

Attachments

1 [View](#). Images of Community Events

Looking After Our People

Item: 10.04

Subject: DISABILITY INCLUSION ACTION PLAN

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.6.2 Create access to community facilities that allow a range of social, health and wellbeing activities.

RECOMMENDATION

That Council:

1. **Rescind the Disability Discrimination Act Action Plan 2009-2018.**
2. **Note the submissions made in response to the exhibition of the Draft Disability Inclusion Action Plan.**
3. **Adopt the 2017-2021 Disability Inclusion Action Plan with the inclusion of changes as identified within the report.**

Executive Summary

Council is required to undertake disability inclusion action planning under the NSW Disability Inclusion Act 2014 and have a standalone plan in place by 1 July 2017. To this end, Council has been working with the Access Sub-Committee and key staff and conducted community consultation and engagement. A draft Disability Inclusion Action Plan (DIAP) was publicly exhibited between 27 March to 24 April 2017.

Council is recognised as a regional leader in rolling out this project in the Mid North Coast and is monitoring and assisting Coffs Harbour, Bellingen, Nambucca and Kempsey Councils in the development of their plans.

The Disability Inclusion Action Plan will provide Council with an achievable plan on how to improve the accessibility of its services, facilities and activities and create a more inclusive and accessible community.

When implemented, progress against the Plan will be reported annually to Council and, as mandated, to the NSW Disability Council.

The purpose of this report is to seek Council adoption of the final plan.

Looking After Our People

Discussion

Local Councils are required by the NSW Disability Inclusion Act 2014 to undertake disability inclusion action planning by 1 July 2017. Guidelines provided in October 2016 outlined a recommended process.

While Port Macquarie-Hastings Council (and many other Councils) already have an existing Disability Discrimination Act Action Plan, the guidelines state these must be rescinded and replaced by the new Disability Inclusion Action Plan (DIAP).

The DIAP is intended as a whole-of-Council planning tool to achieve Council's goals to support inclusion of people with disability in the community. It encompasses four key focus areas:

1. Developing positive attitudes and behaviours in our community;
2. Creating communities that are nice for people to live in;
3. Helping people find good jobs and work they like doing; and
4. Having good ways of doing things that will help people use our services.

The Plan also needs to include:

- what we know and understand about life for people with disability;
- how we will make buildings, events and facilities accessible;
- how information will be easier to get and understand;
- ensure that everyone can take part in community activities;
- how we have talked to people with disability while we developed the plan; and
- how the plan supports the goals of the NSW Government.

The Disability Inclusion Action Plan follows NSW Government guidelines, including for community engagement, particularly people with disability. It is an easy-read document using easy English words and pictures and with reduced punctuation and grammar so the information is more accessible to people with learning disabilities.

Options

Council has the option to rescind the current Disability Discrimination Act Action Plan 2009-2018 and replace it by adopting the 2017-2021 Disability Inclusion Action Plan, as per the recommendation of this report, or determine an alternative resolution.

Community Engagement & Internal Consultation

Council engaged extensively with our community in preparing the Plan. This helped us understand what life is like for people with disability in Port Macquarie-Hastings.

From October to November 2016, Council delivered workshops and worksheets with relevant organisations before the draft was written. This included engaging with:

- Aces Incorporated
- Alzheimer's Australia
- Bago Magic Performance Group
- Disability Advocacy NSW - Disability Information Support Hub
- Hastings Aboriginal Disability and Mental Health Network
- Hastings District Respite Care
- Hastings Headway
- House with No Steps
- Mid North Coast Local Health District

Looking After Our People

- NewIDAFE
- NewHorizons
- Port Macquarie Dementia Friendly Community Steering Group
- PMHC Access Sub-Committee
- Riding for Disabled
- St Agnes Parish

Council conducted an online survey for the community to 'Have Your Say' on Council's website. The surveys were also at the three Libraries and three Customer Service Centres.

Council sent an email newsletter about this Plan through databases reaching over 2100 individuals from the community and the disability sector and placed newspaper advertisements asking the community to *Have Your Say*.

Following the October to November 2016 consultation and engagement period, a workshop was held with Council's Access Sub-Committee and key disability organisations on 19 December 2016.

This input helped Council develop the draft DIAP. The Access Committee then reviewed the draft DIAP at their meeting on 7 February 2017, followed by meetings and review by key staff.

The draft Disability Inclusion Action Plan was publicly exhibited between 27 March and 24 April 2017.

During this time Council staff delivered workshops at the Hastings Aboriginal Disability and Mental Health Network and Port Macquarie Dementia Friendly Community Steering Group. The draft DIAP was reviewed again by the Access Committee on 4 April 2017.

The exhibition material was published on Council's Have Your Say website and hard copies made available at Council's Administration Buildings and Libraries at Wauchope, Laurieton and Port Macquarie.

During the engagement 547 people visited the Have Your Say webpage about the Disability Plan project.

The following submissions were received. A copy of written submissions is included as an attachment.

Submission		Issue
Draft Disability Inclusion Action Plan		
1.	Robert James	A significant number of properties within the council area use the driveway direct from the street to the home as the pedestrian access due to lack of footpaths. Council specifications are for wheelchair accessible kerb crossings for driveways but staff refuse to implement



Looking After Our People

Submission	Issue
<p>Draft Disability Inclusion Action Plan</p>	<p>this easy and cost free option. New driveways are still being built with 50mm lips at the gutter while surrounding councils are on board with wheelchair accessibility from the road to residential and commercial properties. Please train your staff to implement their own specifications and make this another positive for council's implementation of disability policy.</p>
<p>Response/ Comment:</p>	<p>The purpose of the lip is to concentrate water flow during low flow rain events to reduce the likelihood of silt depositing on the driveway. The specifications of ASD201 and ASD207 must be used in conjunction.</p> <p>If the gutter crossing does not meet the Standards this may be because the profile is much steeper than the specification. Accordingly the driveway would need to be regraded in order to confirm to this specification and driveway regrading is the responsibility of the owner. As a private citizen with additional needs, Council remains willing to support supplementary works of which private residents will be required to pay (such as steel plate ramps at driveway, private works for a pram ramp).</p>
<p>2. Phoebe Crane</p>	<p>Port Macquarie is in desperate need for a fenced dog off-leash area.</p>
<p>Response/ Comment:</p>	<p>The Plan includes two fenced dog off-leash areas (Sites not identified in Plan - likely to be 1 x Port Macquarie, 1 x Camden Haven). As per page 22 and Action 2.4.</p> <p>Included separately in this Council Agenda contained in the report titled: “Integrated Planning and Reporting (IPR) suite of documents” is the following additional information in relation to Leash Free Dog areas.</p> <p>Plans to develop leash free dog parks in the Port Macquarie - Hastings are progressing. The Port Macquarie facility has not yet been prioritised by Council. However, given current community support for this project Council is supportive of inclusion of development of a Concept Plan for the facility to be developed at Boom Reserve. Therefore, the 2017-18 Operational Plan will be updated as follows:</p> <p>Operational Plan action 2.3.2.4 Commence Regional Master planning for recreational facilities. Performance measure updated to include: Develop a Concept Plan for the Leash Free Dog facility to be developed at the Boom Reserve Port Macquarie.</p> <p>The Camden Haven facility at Henry Kendall Reserve, Laurieton is also currently under development and will be available for use this</p>



Looking After Our People

Submission		Issue
Draft Disability Inclusion Action Plan		
	year.	The Wauchope facility will be incorporated into the Hastings Regional Sports Complex. Planning for this facility has commenced. You can learn more about this project at http://www.pmhc.nsw.gov.au/Culture-Sport-Leisure/Sports-Fields/Hastings-Sports-Precinct-Plan
3.	PMHC Access Sub - Committee	At the 4 April 2017 meeting there was very positive endorsement of the Plan. Minor suggested changes in text, change dates from 2017 -2020 to 2017 - 2021 for four financial years.
	Response/ Comment:	Year changed to 2017 -2021, minor changes in text adapted.
4.	Colleen Carmody	<p>Superficially the Plan does not appear to have any actions or measurable plans. We would need a 25% increase in wider footpaths over four years. Wauchope needs a taxi rank same as Horton St.</p> <p>Businesses should be encouraged to be disability friendly.</p> <p>To make it easier to join in community events perhaps advertise a shuttle bus Westport park is not accessible for anyone in a wheelchair.</p> <p>More public seating</p> <p>MLAK toilets need to allow people of all sizes to access it</p> <p>Have a greater awareness campaign for the MLAK key.</p> <p>Where possible have disabled parking wide enough to be able to get a person in a wheelchair/small mobility scooter in and out of the car and not just a normal sided car space.</p>
	Response/ Comment:	<p>Pages 34 to 39 of the Plan outline the four year action plan.</p> <p>Footpath width - a footpath should, as far as possible, allow for a continuous accessible path of travel so that people with a range of disabilities are able to use it without encountering barriers. Australian Standards 1428 state a minimum 1000mm and the accepted good practice shows the minimum width required for two people using wheelchairs to pass each other is 1800 mm.</p>



Looking After Our People

Submission		Issue
Draft Disability Inclusion Action Plan		
	<p>The Access Committee will continue to deliver the program "Access Friendly Business" (page 29).</p> <p>Public Transport is managed by the State Government and service providers not council (page 14).</p> <p>Reference to the Pedestrian Access and Mobility Plans was added to page 21. Action 2.1 already stated that there will be annual reporting on new footpaths, kerb ramps and pedestrian refuges and crossings - works are subject to resources and budget availability.</p> <p>Yes more parkland and street furniture is planned (refer page 21 and Action 2.12).</p> <p>Accessible (disability) toilets are built to an Australian Standard AS1428.</p> <p>Yes there will be a greater awareness campaign for the MLAK key (refer to page 25).</p> <p>Accessible (disabled) car parks are wherever possible built to AS 2890.6. You will notice the newer car parks have a cross-hatched section next to it.</p>	
5.	Hastings Aboriginal Disability & Mental Health Network (workshop)	At the 18 April 2017 Network meeting there was positive support. Request for bus shelter near Aces (Fernhill Road)
	Response/ Comment:	As per Action 2.13 the Access Committee to conduct an audit of all bus shelters and prioritise location of new shelters and Council to apply for grants when appropriate. When prioritising locations the Access Committee will review the request for a shelter near Aces.
6.	Sarah Ashton	My observation of the plan is that it is a disappointment that with the demographics of people with dementia in the area that the LGA has that there is no separate standalone section on services available for Dementia sufferers and their carer in the area. Don't we exist.
	Response/ Comment:	The Plan is inclusive and does not have a separate action plan page for each disability such as Dementia, Autism, MS etc. After this request the Port Macquarie Dementia Friendly Community Steering Committee reviewed the Plan and especially the Dementia Friendly section on page 9. The wording was strengthened. The Committee endorsed that the Plan was inclusive and a separate standalone section for Dementia or any other specific disability was not appropriate.
7.	Leslie Williams MP	On behalf of a constituent. The constituent mentioned that she was

Looking After Our People

Submission		Issue
Draft Disability Inclusion Action Plan		
		concerned that the Disability Plan didn't include dementia...because we have such a significant prevalence of dementia in our LGA, (the constituent asks if) there should be a section of the plan devoted to this topic.
Response/ Comment:	The Plan on page 9 includes a paragraph about being a Dementia Friendly Community. After this request the Port Macquarie Dementia Friendly Community Steering Committee reviewed the text and it was strengthened. The document is inclusive and does not have a separate action plan page for each disability such as Dementia, Autism, MS etc.	
8.	Port Macquarie Dementia Friendly Community Steering Committee	At the 19 April 2017 Committee meeting there was positive support.
Response/ Comment:	The wording in the section about Dementia Friendly was strengthened with assistance with wording from Alzheimer's Australia (Page 9). The Committee endorsed it would be inappropriate to have a separate section for each disability as it is an inclusive Plan.	
9.	Vickey Mackey	<p>I have read the new draft disability action plan and am pleased with many of the initiatives that the council is adopting.</p> <ul style="list-style-type: none"> a. Could Community Transport supply more transport after NDIS? b. Can Aces have a bus shelter c. Adult Change Table - I notice that the plan offers a trial one at a regional sports centre in Wauchope. This is an excellent idea. However, the trial site is not in the main centre of town. I am wondering at the choice of this location as a trial site. I think that the trial should be somewhere in the centre of Port as well as in the centre of Wauchope. Access to a suitable toilet needs to be conveniently located.
Response/ Comment:	The State Government is responsible for funding and delivering public and community transport. (refer page 14). Do contact State Government to advocate for better transport services - especially in our rural areas and your idea for Community Transport to fill this role.	



Looking After Our People

Submission	Issue
Draft Disability Inclusion Action Plan	<p>Bus Shelters - as per Action 2.13 the Access Committee to conduct an audit of all bus shelters and prioritise location of new shelters and Council to apply for grants when appropriate. When prioritising locations the Access Committee will review the request for a shelter near Aces.</p> <p>Adult change table - all our current public toilets are too small to retrofit with an adult sized change table. To trial it will have to be at a new amenity that council plans to build hence the new sports stadium at Wauchope may be a possible option. Council will investigate options of an adult change table at any new amenities in Port Macquarie.</p>

Planning & Policy Implications

new 2017-2021 Disability Inclusion Action Plan will replace the rescinded Disability Discrimination Act Action Plan 2009-2018. The new Plan will commence on .

This activity is consistent with:

- The NSW Disability Inclusion Act 2014;
- *PMHC Towards 2030 Community Strategic Plan*;
- The 7 Big Ideas PMHC Disability Strategy; and
- The Operational Plan actions.

Financial & Economic Implications

The Disability Inclusion Action Plan recognises that financial implications and timeframes for completion will be subject to the annual Operational Plan and budget development process, within the bounds of Council's resources.

At present, there is a budget within the Operational Plan for access projects. In the 2016/17 year it was \$103,000.

Attachments

1 [View](#). 2017-2021 Disability Inclusion Action Plan

2 [View](#). Submissions - on exhibition Disability Inclusion Action Plan

Looking After Our People

Item: 10.05

Subject: RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND
SUB-COMMITTEE - MAY 2017 MEETING

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.9.1 Provide a range of sporting and recreational opportunities.

RECOMMENDATION

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

1. Corey Clark be allocated the amount of \$750.00 to assist with the expenses he would have incurred travelling to and competing at the All Schools National Tennis Championships held in Shepparton Victoria from 29 April - 6 May 2017 inclusive.
2. Ryan Williams be allocated the amount of \$500.00 to assist with the expenses he would have incurred travelling to and competing at the BMX National Championships held in Brisbane, Queensland from 27 - 30 April 2017 inclusive.
3. Bradley Paterson be allocated the amount of \$1000.00 to assist with the expenses he would have incurred as part of the Australian Schoolboys Hockey Team to travel to and compete at the Four Nations Tournament held in Germany from 21 May to 5 June 2017 inclusive.
4. Connor Cook be allocated the amount of \$500.00 to assist with the expenses he will incur travelling to and competing at the Cricket Australia 2017 National Indoor Cricket Championships to be held in MacKay, Queensland from 1 - 8 July 2017 inclusive.

Executive Summary

The Mayor's Sporting Fund Sub-Committee met on 25 May 2017 and reached consensus on Item 8 (Applications) at the meeting and submits the above recommendation for Council's consideration.

Attachments

1 [View](#). Extract Item 8 - Minutes of Mayor's Sporting Fund May 25 2017 Meeting

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: DA2016 - 932 ALTERATIONS AND ADDITIONS TO WASTE MANAGEMENT FACILITY - LOT 12 DP 1027602, LOT 11 DP875998, LOT 9 DP 876001 AND LOT 1 DP 1120786 KINGFISHER ROAD, PORT MACQUARIE

Report Author: Matt Rogers

Applicant: Port Macquarie-Hastings Council
Owner: Port Macquarie-Hastings Council
Estimated Cost: \$2.5M
Parcel no: 34887,32656,32165,54886

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. Approve the Koala Plan of Management for the Kingfisher Road Waste Transfer Station.
2. Determine DA 2016 - 932 for alterations and additions to waste management facility at Lot 12 DP 1027602, Lot 11 DP875998, Lot 9 DP 876001 and Lot 1 DP 1120786, Kingfisher Road, Port Macquarie, by granting consent subject to the recommended conditions.

Executive Summary

This report considers a Development Application (DA) for alterations and additions to an existing waste management facility at the subject site and provides an assessment of the DA in accordance with the Environmental Planning and Assessment Act 1979.

Following exhibition of the application, three(3) submissions have been received.

In accordance with Council's Development Applications Conflict of Interest Policy, this DA is required to be determined by full Council as the Applicant and Owner is Council and submissions have been received objecting to the proposal.

This matter has been considered by Council's Development Assessment Panel on 24 May 2017. The following resolution was made:

That the Development Assessment Panel recommend to Council that:

Looking After Our Environment

1. *The Koala of Management - Kingfisher Road Waste Transfer Station be approved.*
2. *DA 2016 - 932 for alterations and additions to waste management facility at Lot 12 DP 1027602, Lot 11 DP875998, Lot 9 DP 876001 and Lot 1 DP 1120786, Kingfisher Road, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:*
 - *Additional condition in section B of the consent to read:*

'The landowner shall reconstruct Kingfisher Road to the satisfaction of Council from the end of approved road works associated with DA 2015/95 (17.2015.0095.02) terminating in a cul-de-sac at the southern end of Kingfisher Road. Details to be submitted and approved under a Roads Act (s138) application prior to issue of a Construction Certificate including:

 - a) Reconstruction of Kingfisher Road to a minimum 9m wide, with construction of an AUS-SPEC 'Industrial' standard pavement with kerb and gutter both sides,*
 - b) Sealed vehicle turnaround (cul-de-sac) at the southern end of Kingfisher Road,*
 - c) Industrial TIP road entry/exit driveway, and*
 - d) Where required, the existing footpath/verge area in Kingfisher Road is to be raised to contain stormwater in the street, except at any location required for the overland flow path in major events (as defined by AUS-SPEC D5).'*

1. BACKGROUND

Existing sites features and Surrounding development

The Kingfisher Waste Transfer Station (WTS) is located in Port Macquarie and access to the site is via Kingfisher Road. The site has been operating as a WTS since 1996. The site was also operated as a landfill for many years until Cairncross WMF opened in 2001. The site contains; a former landfill, ancillary waste stockpile areas (i.e. scrap metal and green waste), a concrete crushing and processing plant, a liquid waste facility, a waste oil processing facility, various ancillary sheds and a Waste Transfer Station.

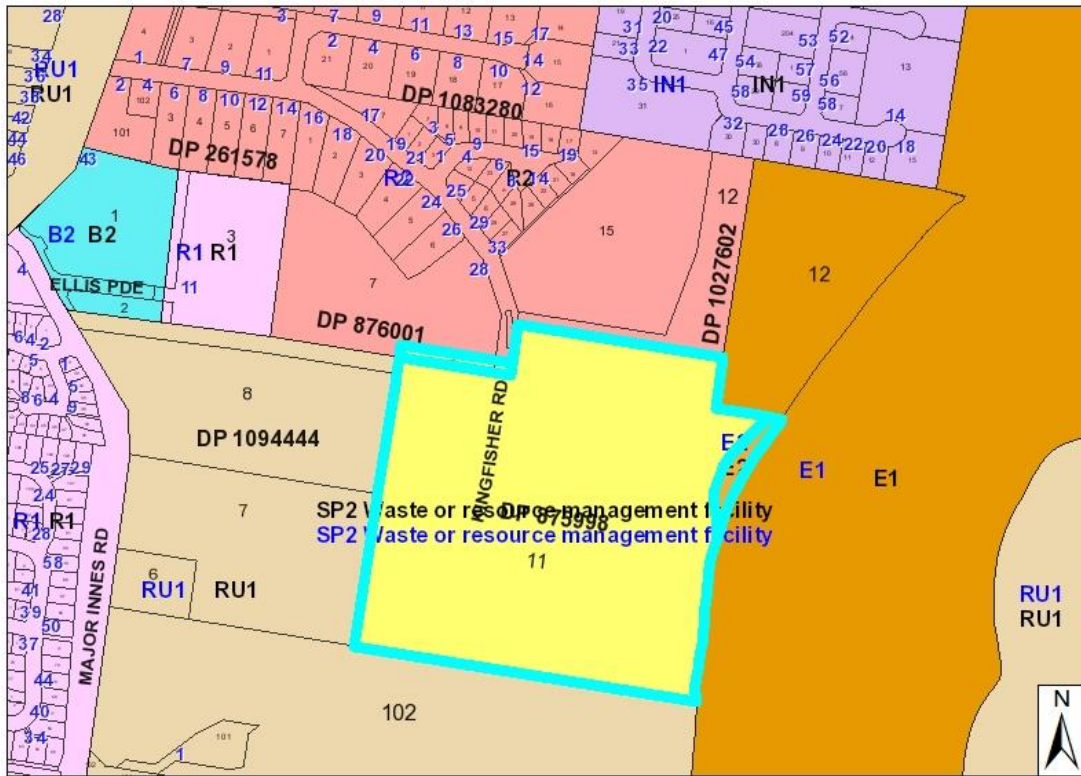
The site is bounded by the Lake Innes Nature Reserve to the east, St Columba Anglican School to the south, the Charles Sturt University (CSU) campus to the west and a boarding house facility being constructed to the northwest (approved under DA2015 - 95.1).

The site has an irregular shape with a total area of 19.16 hectares.

The site is managed by the Port Macquarie-Hastings Council and is classified as operational land.

The site is zoned *SP2 Infrastructure (Waste or Resource Management Facility)*, *R2 Low Density Residential* and *E2 - Environmental Conservation* under Port Macquarie-Hastings Local Environment Plan 2011, as shown in the following zoning plan:

Looking After Our Environment

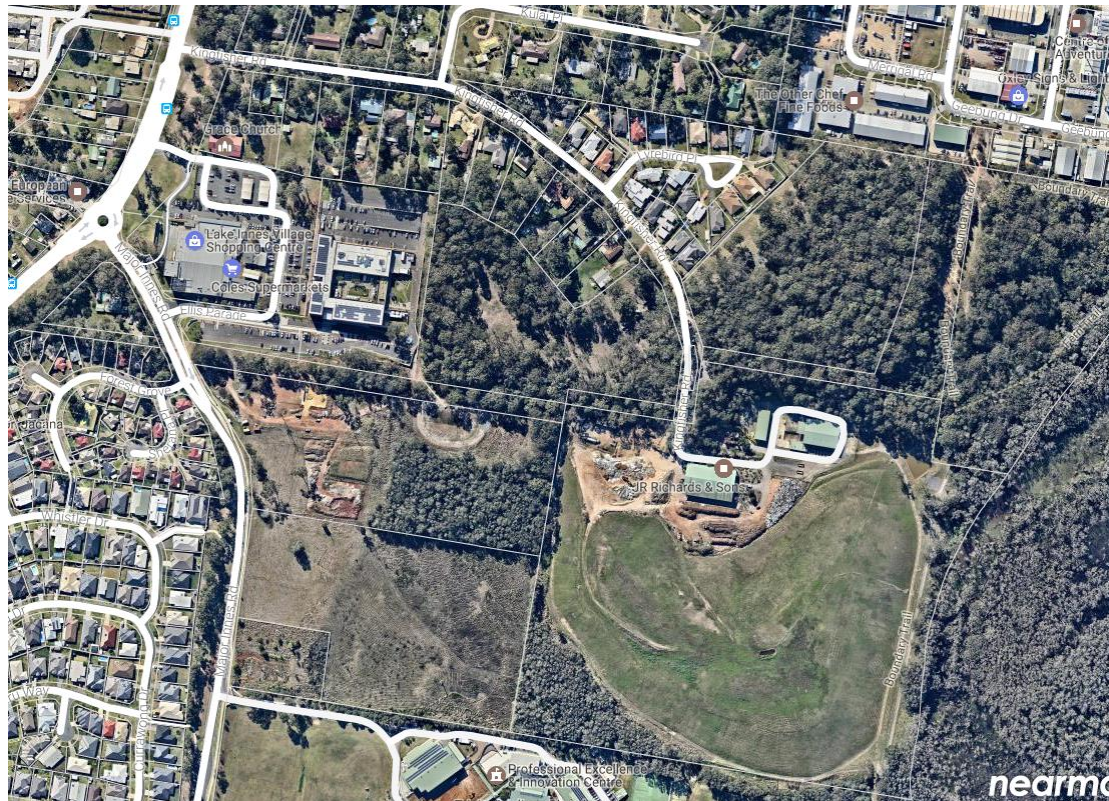


The nearest existing neighbour is located approximately 76m to the north of the site (residential dwelling on Kingfisher Road).

The existing subdivision pattern and location of existing development within the locality is shown in the following aerial photograph (2016):



Looking After Our Environment



2. DESCRIPTION OF DEVELOPMENT

The site has been subject to numerous approvals in the past. The WTS shed and operation of the transfer facility (including green waste and building waste processing etc) on site was approved under DA1996 - 59. This DA involved the construction of the WTS shed a Materials Recovery Facility (MRF) shed (no longer in use), various sheds and facilities associated with the used of the site as a depot for JR Richards waste operations (no longer operational from the site) and the operation of the green waste, scrap metal and construction and demolition stockpile and processing areas.

Key aspects of the proposal include the following:

- Alterations and additions to the WTS.
- Relocation of the existing weighbridge to a new location alongside a new additional weighbridge so that vehicle weights can be recorded into and out of the site.
- The extension of the WTS shed will allow for a 'push pit' waste compactor arrangement.
- Additional designated recycling facilities will also be provided along with a new office/amenities and 'tip shop' building which will sit within the WTS shed.
- The 'tip shop' area would be designated for objects that could be sold (e.g. furniture and tools in good condition).

Refer to attachments at the end of this report.

Designated Development

The Proposal does not meet the requirements under the EP&A Act or EP&A Regulations for designated development or state significant development (SSD).

Looking After Our Environment

Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* (PoEO Act) sets out procedures and requirements for waste, air, water and noise pollution control. Schedule 1 of the PoEO Act establishes that an environment protection licence (EPL) must be obtained for a scheduled activity (i.e. activities listed in Schedule 1 of the PoEO Act).

Schedule 1 of the PoEO Act outlines a number of waste storage, waste transfer, resource recovery or processing facilities that require an EPL. Schedule 1 stipulates that if the premises stores more than 1,000 tonnes of waste at any one time or processes more than 6,000 tonnes of waste per year it is required to obtain an EPL from the EPA. As the facility will store or receive more than 1,000 tonnes and 6,000 tonnes of waste per year respectively the development is required to obtain an EPL from the EPA. EPL 20698 is in force on the site and was issued to PMHC on 4th July 2016.

Should consent be granted for the proposed development the Council will be required to vary the EPL to cover the revised development and site operations (i.e. an application will be made to the EPA to vary the EPL at or before Construction Certificate stage).

Application Chronology

- 2 December 2016 - DA lodged with Council.
- 7 December 2016 - Referral to NSW Roads and Maritime Services (RMS).
- 12 December 2016 to 13 January 2017 - Neighbour notification of proposal
- 21 December 2016 - Advice received from RMS.
- 9 February 2017 - Additional information requested from Applicant - submission issues and access and traffic impacts.
- 15 March 2017 - Meeting with Applicant to discuss assessment issues.
- 21 March 2017 - Advice received from Department of Planning and Environment that the proposed Koala Plan of Management is approved.
- 5 May 2017 - Additional information received from Applicant - response to submission issues and suggested consent conditions to address access and traffic impacts.
- 24 May 2017 - DA considered by Council's Development Assessment Panel

3. STATUTORY ASSESSMENT

Section 79C(1) Matters for Consideration

In determining the DA, Council is required to take into consideration the following matters as are relevant to the development that apply to the land to which the development application relates:

- (a) **The provisions (where applicable) of:**
 - (i) **any Environmental Planning Instrument:**

State Environmental Planning Policy No. 14 - Coastal Wetlands

Looking After Our Environment

The site is identified as being partially within mapped SEPP 14 wetlands. The site also adjoins the Lake Innes Nature Reserve (managed by National Parks & Wildlife Service - NPWS), which is wholly identified as containing SEPP 14 wetlands (near the subject site).

The development is consistent with the aims and objectives of the SEPP and does not contravene any of the restrictions listed under clause (7)(1) of the SEPP. Namely the development does not involve any clearing, levying, draining or filling of the SEPP 14 wetlands.

It is considered that no adverse impacts would be expected on the nearby SEPP 14 wetlands as a result of the development subject to the imposition of standard erosion and sediment control measures being imposed on the development consent. A specific condition is recommended in relation to stormwater quality treatment to be satisfied prior to the issue of a Construction Certificate.

State Environmental Planning Policy No.33 - Hazardous and Offensive Development

SEPP 33 – Hazardous and Offensive Development links the permissibility of an industrial development proposal to its safety and environmental performance. Certain activities may involve handling, storing or processing a range of materials, which, in the absence of controls, may create risk outside of operational borders to people, property or the environment. Such activities would be defined by SEPP 33 as a 'potentially hazardous industry' or 'potentially offensive industry'. SEPP 33 applies to any industrial development proposals which fall within these definitions.

The Proposal does not fall within the definition of a “potentially hazardous industry” or “potentially offensive industry” under the SEPP 33, due to the existing nature of the site. The Proposal is modifying and improving operations on site. Existing small quantities of domestic hazardous wastes (i.e. paints etc) are removed quarterly by a licence contractor. The installation of a compacter bin system will also reduce odours.

It is considered that the proposal has minimal potential for impacts to human and environmental health. Given this, it is considered that the impacts associated with the proposal are unlikely to be ‘offensive’ or ‘hazardous’. Further hazard analysis is therefore not required.

State Environmental Planning Policy No. 44 - Koala Habitat Protection

With reference to clauses 6 and 7, the subject land is greater than 1 hectare (including any adjoining land under same ownership) and therefore the provisions of SEPP must be considered.

This SEPP aims to provide protection of areas of natural vegetation that provides habitat for koalas. It restricts a local Council from granting development consent for proposals on land identified as core koala habitat without preparation of a Koala Plan of Management (KPoM).

A KPoM has been completed for the proposed development and proposes to compensate for the removal of up to 17 trees for the upgrade of the WTS. The KPoM prescribes a number of measures to ensure no net loss of Koala habitat and that opportunities for Koala movement are enhanced. To this effect, compensation

Looking After Our Environment

plantings over an area of 0.7 ha shall be completed and Koala stiles installed at strategic locations to enable dispersing Koalas to traverse security fencing which surrounds much of the site. Additionally, monitoring of Koalas and the compensation planting shall occur in perpetuity and be completed by Council staff or appropriately experienced ecological contractors.

The KPoM has been referred to and approved by the Department of Planning and Environment. The KPoM is considered to be appropriate particularly noting the offset compensatory trees proposed for the proposal. It is recommended that the KPoM be approved.

Issues raised by neighbouring properties in relation to the KPoM are addressed later in this report. A copy of the KPoM is attached to this report.

State Environmental Planning Policy No.55 – Remediation of Land

The objective of SEPP 55 is to provide for a coordinated state-wide planning approach for the remediation of contaminated land. SEPP 55 aims to promote the remediation of contaminated land with the objective of reducing the risk of harm to human health or other aspects of the environment. Clause 7 of SEPP 55 imposes an obligation on the approval authority to have regard to certain matters before granting approval.

These matters include:

- Whether the land is contaminated
- Whether the land is, or will be, suitable for the purpose for which development is to be carried out
- If remediation is required for the land to be suitable for the proposed purpose, whether the land will be remediated before the land is used for that purpose.

SEPP 55 also imposes obligations to carry out any remediation work in accordance with relevant guidelines, developed under the *Contaminated Land Management Act 1995* and to notify the relevant council of certain matters in relation to any remediation work.

The WTS site is located adjacent to the former landfill area which has been classified as Class A contaminated land. It is not proposed to disturb the former landfill area, however the Applicant has advised that in the event that contaminated soil was disturbed, remediation would be undertaken as necessary.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

Given the nature of the proposed development and proposed stormwater controls the proposal will be unlikely to have any adverse impact on existing aquaculture industries.

State Environmental Planning Policy No. 64 – Advertising and Signage

The Proposal does not involve any additional signage which requires consent.

Signage changes will be required to reflect the revised traffic arrangements which will result from the amended site layout, however as this is road signage, it is not required to meet the provisions of SEPP 64.

State Environmental Planning Policy (Infrastructure) 2007

The development meets the applicable provisions of SEPP (Infrastructure) 2007, namely Division 23 - waste or resource management facilities.

Looking After Our Environment

The development may be carried out with consent within the prescribed SP2 zone. This includes the 'business premises or retail premises' being the 'Tip Shop' which is proposed to be located within the expanded WTS shed.

Section 121 of the ISEPP facilitates the development for the purposes of waste or resource management facilities to be undertaken, with development consent within a 'prescribed zone' which includes rural zones (RU1 Primary Production, RU2 Rural Landscape, IN1 General Industrial, IN3 Heavy Industrial, SP1 Special Activities and SP2 Infrastructure). The WTS site is zoned SP2 under the Port Macquarie–Hastings Local Environmental Plan 2011 (PMH LEP), which is considered to be a 'prescribed zone'. Therefore, development of a waste or resource management facilities is permissible with consent on the site.

Referral to the Roads & Maritime Service (RMS) has been made as the development meets the requirements of Clause 104 of Schedule 3 of SEPP (Infrastructure) 2007. In accordance with Clause 104 (3)(b) PMHC must take into consideration any comment from RMS. Refer to comments later in this report.

Port Macquarie-Hastings Local Environmental Plan 2011

The proposal is consistent with the LEP having regard to the following:

- Clause 2.2, the subject site is zoned SP2 - Infrastructure (Waste or Resource Management Facility), R2 - Low Density Residential (existing weighbridge site and vacant site) and E2 - Environmental Conservation (small strip in north eastern corner of site). In accordance with clause 2.3(1) and the SP2 zone landuse table, the proposed development for alterations to the Waste Transfer Station (WTS) is a permissible landuse with consent in the SP2 zone.

The objectives of the SP2 zone are as follows:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

In accordance with Clause 2.3(2), the proposal is consistent with the zone objectives having regard to the following:

- the proposal is a permissible landuse.
- the proposal is for alterations to an existing established waste facility and will cater for the increasing population of Port Macquarie .
- Clause 2.7, the demolition requires consent as it does not fit within the provisions of SEPP (Exempt and Complying) 2008.
- Clause 4.1, the development does not propose any subdivision, therefore the minimum lot sizes will not be affected by the development proposal.
- Clause 5.9 - several listed trees in Development Control Plan 2013 are proposed to be removed. Refer to SEPP44 and flora and fauna assessment sections of this report.
- Clause 5.10 – Heritage. The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.1, the proposal site is mapped as potentially containing class 2 and 3 acid sulphate soils (PASS). The proposed development includes excavation

Looking After Our Environment

and earthworks, however no excavation extending 1.0m below the natural surface level is proposed. Further to this all proposed earthworks will be located on previously disturbed land and all earthworks are proposed on land which is outside of the mapped PASS area. Therefore no adverse impacts are expected to occur to the acid sulphate soils found on site.

- Clause 7.3, the site is land within a mapped “flood planning area” (Land subject to flood discharge of 1:100 annual recurrence interval flood event (plus 0.9m East of the Pacific Highway). However the proposed works are located above the Probable Maximum Flood (PMF), therefore no adverse impacts will occur in relation to flood impacts.
- Clause 7.5 – the Proposal site is not land that is shown as “Koala Habitat area” on the Koala Habitat Map. However SEPP 44 is applicable to the subject development. Refer to SEPP 44 requirements and Appendix E for further details on Koala management.
- Clause 7.13, satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development.

(ii) Any draft instruments that apply to the site or are on exhibition:

No draft instruments apply to the site.

(iii) any Development Control Plan in force:

Port Macquarie-Hastings Development Control Plan 2013

DCP objective	Requirement	Proposed	Complies
2.3.3.1	Cut and fill 1.0m max. 1.0m outside the perimeter of the external building walls	Cut and fill exceeding 1.0m will be required for the new access road. However the works are located well within the boundaries of the site, therefore this will ensure there is no damage or instability to adjoining properties caused by excavation or filling, nor will there be any adverse alteration to the drainage of adjoining dwellings and private open space. The development will also ensure that adequate stormwater drainage is provided around the perimeter of buildings and roads and that both overland and piped flow paths are provided.	No - variation justified



Looking After Our Environment

2.3.3.2	Any retaining wall >1.0 in height to be certified by structural engineer	If required, engineering certification will be provided for any retaining walls required which are over 1.0m.	Yes
2.3.3.8 onwards	Removal of hollow bearing trees	No hollow bearing trees are proposed to be removed.	N/A
2.6.3.1	Tree removal (3.0m or higher with 100m diameter trunk and 3.0m outside dwelling footprint)	17 trees proposed to be removed.	Yes - satisfactorily addressed
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	Yes
2.5.3.3	Off-street parking in accordance with Table 2.5.1:	See 'parking and manoeuvring section' below.	Yes
2.5.3.7	Parking in accordance with AS 2890.1	Capable of being provided.	
2.5.3.11	Development contributions	Refer to main body of report	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Landscaping is proposed.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	All access ways will be sealed	Yes
2.5.3.15	Driveway grades for first 6.0m of 'parking area' shall be 5% grade (Note AS/NZS 2890.1 permits steeper grades)	N/A, however all internal roads to meet road design guidelines.	N/A
2.5.3.16	Transitional grades min. 2.0m length	See above	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	All internal roads to meet road design guidelines.	Yes
2.5.3.18	Car parking areas drained to swales, bio retention, rain gardens and infiltration areas	All car parking areas will drain to the existing Stormwater management facility in the north eastern corner of the Kingfisher WMF site. All drainage water will be	Yes

Looking After Our Environment

		transferred via both the overland and piped system.	
2.7.2.2	Design addresses generic principles of Crime Prevention through Environmental Design.	The site is under camera surveillance and has security lighting. Further the site is patrolled by a security team on a regular basis.	Yes

(iii) any planning agreement that has been entered into under Section 93f or any draft planning agreement that a developer has offered to enter into under Section 93f:

No planning agreement has been offered or entered into relating to the site.

iv) any matters prescribed by the Regulations:

Demolition of buildings AS 2601 – Clause 92

Demolition of the existing building on the site is capable of compliance with this Australian Standard and is recommended to be conditioned.

v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates:

- No Coastal Zone Management Plan applies to the subject site.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, social and economic impacts in the locality:

Context and setting

North: Low density residential and vacant residentially zoned land

The closest dwelling to the site is located 76m to the north of the site on Lot 27, DP1145906.

East: Nature Reserve

The Lake Innes Nature Reserve directly abuts the eastern edge of the subject site. The former landfill separates the WTS shed from the Nature Reserve. The Nature Reserve is located approximately 230m from the WTS shed.

South: School

To the south of the site is St Columba Anglican School, which directly abuts the southern extremity of the former landfill of the site. The School is located approximately 300m from the WTS shed.

West: Vacant rural land

To the west of the site is the currently vacant rural land which is owned by Charles Sturt University. Any future development on this site will be located a minimum distance of 180m from the WTS shed.

Looking After Our Environment

The proposal will be unlikely to have any adverse impacts to existing adjoining properties or the public domain.

The proposal is considered to be compatible with surrounding land uses given the separation to the WTS facilities.

There are no identifiable adverse view sharing, privacy or overshadowing impacts.

The proposal will be unlikely to result in any adverse lighting impacts.

Roads

The site has road frontage to Kingfisher road, which is designated as a local road (using the AUS-SPEC classification system).

Kingfisher Road is a sealed public road with a formation width of 11 metres for the majority of the road with a section of variable width at the eastern end within a 20 metre road reserve. The road has a combination SA and SE kerb and gutter, with no footpaths currently constructed on either side of the road.

Traffic and Transport

The proposal is anticipated to generate 145 daily trips. However, this does not represent an increase in vehicle movements compared to the existing operation. This is because the proposal will result in a decrease in heavy vehicle movements from 1078 movements per year to 468 movements per year, which equates to a 43% decrease in heavy vehicles. This reduction is due to the compaction of the waste which needs to be removed from the site which will reduce the volume by 66%.

Traffic associated with the development is unlikely to have any adverse impacts to the existing road network within the immediate locality.

Roads and Maritime Services (RMS)

Consistent with RMS requirements, the proposal was referred to the RMS on 7/12/2016. RMS' review of the proposal determined:

Council was advised to be satisfied that the intersection of Kingfisher Road and John Oxley Drive is appropriately designed and delineated to accommodate peak heavy and light vehicle movements generated by the proposed development.

In this regard, as there is no increase to traffic movements, it is considered satisfactory that the intersection will remain unchanged.

Notwithstanding the above, it is noted that Council's longer term planning for John Oxley Dr corridor is proposing to include upgrades to the Kingfisher and John Oxley Dr. Current approved concept plans includes traffic signals for the John Oxley Dr and Kingfisher Rd intersection. Detailed design of the corridor is scheduled to be undertaken in the next 2 years and the upgrade works are currently planned for in the 10 year forward planning works program.

Site Frontage & Access

Vehicle access to the site is proposed through one access driveway to Kingfisher Road. All accesses shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

Due to the type and size of development, additional works are required to include:

Looking After Our Environment

- Road construction from the end of the existing constructed and approved pavement to the proposed development.
- Rehabilitation of the existing road pavement being undertaken within 5 years of the development consent for that section of Kingfisher Road from John Oxley Drive to the Student Housing/Boarding House DA reconstruction.

Parking and Manoeuvring

The proposal includes onsite parking to be provided within the waste transfer station shed. Parking will be provided for staff and customers, and be located adjacent to these facilities. These parking spaces will be line marked and designated as parking spaces for staff and WTS customers.

Due to the type of development, car park circulation is required to enable vehicles to enter and exit the site in a forward manner. Site plans show adequate area is available and conditions have been imposed to reflect these requirements. All manoeuvring and parking will be required to comply with AS2890.

Water Supply Connection

Records indicate that the proposed development site has a 100mm metered water service from the 150mm PVC water main in Kingfisher Road. Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic, commercial and industrial components as well as addressing fire service and backflow protection requirements. Details are to be provided on the engineering plans.

Sewer Connection

Records indicate that the site has an existing private sewer pump station and private sewer rising main to the vicinity of Pump Station No. 61 in Geebung Road. Sewer upgrade design details (if applicable) will need to be determined by a hydraulic consultant. Details are to be provided on the engineering plans for the required construction certificate (CC).

Stormwater

The site naturally grades towards the south-east and is currently serviced via an existing sediment basin located on the eastern side of the site. This stormwater pond also contains a gross pollutant trap (GPT) and sediment capture system.

The point of discharge for the proposed development is defined as the existing sediment basin spillway to the adjoining Kooloonbung Nature Reserve.

Stormwater from the proposed development is planned to be disposed via the existing GPT and sediment basin to Kooloonbung Reserve which is consistent with the above requirements.

A detailed site stormwater management plan will be required to be submitted for assessment with the S.68 application and prior to the issue of a CC.

Other Utilities

Telecommunication and electricity services are available to the site.

Heritage

Following a site inspection (and a search of Council records), no known items of Aboriginal or European heritage significance exist on the property.

Looking After Our Environment

Due to the high level of past disturbance evident throughout the site, it is extremely unlikely that any in-situ artefacts would be present in the area. As such, the proposal is unlikely to impact on any aboriginal places, objects and features of significance.

Other land resources

The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle

The proposed development will be unlikely to have any adverse impacts on water resources and the water cycle.

Soils

The proposed development will be unlikely to have any adverse impacts on soils in terms of quality, erosion, stability and/or productivity subject to a standard condition requiring erosion and sediment controls to be in place prior to and during construction.

Air and microclimate

The construction and/or operations of the proposed development will be unlikely to result in any adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management condition recommended.

Flora and fauna

Construction of the proposed access road and weighbridges will require the removal of seventeen (17) native trees from the subject site. However, it is considered that the proposal is unlikely to have any significant adverse impacts on flora and fauna subject to appropriate conditions including compliance with the proposed Koala Plan of Management.

The proposal therefore will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna. Section 5A of the Act is considered to be satisfied.

Waste

The proposal will provide the Port Macquarie urban area with an improved regional waste management facility to deposit general and other waste.

The impacts of the Proposal include construction and operational impacts. Construction impacts relate to the waste streams which would be generated by the construction process. Operational impacts relate to the management of waste stream at the facility and compliance with government strategies and policies.

Operational impacts

Waste streams currently received at the WTS will include general mixed waste, cardboard, e-waste, mattresses, oil, co-mingled recycling, greenwaste, oil, hazardous waste, batteries, tyres, metal and bricks and concrete. General mixed waste is expected to continue to contribute the largest volumes of waste to be managed at the facility. The intention of the WTS is to provide a improved drop-off services for household quantities of waste (eg. trailers / utes). Small scale commercial

Looking After Our Environment

enterprises (i.e. green waste) utilise the WTS on occasion, however commercial and bulk wastes will continue to be directed to the Cairncross WMF.

The WTS has been designed to maximise resource recovery.

Customers are required to pass resource recovery stations prior to reaching the mixed residual waste drop-off area. In addition the WTS site layout allows for surveillance of all drop-off areas by operational staff. This will increase the likelihood of customers depositing waste in the appropriate locations.

Mitigation measures

Many of the impacts of the proposal have a positive effect on waste management. However, to ensure that waste management operations associated with the Proposal (i.e. the push pit and compactor system) do not negatively impact the surrounding environment, the existing *Port Macquarie Waste Management Centre, Kingfisher Road, Operational Environment Management Plan (2007)* will be updated.

Energy

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of the Building Code of Australia. No adverse impacts anticipated.

Noise and vibration

No adverse impacts anticipated given the nature of the development. Standard noise conditions are recommended including requirements to not generate *offensive noise*. Condition recommended to restrict construction to standard construction hours.

Bushfire

The site is identified as being bushfire prone.
The adjoining vacant land and the development site contains managed forest Vegetation.

Bushfire Prone Land Map as Category 1 Bushfire Prone Vegetation and therefore the proposed development could be subject to the impact from future bushfires that occur in this vegetation.

Section 79BA of the *Environmental Planning and Assessment Act* requires the consent authority, when considering development within a bushfire prone area, to confirm that the development complies with the requirements of *Planning for Bushfire Protection 2006*.

Bushfire protection has been considered for the additions to the Kingfisher WTS. A 20m minimum width from managed vegetation on the land to the north of the WTS buildings exists. This 20m protection zone is considered appropriate.

It is considered that the proposal satisfies the objectives of PBP 2006 and the bushfire risk is acceptable subject to the APZ being maintained.

Safety, security and crime prevention

The proposed development is unlikely to create any concealment/entrapment areas or crime spots that would result in any loss of safety or reduction of security in the immediate area.

Looking After Our Environment

The Proposal already includes a number of onsite security measures to ensure the protection and safety of the WTS site, its employees and retail customers. Security at the WTS site includes:

- Fencing to prevent unauthorised entry.
- Controlled circuit television (CCTV) security system at key locations, including the main entrance, WTS shed, and at other strategic locations throughout the site.
- A telecommunications system with connection to the WTS site office and other buildings.

Social impacts in the locality

Given the nature of the proposed development and its location the proposal is unlikely to result in any adverse social impacts.

Economic impact in the locality

No adverse impacts. A likely positive impact is that the development will maintain employment in the construction industry, which will lead to flow impacts such as expenditure in the area.

Site design and internal design

The proposed development design satisfactorily responds to the site attributes and will fit into the locality. No adverse impacts likely.

Construction

No potential adverse impacts identified to neighbouring properties with the construction of the proposal.

Cumulative impacts

The proposed development is not expected to have any adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality.

(c) The suitability of the site for the development:

The proposal will fit into the locality and the site attributes are conducive to the proposed development.

Site constraints have been adequately addressed and appropriate conditions of consent recommended.

(d) Any submissions made in accordance with this Act or the Regulations:

Three (3) written submissions have been received following neighbour notification of the application.

Key issues raised in the submissions received and comments in response to these issues are provided as follows:

Submission Issue/Summary	Planning Comment/Response
Objection to the use of neighbouring land for the use of fauna corridors (Koala Stiles)	The proposed Koala Stile locations are indicative only, however have been identified by specialist Koala ecologists. Council ecology staff and the

Looking After Our Environment

across boundary fences.	Department of Planning KPOM have raised no objection to the indicative koala stile locations. Final locations will be subject to review at construction stage and agreement with respective neighbouring landowners.
A section of boundary fence between the sites had been noted in the ecological assessment as being open, however this has been repaired.	The repair to the boundary fencing is noted.
Lack of consultation regarding the Ecological Assessment and proposed fauna crossings (Koala Stiles).	Council staff attempted to contact the owners of neighbouring properties which were earmarked for potential Koala Stile locations via email. It should be noted that if the locations are not acceptable by the landowner there is sufficient flexibility in the KPOM to utilise other locations.
The inclusion of a rejected DA on neighbouring land in the SOEE is unnecessary.	Noted, it is agreed this is not relevant and does not have a bearing on the subject application.
Concerned about the continual upgrading of the Waste Management Facility without utilising the alternative access road via the Port Macquarie Industrial Estate (i.e. via Geebung Drive)	The proponent has advised that construction of the alternate access road is cost prohibitive due to steep grades, large cuts and significant tree removal. It is considered that the proposed access arrangement should be assessed on merit. It is anticipated that the heavy vehicle movements will decrease from 1,078 heavy vehicle movements per year to 468 heavy vehicle movements per year (Hyder, 2015). This represents a 43% decrease in heavy vehicle movements along Kingfisher Road. These new arrangements will have a net beneficial impact on the existing road network within the immediate locality. A reduction in maintenance requirements and adverse noise and vibration to neighbouring residents along Kingfisher Road can be expected with fewer heavy vehicle movements. An alternative access road via Geebung Drive is considered unnecessary.
Council should close the entrance/exit to the waste facility from Kingfisher Road and relocate it to the industrial area. This would be a safer, cost effective design solution and would remove the large trucks and additional traffic being used for the waste facility from a residential area.	
The development will increase the travel flow along Kingfisher Road which is not presently built for the type of traffic that uses the road. The road is narrow, has sight restrictions at hill crests and is suitable for residential traffic only. In places the road is only 6m wide.	Refer to above comments regarding decrease in heavy vehicle movement. The development was referred to the RMS as it was deemed to be a 'traffic generating development'. The RMS did not have any concerns with the proposed works, nor did they raise any concerns with the use of the existing road access (i.e. Kingfisher Road). The road width is deemed appropriate for the development and no changes to the road alignment/width is required as a result of this development.



Looking After Our Environment

	A condition is however recommended to rehabilitate Kingfisher Road from John Oxley Drive to the Boarding House/Student Accommodation site as offered by the Applicant which is to occur within 5 years of the consent being issued.
Traffic speed along Kingfisher Road is concerning for pedestrians and cars entering Kingfisher Road from Lyrebird Place. Cars are also regularly parked on the road restricting the road width. There are no footpaths available along the entire length of Kingfisher Road.	Regulating traffic speeds is a matter for the police. The road width is appropriate for the development and no changes to the road alignment/width is required as a result of this development.
The intersection of Kingfisher Road & John Oxley Drive needs upgrading due to the increased use as a result of the additional heavy vehicle movements.	Refer to above comments regarding decrease in heavy vehicle movement. The intersection is not considered to require an upgrade as a result of the development. A condition is however recommended to rehabilitate Kingfisher Road from John Oxley Drive to the Boarding House/Student Accommodation site as offered by the Applicant which is to occur within 5 years of the consent being issued. Notwithstanding the above, it is noted that Council's longer term planning for John Oxley Dr corridor is proposing to include upgrades to the Kingfisher and John Oxley Dr. Current approved concept plans includes traffic signals for the John Oxley Dr and Kingfisher Rd intersection. Detailed design of the corridor is scheduled to be undertaken in the next 2 years and the upgrade works are currently planned for in the 10 year forward planning works program.
The 592 bed student accommodation facility proposed for Kingfisher Road will place additional stress on Kingfisher Road & additional heavy vehicle movements will add to this.	Refer to above comments.
The proposal does not accommodate for a pedestrian link from the end of Kingfisher Road to the Googik Track as proposed under the 2015 PMH Bike Plan.	The concept alignment for the bike track link is considered capable of being provided when required. The link is indicatively shown crossing Kingfisher Road at or near the entrance to the site. Appropriate road crossing treatments (concrete blisters, signposting) etc are capable of being incorporated to the road design. The link through the site is also capable of being provided.
Council should contribute to the	Rehabilitation of Kingfisher Road will be



Looking After Our Environment

<p>upgrade/resealing of Kingfisher Road and the intersection with John Oxley Drive and should provide a footpath along the length of Kingfisher Road to make it safer for pedestrians.</p>	<p>undertaken in conjunction with the development which is to occur within 5 years of the consent being issued.</p> <p>As the proposed development does not generate any pedestrian movements it is not directly required to provide any footpath upgrades. Nevertheless, it is expected that any future rehabilitation of Kingfisher Road would consider a footpath.</p>
--	---

(e) The Public Interest:

The Proposal will provide the Port Macquarie urban area with an improved regional waste management facility to deposit general and other waste.

The proposed development satisfies relevant planning controls and is unlikely to adversely impact on the wider public interest.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

- Development contributions will be required towards augmentation of town water supply and sewerage system head works under Section 64 of the Local Government Act 1993.
- Development contributions will be required under Section 94A of the Environmental Planning and Assessment Act 1979 are not required with the proposed conditions for upgrade and rehabilitation works.

5. CONCLUSION

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. It is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.

Attachments

- 1 [View](#). DA2016 - 932.1 Plans
- 2 [View](#). DA2016 - 932.1 Recommended Conditions.
- 3 [View](#). DA2016 - 932.1 KPOM
- 4 [View](#). DA2016 - 932.1 Submission - Mifsud
- 5 [View](#). DA2016 - 932.1 Submission - Pirlo
- 6 [View](#). DA2016 - 932.1 Submission - Schaffar

Looking After Our Environment

Item: 12.02

Subject: DA2016 - 1008.1 SHOP TOP HOUSING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.4 (FLOOR SPACE RATIO) OF THE PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 4 DP 34496, NO 149 GORDON STREET, PORT MACQUARIE

Presented by: Development and Environment, Matt Rogers

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the determination of DA2016 - 1008.1 Shop Top Housing Including Clause 4.6 Variation To Clause 4.4 (Floor Space Ratio) at Lot 4 DP 34496, No 149 Gordon Street, Port Macquarie.

Executive Summary

This report is for Council's information and relates to the determination 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 4.4 (floor space ratio) by not more than 10%.

The floor space ratio of the proposed development is 1.91:1, which does not comply with the maximum floor space ratio of 1.8:1 applying to the site under the LEP. The variation equates to 6.3% of the standard.

Having considered the application and the Clause 4.6 variation to Clause 4.4 of the LEP, the variation was considered acceptable as it related to an additional 71m² of commercial floor space that does not significantly impact on the bulk and scale of the building. Construction of additional floor space in this manner would not result in any change to the external appearance of the building or its perceived bulk and scale. The scale of the building is consistent with other commercial buildings in the locality and the proposal does not result in any adverse privacy, view loss or overshadowing impacts.

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

Looking After Our Environment

1. BACKGROUND

Existing sites features and surrounding development

The site has an area of total area of 626m².

The site is zoned B2- Local Centre 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:



Looking After Our Environment



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

Demolition of the existing dwelling.
Construction of commercial premises and Shop Top Housing.
Works in kind agreement for parking to be proposed.

Attachments

- 1 [View](#). DA2016 - 1008.1 Consent Approval
- 2 [View](#). DA2016 - 1008.1 Plans

Looking After Our Environment

Item: 12.03

Subject: DA2017 - 99.1 ALTERATIONS AND ADDITIONS TO DWELLING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT MACQUARIE -HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND CONSTRUCTION OF SWIMMING POOL - LOT 31 DP 231816, NO 21 MATTHEW FLINDERS DRIVE, PORT MACQUARIE

Report Author: Matt Rogers

Applicant: S A Hall and M A Hall
Owner: S A Hall and M A Hall
Estimated Cost: \$380,000
Parcel no: 13289

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2017 - 99.1 for alterations and additions to existing dwelling at Lot 31 DP231816, No.21 Matthew Flinders Drive, Port Macquarie be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a development application for alterations and additions to an existing dwelling and construction of swimming pool at the subject site. The application includes a request from the applicant to vary the maximum height of the dwelling pursuant to Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011. Clause 4.3 of HLEP 2011 prescribes a maximum height of building limit for this site of 8.5m. The proposal contains a stepped roofline with the maximum height of the northern ridge of the roof of 9.52m. This equates to a variation of 12%.

The application was reported to Council's Development Assessment Panel on 10 May 2017 where it was resolved:

'That it be recommended to Council that DA 2017 - 99.1 for alterations and additions to existing dwelling at Lot 31 DP231816, No.21 Matthew Flinders Drive, Port Macquarie be determined by granting consent subject to the recommended conditions.'

Looking After Our Environment

Council staff and the Development Assessment Panel do not have delegation to approve Clause 4.6 variations beyond 10% of the development standard. Therefore the application is required to be referred to Ordinary Council for determination.

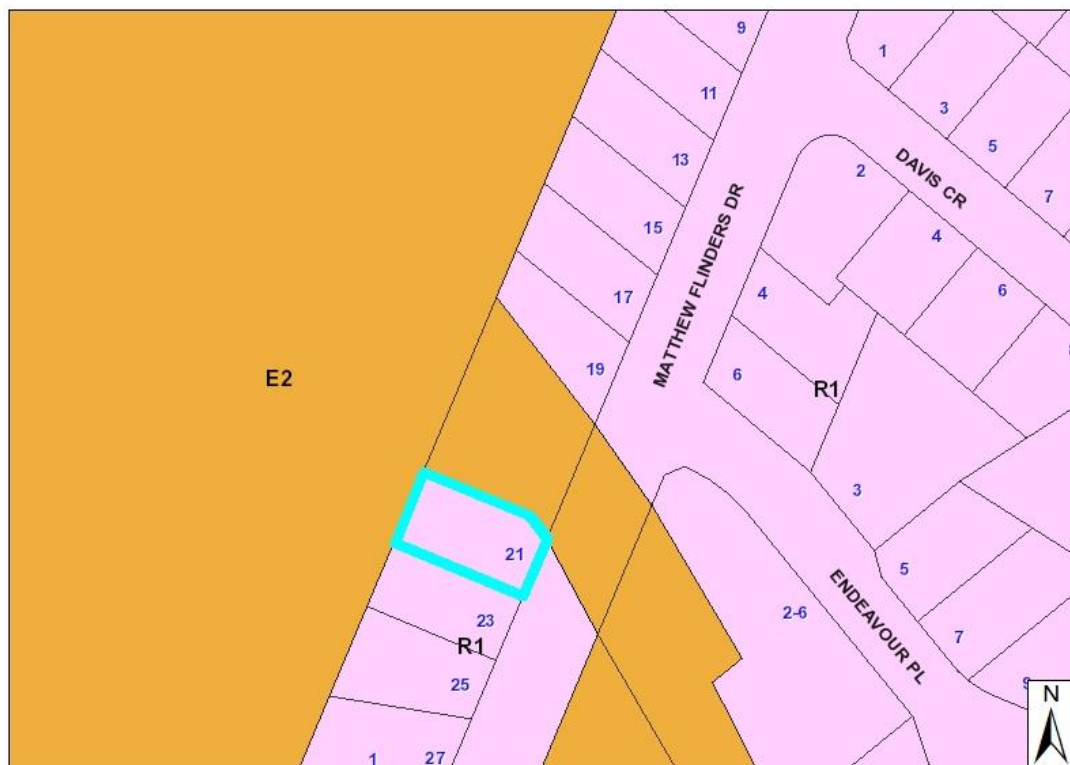
This report provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979. It concludes that the variation is reasonable in this case and the proposal is suitable for the site.

1. BACKGROUND

Existing sites features and surrounding development

The site has an area of 602.4m².

The site is zoned R1 General Residential 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:

Looking After Our Environment



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Proposal seeks to make substantial alterations and additions to the dwelling, utilising the existing building envelope.
- The dwelling is to contain 4 bedrooms, three bathrooms with upper floor master bedroom, ensuite, yoga room and family/office room with verandahs.
- The existing double garage is retained and new subfloor storage area created at garage level.
- A new swimming pool is to be located at the rear of the dwelling.
- There are no neighbouring residential properties to the north or rear of the site.
- E2 Environmental Conservation Zone is located on the northern side and at the rear of the site. This is heavily vegetated.
- The dwelling is located within a 'flame zone' in terms of bushfire risk. The application was referred to the RFS for comment.

Refer to attachments at the end of this report.

Application Chronology

- Application lodged: 14 February 2017
- Public notification finished: 9 March 2017
- No submissions received.
- RFS response received: 23 March 2017.
- Advised applicant of RFS requirements: 27 March 2017.
- Applicant requests assessment of the application, as lodged: 4 April 2017.

Looking After Our Environment

3. STATUTORY ASSESSMENT

Section 79C(1) Matters for Consideration

In determining the application, Council is required to take into consideration the following matters as are relevant to the development that apply to the land to which the development application relates:

- (a) **The provisions (where applicable) of:**
(i) **any Environmental Planning Instrument:**

State Environmental Planning Policy No. 26 - Littoral Rainforest

Clause 4 states the following:

4 Application of Policy

- (1) This Policy applies to:
- (a) land enclosed by the outer edge of the heavy black line on the series of maps held in the Department and marked "State Environmental Planning Policy No 26—Littoral Rainforests (Amendment No 2)", and
 - (b) land not so enclosed but within a distance of 100 metres from the outer edge of that heavy black line except residential land and land to which State Environmental Planning Policy No 14—Coastal Wetlands applies.

The site is within 100m of a designated Littoral Rainforest but is residentially zoned land. On this basis, the provisions of the SEPP do not apply in this case.

State Environmental Planning Policy No. 44 - Koala Habitat Protection

The site is less than 1ha in area therefore no further investigations are required.

State Environmental Planning Policy No.55 – Remediation of Land

The subject land is not identified as being potentially contaminated and is suitable for the intended use.

State Environmental Planning Policy No. 71 – Coastal Protection and Clause 5.5 of Port Macquarie-Hastings Local Environmental Plan 2011

The site is located within a coastal zone as defined in accordance with clause 4 of SEPP 71.

In accordance with clause 5, this SEPP prevails over the Port Macquarie-Hastings LEP 2011 in the event of any inconsistency.

Having regard to clauses 8 and 12 to 16 of SEPP 71 and clause 5.5 of Hastings LEP 2011 inclusive the proposed development will not result in any of the following:

- a) any restricted access (or opportunities for access) to the coastal foreshore
- b) any identifiable adverse amenity impacts along the coastal foreshore and on the scenic qualities of the coast;
- c) any identifiable adverse impacts on any known flora and fauna (or their natural environment);
- d) subject to any identifiable adverse coastal processes or hazards;
- e) any identifiable conflict between water and land based users of the area;

Looking After Our Environment

- f) any identifiable adverse impacts on any items of archaeological/heritage;
- g) reduce the quality of the natural water bodies in the locality.

The site is predominately cleared and located within an area zoned for residential purposes.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX certificate (number A269540) has been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified at Occupation Certificate stage.

Port Macquarie-Hastings Local Environmental Plan 2011

The proposal is consistent with the LEP having regard to the following:

- Clause 2.2, the subject site is zoned R1 General Residential. In accordance with clause 2.3(1) and the R1 zone landuse table, the dwelling (or ancillary structure to a dwelling) is a permissible landuse with consent.

The objectives of the R1 zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

In accordance with Clause 2.3(2), the proposal is consistent with the zone objectives as it is a permissible landuse and consistent with the established residential locality,

- Clause 2.7, the demolition requires consent as it does not fit within the provisions of SEPP (Exempt and Complying) 2008. No specific requirements.
- Clause 4.3, the maximum overall height of the building above ground level (existing) is 9.52m which is non-compliant with the standard height limit of 8.5m applying to the site. The applicant has submitted a written request seeking variation of the height limit pursuant to Clause 4.6 of the LEP. Refer to assessment below.
- Clause 4.4, the floor space ratio of the proposal is 0.62:1 which complies with the maximum 0.65:1 floor space ratio applying to the site.
- Clause 4.6 – exceptions to development standards. The applicant has submitted a written request seeking variation of the height limit pursuant to Clause 4.6 of the LEP. Refer to assessment below.
- Clause 5.10 – Heritage. The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.13 - satisfactory arrangements are in place for provision of essential services.

Clause 4.6 Assessment

The applicant has submitted a clause 4.6 variation request to allow the upper ridgeline of the front of the dwelling (directly above the garage only) to be 9.52m, 1.02m higher than the permitted 8.5m.

The area of the non-compliance is contained on the northern portion of the dwelling. This area of the dwelling does not adjoin any neighbouring dwellings (only rainforest)

Looking After Our Environment

and only applies to the roof above the upper floor office and verandah where the fall of the land steps down the site towards the front boundary. The built form steps down across the site from north to south, being only two storeys adjacent the southern property boundary.

The variation equates to a 12% of the development standard.

Clause 4.6(3) requires Council to be satisfied that the written request justifies the contravention of the development standard by demonstrating:

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

The applicant submits that:

- *Compliance with the development standard is will be minimal negative impact on the 'streetscape' proposal as the articulated roof form combined with the varied selection of wall cladding materials will transform this building into a contemporary seaside dwelling.*
- *It can also be seen that there is a reduction in roof height along the southern boundary adjacent to the adjoining dwelling which will help ameliorate any perception of bulk or overbearing.*
- *There will be a minimal increase in overshadowing of the adjoining site to the south caused by the lengthening of the dwelling along this boundary. However it can be seen that a conventional 1.8m boundary fence would have also have an effect along this boundary.*
- *The use of highlight windows in bedrooms combined with the alfresco shutters being below the top of the fence line will ensure no loss of visual privacy and help minimise acoustic privacy. The new top floor verandahs are located over 10m to the north away from the adjoining southern boundary.*

The applicant's submission establishes that there is a case to consider the development standard as unreasonable and unnecessary for the proposal. Further, that environmental planning grounds relating to streetscape, overshadowing and overlooking are relevant.

Clause 4.6(4) states that development consent must not be granted for development that contravenes a development standard unless:

- (a) *the consent authority is satisfied that:*
 (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

The applicant's submission has adequately addressed the matters in clause 3 above. The development standard and zone objectives are addressed below.

The R1 Zone objectives are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*

Looking After Our Environment

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment: the proposal provides for the housing in the community, it maintains its low density nature, in an area predominantly characterised by larger low density dwellings. Therefore the proposal achieves the zone objectives.

The height of building objectives are as follows:

- (a) *to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality*

Comment: Lighthouse Beach contains a variety of dwellings that have large building envelopes, located on sloping sites that predicate non-compliance with local standards. The proposal has one area of non-compliance that is result of the slope of the site towards the front boundary. If the dwelling was compliant it would not necessarily present a significantly different height, bulk and scale of development when viewed from Matthew Flinders Drive.

- (b) *to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,*

Comment: the design of the alterations and additions are stepped across the site from north to south. There are no neighbours on the northern side (only rainforest - zoned E2 land). The higher component is retained directly over the garage. Adjacent the southern boundary the dwelling is two storeys. The dwelling is setback 6.0m from the front boundary, thereby not imposing over the street frontage or creating significant opportunities for overlooking neighbours. There is no loss of view or shadow effect as a result of the non-compliance in this case.

- (c) *to minimise the adverse impact of development on heritage conservation areas and heritage items,*

Comment: Not applicable.

- (d) *to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan.*

Comment: the proposal is not antipathetic to this objective.

Summary: the applicant has established that strict compliance with the 8.5m height limit for the dwelling is unreasonable and unnecessary in the circumstances. This is based on:

- The area of the non-compliance relates to one habitable room and verandah at the front of the dwelling.
- The additional height is located over the garage, towards the northern boundary where there is no adjoining residential property.
- The height of the dwelling adjacent the southern boundary is two storeys and complies with the development standard.
- The dwelling does not overpower the street presentation as it is setback some 6m from the front boundary and articulated by the porch and entry stairs.

Looking After Our Environment

(ii) Any draft instruments that apply to the site or are on exhibition:

Nil

(iii) any Development Control Plan in force:

Port Macquarie-Hastings Development Control Plan 2013

<i>DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development</i>			
	Requirements	Proposed	Complies
3.2.2.2	Articulation zone: Front setback (Residential not R5 zone): • Min. 6.0m classified road • Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot • Min. 3.0m secondary road • Min. 2.0m Laneway	N/A Local road: > 4.5m Proposal = 6m	N/A Yes
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	As existing. No change.	Yes
3.2.2.5	Side setbacks: • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m	Ground Floor = 0.9m First Floor = 1.9m and no adverse overshadowing caused by the building setback	Yes
3.2.2.6	35m ² min. private open space area including a useable 4x4m min. area which has 5% max. grade	Alfresco area is 4.1m x 8.3m = 34.03sqm + rear setback area.	Yes
3.2.2.10	Privacy: • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed	There are no neighbours on the northern boundary. The windows on the southern boundary are highlight windows only and offset with openings in the northern elevation of the adjoining dwelling.	Yes

Looking After Our Environment

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development

	Requirements	Proposed	Complies
	<ul style="list-style-type: none"> • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m • Privacy screens provided to balconies/verandahs etc which have <3m side/rear setback and floor level height >1m 	The rear alfresco area is not opened to the southern boundary and fitted with bi-fold shutters for privacy purposes.	

(iia) any planning agreement that has been entered into under Section 93f or any draft planning agreement that a developer has offered to enter into under Section 93f:

None.

iv) any matters prescribed by the Regulations:

NSW Coastal Policy 1997

The proposed development is consistent with the objectives and strategic actions of this policy.

Demolition of buildings AS 2601 – Clause 66 (b)

Demolition of the existing building on the site is capable of compliance with this Australian Standard and is recommended to be conditioned.

v) any coastal zone management plan (within the meaning of the [Coastal Protection Act 1979](#)), that apply to the land to which the development application relates:

Nil.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, social and economic impacts in the locality:

Context and setting

- The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.
- The proposal is considered to be consistent with other residential development in the locality and adequately addresses planning controls for the area.
- There is no adverse impact on existing view sharing.
- There is no adverse privacy impacts.

Access, transport and traffic

The proposal will be unlikely to have any adverse impacts in terms access, transport and traffic.

Looking After Our Environment

Water, sewer, stormwater

Service available – details required with S.68 application.

Other Utilities

Telecommunication and electricity services are available to the site.

Flora and fauna

Construction of the proposed development will not require any removal/clearing of any significant vegetation and therefore will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated.

Energy

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of BASIX.

Noise and vibration

No adverse impacts anticipated.

Bushfire

The site is identified as being bushfire prone – Flame Zone. The application was referred to the RFS for their assessment. The RFS provided conditions of approval which are recommended to be included in the development consent.

Social and Economic impacts in the locality

Given the nature of the proposed development and its' location the proposal is unlikely to result in any adverse social or economic impacts.

Site design and internal design

The proposed development design is satisfactorily responds to the site attributes and will fit into the locality. No adverse impacts likely.

Cumulative impacts

The proposed development is not expected to have any adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality.

(c) The suitability of the site for the development:

The proposal will fit into the locality and the site attributes are conducive to the proposed development.

Site constraints of bushfire zoning will need to be addressed in the building materials and treatment of openings, as per the RFS requirements.

(d) Any submissions made in accordance with this Act or the Regulations:

No written submissions were received following public exhibition of the application.

Looking After Our Environment

(e) The Public Interest:

The proposed development satisfies relevant planning controls and is unlikely to impact on the wider public interest.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

- Nil.

5. CONCLUSION

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. It is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.

Attachments

- 1 [View](#). DA2017 - 99.1 Plans
- 2 [View](#). DA2017 - 99.1 Recommended Conditions
- 3 [View](#). DA2017 - 99.1 DAP Report 10052017

Looking After Our Environment

Item: 12.04

Subject: DA2017 - 103.1 2 LOT SUBDIVISION INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.1 (MINIMUM LOT SIZE) OF THE PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 1 DP 541129, NO 97 MATTHEW FLINDERS DRIVE, PORT MACQUARIE

Presented by: Development and Environment, Matt Rogers

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the determination of DA2017 - 0103.1 for a two lot subdivision including a Clause 4.6 variation to Clause 4.1 (minimum lot size) at Lot 1 DP 541129, 97 Matthews Flinders Drive, Port Macquarie.

Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegation. Granting consent involved use of Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.1 (minimum lot size) by not more than 10% of the standard.

Proposed Lot 1 of the two lot subdivision is 446sqm. This is 4sqm below the LEP 2011 development standard of 450sqm. The variation equates to a 0.89% variation to the development standard. The variation was considered to be minor and will not result in any significant adverse planning impacts. Proposed Lot 2 complies with the development standard, being 450.1sqm. Proposed Lot 1 contains the existing dwelling on the subject site and is not adversely impacted by the minor variation to the total site area. The dwelling retains adequate services, access and private open space for residents of the existing dwelling. The proposal does not result in an adverse impact on view sharing, overshadowing, privacy or bulk and scale. Proposed Lot 2 is capable of containing new residential development, subject to an appropriate design.

The Department of Planning and Infrastructure circular PS 08-003 provides for the Director General's assumed concurrence.

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. This report is to ensure compliance with the subject circular.

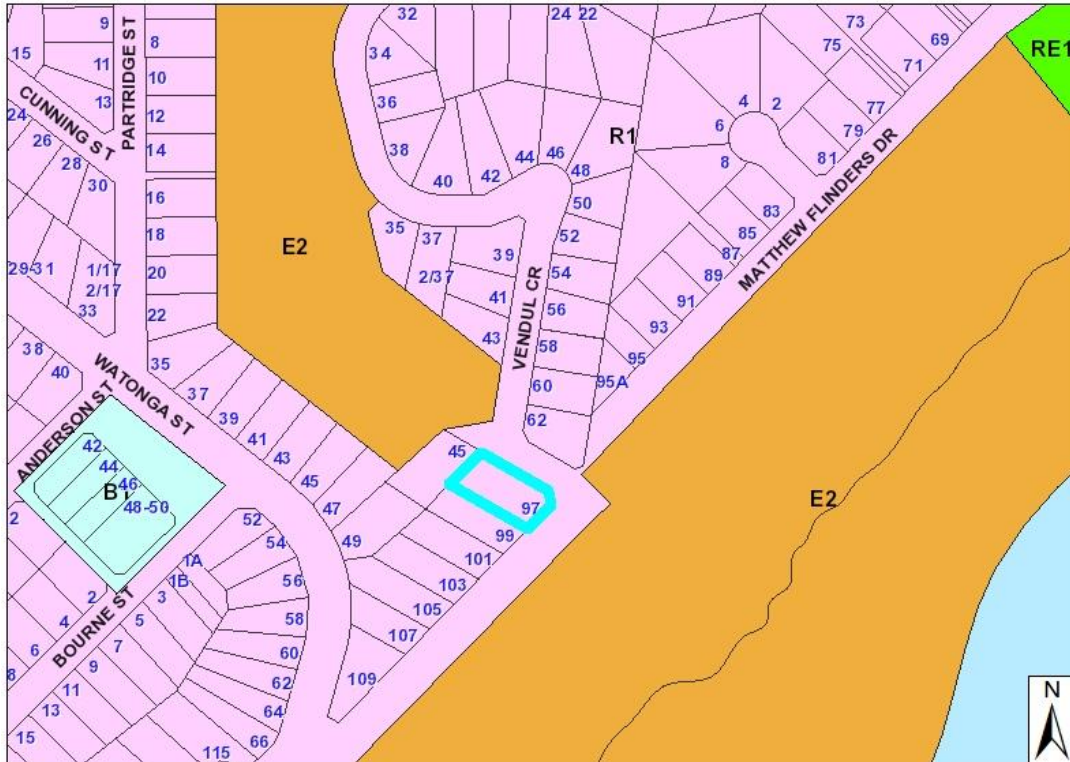
Looking After Our Environment

1. BACKGROUND

Existing sites features and surrounding development

The site has an area of total area of 896.1m².

The site is zoned R1 Low Density Residential 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:



Looking After Our Environment



2. DESCRIPTION OF DEVELOPMENT

2-lot Torrens title subdivision including Clause 4.6 objection to Clause 4.1 (minimum lot size) of the Port Macquarie-Hastings local Environmental Plan 2011.

Attachments

- 1 [View](#). DA2017 - 103.1 Plans
- 2 [View](#). DA2017 - 103.1 Consent Approval

Looking After Our Environment

Item: 12.05

Subject: QUESTION FROM PREVIOUS MEETING - WATERCRAFT STORAGE - HASTINGS RIVER FORESHORE, PORT MACQUARIE

Presented by: Development and Environment, Matt Rogers

RECOMMENDATION

That Council:

1. Advocate for watercraft storage consideration during review of relevant Crown Land Plans of Management
2. Support community recreational boating groups through the planning process associated with new and/or upgraded watercraft storage facilities at McInherney and Port Macquarie Rowing Club Reserves.

Question from Councillor Intemann

Can the General Manager please provide information on the constraints and opportunities associated with additional watercraft storage along the Hastings River foreshore in Port Macquarie?

Comments by Councillor (if provided):

Nil.

Response

Background

Adequate provision of watercraft storage facilities along the Hastings River in Port Macquarie has been an issue for a number of years. Council and state government agencies have been lobbied by recreational boating groups in regard to access to existing facilities and provision of new or upgraded facilities to support current and future demand for storage of watercraft.

This lobbying has seen the issue discussed in a number of key planning documents including:

- Council's *Recreation Needs Study* which discussed forecast increases in the popularity of recreational boating and planned population growth and identified that these issues would drive the need for additional boating infrastructure (refer to page 23).
- *Mid North Coast Regional Boating Plan* (transport for NSW) – The plan assessed storage needs on the Hastings River and found there is 'demand for moderate increases in both on and off-water boat storage capacity in the Coffs Harbour and Port Macquarie areas'. However, the Action Plan

Looking After Our Environment

associated with this document does not prioritise any watercraft storage actions for the Hastings River.

- *Hastings Regional Crown Reserve - Precinct A Plan of Management* – Department of Primary Industries – Lands & Forestry (DPI). This plan recognises the importance of recreational boating within the precinct, but doesn't identify specific watercraft storage opportunities.
- *Westport Park Plan of Management* – DPI. This plan also recognises the importance of recreational boating within the precinct, but doesn't permit development of additional watercraft storage opportunities.

Given these existing demands for watercraft storage, a number of recreational boating groups began meeting in November 2016 to better understand their collective needs. These groups include:

- Maroro Outrigger Canoe Club
- Port Macquarie Sea Scouts
- Sailability Port Macquarie
- Port Macquarie Yacht Club
- Flamin' Dragons Dragon Boating Club
- Port Macquarie Game Fishing Club
- Port Macquarie Sailing Club
- Tacking Point Surf Life Saving Club
- Port Macquarie Surf Life Saving Club
- Port Macquarie Blue Water Fishing Club
- Port Macquarie Rowing Club
- Port Macquarie Kayak club.

Port Macquarie Marine Rescue have also been involved in these meetings.

The group has also met during January, February, March and May 2017 to progress this issue.

These groups have use of facilities at a number of sites in the area including:

- Rowing Club Reserve
- McInherney Park
- Port Macquarie Marina
- Westport Park

Key outcomes from these meetings are:

- A number of groups currently accommodated within the Marina are in negotiation with Marina management and the Member for Port Macquarie regarding ongoing tenure at this site.
- There is potential for additional recreational boating groups to be accommodated at Rowing Club Reserve, although none of these groups propose to relocate their operations to this site.
- A number of groups identified no additional storage requirements.
- There is potential for redevelopment of built structures within McInherney Park to accommodate storage needs of a number of groups.
- Marine Rescue identified a need for additional storage. This has been met in the short term with Development Application approval being provided for a floating storage structure in the Hastings River adjacent to their Westport

Looking After Our Environment

Park facility. This approval was issued for a 2 year period. Grant funding for construction of this facility has been sourced.

- Settlement Point Reserve has potential for additional recreational boating groups to be accommodated, although none of these groups propose to relocate their operations to this site.

Constraints & Opportunities

Key constraints and opportunities associated with additional storage of watercraft along the Hastings River foreshore in Port Macquarie relate to the availability of suitable land on the foreshore and the requirements of various plans that control activities on those lands.

In general terms, there is a limited amount of public open space on the foreshore and this means that the use of the available lands is an important issue given the multiple benefits that need to be derived for the broader community. A balanced approach to the use of these important lands is vital.

Constraints associated with watercraft storage can be summarised as:

- Key planning documents either prohibit the establishment of additional storage capacity on public foreshore lands or do not provide sufficient direction to deal with the issue.
- The need to satisfy multiple demands of the community - not just water craft user groups.
- A general lack of public open space along the Port Macquarie foreshore.
- The competing importance of public open space as the population growth occurs.

Opportunities associated with watercraft storage are:

- Co-location of similar boating activities adjacent to one another. For example, the consolidation of sailing activities at McInherney.
- User group good will. User groups have shown a willingness to work together to achieve positive outcomes in relation to recreational boating needs.
- Plans of Management for foreshore reserves highlight proposed solutions that can be capitalised upon. For example, the development of boating hubs and resolving user group tenure at Port Macquarie Marina.
- Potential for additional private land to be acquired over time to supplement the foreshore open space network.

The following is a more detailed discussion on key constraints and opportunities of note.

Hastings Regional Crown Reserve - Precinct A Plan of Management

Hastings Regional Crown Reserve - Precinct A Plan of Management was adopted in 2014 and covers the foreshore area from Flagstaff Hill to the eastern Westport Park boundary as well as Settlement Point Reserve.

This plan includes 4 specific objectives, 2 of which directly relate to recreational boating:

Looking After Our Environment

1. To better utilise lands with frontage to the Hastings River for tourism, hospitality, entertainment, accommodation, recreation and related purposes, and
4. To improve boat moorings and boating facilities in the Hastings River and to open sections of the water body for active water based recreation.

Specific objective 1, as identified above, includes the following strategy and associated action:

<u>Strategy</u>	<u>Action</u>
1. Redevelopment of existing key activity hubs to maximise commercial, social and recreational opportunities	Facilitate the expansion of existing developments and secure increased commercial and social opportunities from Kooloonbung Creek Harbour: <ul style="list-style-type: none"> <input type="checkbox"/> Development potential from existing infrastructure <input type="checkbox"/> Foreshore activation through site sympathetic development <input type="checkbox"/> Focus on commercial and recreational boating and fishing opportunities

Specific objective 4, as identified above, includes the following strategy and associated action:

<u>Strategy</u>	<u>Action</u>
10. Improve other water and waterside based infrastructure to add value to the capacity of the Hastings River to build on recreational usage	Investigate, develop, plan and implement infrastructure that meets the needs of the waterways recreational users including: <ul style="list-style-type: none"> <input type="checkbox"/> Development of safe convenient launching areas for small watercraft including canoes and (sea) kayaks. (Marina) <input type="checkbox"/> Consult relevant stakeholders during the detail design for the Kooloonbung Creek Harbour redevelopment, about needs, and most suitable locations for water access and facilities.

These strategies, objectives and actions are then further developed into the Strategic 7 Year Plan with watercraft storage opportunities under the plan seemingly limited to potential redevelopment of the Settlement Point Boatshed, Port Macquarie Marina and Kooloonbung Harbour. (Refer to attachment 'Hastings Regional Crown Reserve - Precinct A Plan of Management – 7 Year Plan').

The redevelopment of these sites as boating hubs will present opportunity for new watercraft storage to be provided to support a growing population base and the increasing popularity of recreational boating. Opportunities include provision of fixed watercraft storage as well as floating storage options which are becoming more common in constrained environments.

Westport Park Plan of Management

The Westport Park Plan of Management, adopted in January 2012, includes a clear Vision which is 'to guarantee that Westport Park remains as open space for the use of the public'. This vision, which is outlined on page 8 of the document, is underpinned by a '...clear focus not to support any further permanent development in Westport Park...'

Looking After Our Environment

This vision clearly impacts on any potential for additional watercraft storage within Westport Park. This limitation is reiterated elsewhere in this plan.

The plan does recognise the importance of Westport Park and surrounds in supporting recreational boating opportunities. Section 3.6.7 of the plan focuses on Water-Based Uses and Recreation and identifies that a number of community based recreational boating groups are accommodated within the adjacent Marina.

The plan identifies that part of Marine Rescue Port Macquarie operations are housed within Westport Park. The plan doesn't identify that the Marine Rescue facility also provides watercraft storage for Port Macquarie & Tacking Point Surf Life Saving Clubs.

Pages 21 and 22 of the plan state:

Opportunities to improve or expand boating and other water-based recreation include:

- Security of tenure for community facilities and clubs. Opportunities are limited to multiple use only of existing facilities to avoid any further development with the Park and resultant loss of open space.

As mentioned above, a number of groups currently accommodated within the Marina are in negotiation with Port Macquarie Marina management and the Member for Port Macquarie regarding ongoing tenure at this site.

Action 13 of the plan identifies the need for a review of Plan of Management '...after a maximum of five years'. Given the plan was adopted in January 2012, the timing for plan review is here and staff have been advised by DPI representatives that this review will commence later this year.

This review will give the community an opportunity to have their say on the effectiveness of the current plan and to seek changes to the new version of the Plan of Management. As Trust Manager for this reserve Council has an obligation to advocate for the best possible community outcomes in development of any future plan for Westport Park.

Rowing Club Reserve and McInherney Park

Rowing Club Reserve and McInherney Park are Council owned Community Land sites. In accordance with the Local Government Act 1993, Plans of Management are required for Community Land. However, Existing plans for these sites do not prevent provision of additional watercraft storage being developed.

Both sites are zoned RE1 Public Recreation. This land zoning permits development of such recreational facilities.

Concept Plans for development of an integrated storage/public amenities facility at McInherney Park has been developed and is currently being finessed by some of the groups for a future presentation to Council. (Refer to attachment 'McInherney Park Watercraft Storage Concept Plan - Sailability')

Looking After Our Environment

Flooding

The impact of this flooding on provision of further watercraft storage will need to be considered on a case by case basis. Council's policy recognises the need for provision of such facilities within flood affected areas and allows for their development in accordance with Flood Planning Level 1.

Any development proposed in these areas will need to meet the requirements of Section 4.11 Special Purpose Facilities within the policy.

Attachments

- 1 [View](#). Hastings Regional Crown Reserve - Precinct A Plan of Management - 7 Year Plan
- 2 [View](#). McInherney Park Watercraft Storage Concept Plan - Sailability

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: TRANSFER OF LAND TO COUNCIL FOR SEWER PURPOSES

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

5.5.3 Plan, investigate, design and construct sewerage assets.

RECOMMENDATION

That Council:

1. **Accept the transfer of land being Lot 163 Deposited Plan 1229250.**
2. **Delegate Authority to the General Manager to sign the Land and Property Information Transfer Form.**
3. **Pursuant to Section 34 of the *Local Government Act 1993*, commence the procedure to classify Lot 163 Deposited Plan 1229250 as operational land by placing on public exhibition the proposed resolution “It is intended to classify Lot 163 Deposited Plan 1229250 as operational land”, from 28 June 2017 for a minimum period of 28 days.**
4. **Note that a further report will be tabled to Council at the August 2017 Ordinary Council meeting, detailing any submissions received from the public during the exhibition period.**

Executive Summary

This report is presented to Council to consider the transfer of land arising from the development of land at Lake Cathie. The land contains a sewer pumping station that services the adjoining residential development. As an item of public infrastructure, the land that contains the infrastructure should be held in public (Council) ownership.

The land is required to be classified to meet the provisions set out in the *Local Government Act 1993*.

Discussion

Development of land for residential purposes at Lake Cathie has required the developer to provide a sewer pumping station to service the development. The pumping station is situated on Lot 163 Deposited Plan 1229250 being land at the southern end of Seaside Drive. A plan showing the location of Lot 163 Deposited Plan 1229250 is attached. Lot 163 Deposited Plan 1229250 comprises an area of 122.2m².

Under current Land and Property Information procedures, Lot 163 Deposited Plan 1229250 was not able to be dedicated to Council on registration of Deposited Plan 1229250. It is now necessary to follow a land transfer procedure to effect a change of land ownership from the developer to Council.

Planning and Providing Our Infrastructure

The *Local Government Act 1993* requires that all land owned by Council (excluding roads) must be classified. Public notice of a proposed classification is required to be given prior to a classification of the land becoming effective.

Options

Given the conditions of development consent, that required the developer to construct the pumping station, it is considered there are no options other than to accept the transfer of the land and proceed to classify it as operational land.

Community Engagement & Internal Consultation

There has been consultation between the Infrastructure Division and the Corporate Performance Division.

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

The developer of the residential estate that utilises the sewer pumping station is required to meet the costs of the land transfer.

Attachments

1 [View](#). Plan showing land to be transferred to Council

Planning and Providing Our Infrastructure

Item: 13.02

Subject: ENERGY EFFICIENT STREET LIGHTING - LIGHT EMITTING DIODES (LED)

Presented by: Infrastructure, Andrew Doig

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:

- 1. Delegate authority to the General Manager to accept and execute the Negotiated LED SLUOS Pricing Agreement with Essential Energy.**
- 2. Investigate the financial implications of undertaking a bulk street lighting LED change-out, including capital contribution costs and payback period, for reporting to a future Council meeting.**

Executive Summary

Council acts as a public lighting customer for the provision of street lighting to the community. Council currently spends over \$1.16 million per year to provide this service. Light Emitting Diode (LED) street lights, which are a more efficient and cost effective technology, are now available from Essential Energy for residential street lighting. Access to this technology is contingent upon Council signing a Street Lighting Use of Services (SLUOS) pricing agreement for LED lighting with Essential Energy. Council has recently negotiated, along with 43 other councils, the pricing associated with this agreement, and Essential Energy has provided a formal Offer based on these negotiations. Council cannot install LED street lights until this Offer has been accepted and executed. Analysis has shown Council can upgrade over 5500 current street lights at a capital investment cost in the order of \$2 million, which would generate cost savings in the order of \$330,000 per year, providing a payback period of six years.

Discussion

Essential Energy owns and maintains 7,690 street lightings (as at Dec 2016) on behalf of Council as a public lighting customer. Council will pay over \$1.16 million for the operation and maintenance of these street lights this financial year, being approximately \$691,000 to Essential Energy for maintenance and capital improvements (under the current Street Lighting Use of Services (SLOUS) pricing) and \$475,000 for electricity usage. This represents a significant annual expenditure for the community. As more street lights are installed with every new residential subdivision and as energy prices continue to increase this significant cost will continue to rise. The use of more efficient lighting is one way to address this cost to the community.

Planning and Providing Our Infrastructure

While the use of Light Emitting Diode (LED) is not a new technology for energy efficient lighting, its wide use for public street lighting in NSW is only starting to be adopted by the Energy Network Service Providers, such as Essential Energy. Prior to 2017, LED street lighting was only used on a trial basis at selected locations around Essential Energy's service area. Trials have shown that the use of LED lights can reduce energy consumption by up to 65%. LED lighting is also less maintenance intensive with significantly longer life spans than older technologies.

LED street lights are now available on Essential Energy's standard materials listing for use with new street light installations and upgrades for category P lighting (minor roads and pedestrian areas), however only where a LED pricing agreement exists. An LED lighting option was not available at the commencement of the 2014-19 regulatory period and consequently a regulated price has not been determined by the Australian Energy Regulator (AER). Essential Energy has advised that LED Street lights for category V lighting (major roads) is still only available on a trial basis.

In late 2016 Council participated in a negotiation process with Essential Energy for the introduction of a Street Lighting Use of Services (SLUOS) pricing agreement for LED lighting. Essential Energy completed the negotiation of LED SLUOS pricing with public lighting customers in January 2017. This negotiation has been completed in accordance with Essential Energy's Negotiating Framework for the implementation of SLUOS pricing for LED lighting. 44 Councils within the Essential Energy distribution area participated in the negotiations, with several Regional Councils engaging specialist consultants to lead their negotiations.

With the negotiation process now complete, Essential Energy is now able to formally offer the negotiated LED SLUOS pricing for adoption. Formal acceptance of the negotiated pricing is required. Where accepted, this negotiated SLUOS pricing will continue until Australian Energy Regulator (AER) approved LED prices are available; with the next AER pricing determination commencing 1 July 2019.

Essential Energy's formal Offer, for adoption, and associated prices are attached.

It is important to note that Council is unable to install LED lights that will form part of Essential Energy's public lighting inventory unless a pricing agreement is in place with Essential Energy, or an AER approved LED price is available. In the absence of an agreed or approved LED price, Council may install LED lighting as private metered lighting, where Council will be responsible for the maintenance of these lights and energy consumption will be billed through the metered installation.

Another major aspect of Essential Energy approving LED street lighting and having an agreed pricing structure is allowing councils to undertake a bulk change-out of lights to maximise the savings from LED technology. Essential Energy has undertaken an analysis of Council's lighting inventory and has advised that 5583 out of 7690 lights can be upgraded to LED. This analysis also outlined a capital investment of approximately \$2 million would be required for Essential Energy to undertake this change-out. The capital cost offered by Essential Energy was comparable in nature to that received by numerous other Councils.

Planning and Providing Our Infrastructure

Options

Council has the option to either adopt the pricing structure as negotiated with Essential Energy for LED street lighting or wait until the next AER determination in July 2019.

Community Engagement & Internal Consultation

Internal consultation was been undertaken with the following:

Director Infrastructure
Director Strategy and Growth
Group Manager Assets and Property Investment
Group Manager Transport and Stormwater Network

Extensive consultation has also been undertaken with Essential Energy, which is currently ongoing.

Council staff were directly involved with the negotiation process, making written submissions to Essential Energy.

Planning & Policy Implications

The adoption of the LED pricing structure will allow for all new category P Street lighting installations to be LED. For new subdivisions Council, as the public lighting customer, specifies the type of lighting to be installed.

Financial & Economic Implications

The capital investment for a bulk change-out of 5583 lights to LED will be in the order of \$2 million.

Preliminary analysis of the potential savings has indicated cost savings per year in both maintenance and energy in the order of \$330,000. This provides a payback period of approximately 6 years.

More information will be presented to Council at a future report regarding the financial implications of a bulk change-out of street lights with LED.

There are also ongoing cost savings with the introduction of LEDs for new development. For a typical category P Street light within a residential subdivision the maintenance savings would be approximately 38% and energy savings of 61%.

Attachments

1 [View](#). LED Negotiated SLUOS Pricing Agreement Final - Essential Energy - Port Macquarie Hastings

Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE

RECOMMENDATION

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

Item 15.01 T-17-01 Design Services for Hastings Regional Sporting Complex - Stoney Creek Road, Wauchope

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 T-17-06 Supply and Delivery of a Truck Mounted Street Sweeping Machine

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 T-17-09 E-Waste Collection and Recycling 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 T-17-16 North Brother Local Catchments Flood Study

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 T-17-29 Supply of a CCF Class 3.5 Wheel Loader with an operating capacity between 3,500 - 4,000kg

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 15.06 T-17-25 Planning and Design of a Parallel Taxiway, Port Macquarie Airport

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.**

Subject: ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RECOMMENDATION

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

- Item 15.01 T-17-01 Design Services for Hastings Regional Sporting Complex - Stoney Creek Road, Wauchope**
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
- Item 15.02 T-17-06 Supply and Delivery of a Truck Mounted Street Sweeping Machine**
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
- Item 15.03 T-17-09 E-Waste Collection and Recycling 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.
RECOMMENDATION
- Item 15.04 T-17-16 North Brother Local Catchments Flood Study**
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
- Item 15.05 T-17-29 Supply of a CCF Class 3.5 Wheel Loader with an operating capacity between 3,500 - 4,000kg**
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
- Item 15.06 T-17-25 Planning and Design of a Parallel Taxiway, Port Macquarie Airport**
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