



# Ordinary Council

## Business Paper

**date of meeting:** Wednesday 17 February 2016

**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.

**Council's Vision**

A sustainable high quality of life for all

**Council's 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, you can request to address Council by:

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

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

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

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

### Addressing Council in the Public Forum:

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

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

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

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

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

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



**PORT MACQUARIE  
HASTINGS**

# Ordinary Council Meeting

Wednesday 17 February 2016

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**PORT MACQUARIE  
HASTINGS**

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

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

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

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

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

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**RECOMMENDATION**

That the apologies received be accepted.

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

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**RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held on 16 December 2015 be confirmed.

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**PRESENT****Members:**

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

**Other Attendees:**

General Manager (Craig Swift-McNair)  
Director of Community and Economic Growth (Tricia Bulic)  
Director of Corporate and Organisational Services (Rebecca Olsen)  
Director of Development and Environment Services (Matt Rogers)  
Director of Infrastructure and Asset Management (Jeffery Sharp)  
Group Manager Governance and Executive Services (Blair Hancock)  
Governance Support Officer (Bronwyn Lyon)  
Communication Engagement and Marketing Team Leader (Andy Roberts)

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The meeting opened at 5.30pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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

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**02 LOCAL GOVERNMENT PRAYER**

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Pastor Mark Minturn from the Coastside Church delivered a Christmas greeting.  
Reverend Malcolm Hausler from the Port Uniting Church delivered the Local Government Prayer.

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**03 APOLOGIES**

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*RESOLVED: Turner/Hawkins*

That the apology received from Councillor Adam Roberts be accepted.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**04 CONFIRMATION OF MINUTES**

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*RESOLVED: Levido/Cusato*

That the Minutes of the Ordinary Council Meeting held on 18 November 2015 be confirmed to include the amendment to the 'Present' list replacing Matt Rogers, Director of Development and Environment Services, with Dan Croft, Acting Director of Development and Environment Services.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**05 DISCLOSURES OF INTEREST**

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Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 11.02 - Commercial Activities on Council-managed Land, the reason being that Councillor Levido is a partner in the Port Macquarie Law Firm, Donovan Oates Hannaford Lawyers. The Firm acts for the owners of a business who are currently licensed to carry out commercial activities on Council managed land being the subject of the report.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 15.01 - Tender T-15-13 PMHC Printing Services, the reason being that Councillor Levido is a partner in the Port Macquarie Law Firm, Donovan Oates Hannaford Lawyers. The Firm acts for the owner of a business who has lodged a tender with respect to the subject report.

Councillor Turner declared a Non-Pecuniary, Significant Interest in Item 11.02 - Commercial Activities on Council-managed Land, the reason being that Councillor Turner has a tenant of property owned by him who currently holds a license to operate a business on Council managed land.

Councillor Cusato declared a Pecuniary Interest in Item 12.06 - Draft Biodiversity Certification Assessment and Application - Port Macquarie Airport and surrounding land, the reason being that Councillor Cusato owns a hangar at the Port Macquarie Airport.

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Councillor Intemann declared a Non-Pecuniary, Less Than Significant Interest in Item 12.05 - Grant Offer from the Mid North Coast Weeds Coordinating Committee / Local Land, the reason being that Councillor Intemann is Council's representative on the Mid North Coast Weeds Committee.

Councillor Sargeant declared a Non-Pecuniary, Significant Interest in Item 15.06 - Tender T-15-49 Port Macquarie Pool Heat Pump Replacement, the reason being that Councillor Sargeant consults to Forest Corp NSW who have an interest in supplying timber residue as an energy source for heating pools.

Councillor Griffiths declared a Pecuniary Interest in Item 15.09 - Tender T-15-63 Two (2) 4WD Backhoe/Loader, the reason being that Councillor Griffiths' business has a customer who is one of the tenderers the subject of this report.

Councillor Besseling declared a Pecuniary Interest in Item 13.05 - Liveable Neighbourhoods - East Port: Results of community engagement, the reason being that Councillor Besseling owns property in the area.

Councillor Besseling declared a Pecuniary Interest in Item 12.06 - Draft Biodiversity Certification Assessment and Application - Port Macquarie Airport and surrounding land, the reason being that Councillor Besseling has an interest in a property which is the subject of a biobanking agreement which could be affected by this matter.

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## 06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

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*RESOLVED: Besseling*

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

*CARRIED: 8/0*

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

*AGAINST: Nil*

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## 06.02 RELOCATION OF PORT MACQUARIE CENOTAPH

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*RESOLVED: Besseling*

That Council undertake the relocation of the Port Macquarie Cenotaph as Stage 1 of the Port Macquarie Town Square works program, with a completion date of no later than April 2016.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

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

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**08 PUBLIC FORUM**

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

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**REQUESTS TO SPEAK ON AN AGENDA ITEM**

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

Item 10.03 - Mr Leo Koppers in opposition of the recommendation.

Item 10.03 - Mr Geoff Moore in support of the recommendation.

Item 12.03 - Mr Robert Smallwood in support of the recommendation.

Item 13.03 - Mrs Andrea Baker in opposition of the recommendation.

Item 13.04 - Ms Cassandra Shafer in opposition of the recommendation.

Item 13.05 - Mr Allister Hunziker in support of the recommendation.

Item 13.05 - Ms Christine Coorey in opposition of the recommendation.

Item 13.06 - Mr Jeff Woodgate in support of the recommendation.

Item 13.06 - Mr Robert Bruce in support of the recommendation.

*RESOLVED: Cusato/Griffiths*

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

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**SUSPENSION OF STANDING ORDERS**

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*RESOLVED: Cusato/Griffiths*

That Standing Orders be suspended to allow Items 10.03, 12.03, 13.03, 13.04, 13.05 and 13.06 to be brought forward and considered next.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**10.03 YALUMA DRIVE RESERVE MATERIAL PUBLIC BENEFIT APPLICATION**

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Mr Leo Koppers addressed Council in opposition of the recommendation.

Mr Geoff Moore addressed Council in support of the recommendation and answered questions.

*RESOLVED: Levido/Intemann*

That Council:

1. Note the submissions received during exhibition for the proposal to build a new footpath through the Yaluma Drive Reserve.
2. Acknowledge the developer's withdrawal of the Works in Kind Agreement for the provision of the footpath.
3. Advise those people who made a submission of this outcome.
4. Request the General Manager to bring a report back to Council's March 2016 meeting as to proposals for the development of the Yaluma Drive reserve including consideration of issues relating to trees and safety, practical passive public use of the reserve, the relevance of the Heavenly Ridge park, neighbourhood pathway connectivity, neighbourhood concerns and costings.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**12.03 DA2015 - 0648 ADDITIONS TO DWELLING INCLUDING CLAUSE 4.6  
OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) UNDER THE  
PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT  
LOT 385 DP 236950, 15 VENDUL CRESCENT, PORT MACQUARIE**

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Mr Robert Smallwood, of Robert Smallwood Building Plans, addressed Council in support of the recommendation.

*RESOLVED: Cusato/Griffiths*

That DA2015 - 0648 for additions to dwelling including Clause 4.6 objection to Clause 4.3 (Height of Buildings) under the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 385, DP 236950, No. 15 Vendul Crescent, Port Macquarie, be determined by granting consent subject to the recommended conditions.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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### 13.04 PLANNING CONTROLS FOR SHORT-TERM RENTAL ACCOMMODATION

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Ms Cassada Shafer, representing Portside Residents, addressed Council in opposition of the recommendation and answered questions from Councillors.

*RESOLVED: Besseling/Cusato*

That Council defer the matter pending a further report to the March 2016 Council Meeting to obtain further information particularly in regard to control of local amenity.

*CARRIED: 8/0*

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

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### 13.05 LIVEABLE NEIGHBOURHOODS - EAST PORT: RESULTS OF COMMUNITY ENGAGEMENT

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Councillor Besseling declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 6.33pm.

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

Councillor Hawkins left the meeting, the time being 06:35pm.

Councillor Hawkins returned to the meeting, the time being 06:35pm.

Mr Allister Hunziker addressed Council in support of the recommendation.

Mrs Christine Coorey addressed Council in opposition of the recommendation and answered questions from Councillors.

*RESOLVED: Griffiths/Cusato*

That Council:

1. Take the necessary steps under section 59 of the Environmental Planning and Assessment Act 1979 to finalise Local Environmental Plan 2011 (Amendment 37) as described in the attached planning proposal.
2. Adopt the attached Development Control Plan 2013 (Amendment No 6), incorporating the changes arising from submissions as referred to in the report, to commence upon the date that public notice of its approval is given in a local newspaper.
3. Thank in writing all those who made a submission for their contribution and provide information on Council's decision on the matter.

*CARRIED: 7/0*

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

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Mayor Besseling returned to the meeting, the time being 06:42pm.

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

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### 13.06 LIGHTHOUSE BEACH RESERVE IMPROVEMENTS

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Mr Jeff Woodgate, of Tacking Point Lions Club, addressed Council in support of the recommendation.

Mr Robert Bruce, of Tacking Point Lions Club, was not present to address Council.

*RESOLVED: Sargeant/Turner*

That Council:

1. Note the submissions received during exhibition for the proposal.
2. Adopt the plan: Lighthouse Beach Reserve Landscape Concept, Option 1.
3. Continue to support the Lions Club with project management and construction supervision.
4. Formally acknowledge the efforts of the Tacking Point Lions Club in this matter.

*CARRIED: 8/0*

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

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### 13.03 PLANNING PROPOSAL LOT 41 DP872362, MCGILVRAY ROAD BONNY HILLS

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Mrs Andrea Baker was not present to address Council.

*RESOLVED: Cusato/Sargeant*

That Council:

1. Not proceed with the planning proposal submitted by Land Dynamics Pty Ltd for Lot 41 DP872362, as shown attached to the Planning Proposal Lot 41 DP872362, McGilvray Road Bonny Hills report.
2. Take the necessary steps under the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) to notify the proponent that the request to prepare a Planning Proposal is not supported as it is inconsistent with the Port Macquarie-Hastings Urban Growth Management Strategy 2011.
3. Consider the information contained in the planning proposal from Land Dynamics during preparation of a revised Urban Growth Management Strategy.

*CARRIED: 8/0*

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

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**09.01 STATUS OF OUTSTANDING REPORTS TO COUNCIL**

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*RESOLVED: Cusato/Griffiths*

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

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.02 NOTICE OF MOTION - COMMUNITY VISION AND MISSION**

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*RESOLVED: Intemann/Sargeant*

That Council adopt the following Community Vision and Mission for use in the Council agenda, the Community Strategic Plan and other relevant documents:

**COMMUNITY VISION**

A sustainable high quality of life for all

**COMMUNITY MISSION**

Building the future together

People Place Health Education Technology

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.03 DISCLOSURE OF INTEREST RETURN**

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*RESOLVED: Levido/Sargeant*

That Council note the Disclosure of Interest returns for:

1. Business Enterprise Manager, Port Macquarie Airport.
2. Ranger.
3. Group Manager, Governance and Executive Services.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.04 REPORT ON ATTENDANCE AT THE LOCAL GOVERNMENT FINANCIAL SUSTAINABILITY – PREPARING FOR THE FUTURE CONFERENCE**

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*RESOLVED: Hawkins/Cusato*

That Council note:

1. The conference report provided by Councillor Hawkins on his attendance at the Local Government Financial Sustainability - Preparing for the Future Conference,
2. That since the conference, the financial sustainability of all NSW Councils (including PMHC) has been materially damaged and seriously undermined by the 2 December 2015 announcement by the Independent Pricing and Regulatory Tribunal (IPART) capping the 2016-2017 increases in rate income to 1.8% despite the fact that in the past year there has been an average increase across all NSW councils of:
  - a) 2.4% in employee benefits and on costs.
  - b) 5.1% in other business service costs.
  - c) 3.6% in council plant and equipment costs.
3. That the artificially low cap on rates comes on top of the Federal Government's freeze on Financial Assistance Grants (FAG's) and the ongoing practice of "cost shifting" by higher levels of government to local councils, which is in effect a hidden de facto tax on our community.

*CARRIED: 6/2*

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

*AGAINST: Griffiths and Sargeant*

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**09.05 INVESTMENTS - NOVEMBER 2015**

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*RESOLVED: Levido/Intemann*

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

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.06 MONTHLY FINANCIAL REVIEW FOR NOVEMBER 2015**

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*RESOLVED: Hawkins/Griffiths*

That Council adopt the adjustments in the "Financial Implications" section of the Monthly Financial Review for November 2015 report.

*CARRIED: 8/0*

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

*AGAINST: Nil*



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**10.01 QUESTION ON NOTICE - GLASSHOUSE LOCAL PRODUCTIONS**

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*RESOLVED: Turner/Hawkins*

That Council:

1. Note the information in the Glasshouse Local Productions report.
2. Request the Glasshouse Sub-Committee consider a review of the "Glasshouse Presents" and the "Education at the Glasshouse" program parameters to incorporate local content into future seasons.

*CARRIED: 8/0*

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

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**10.02 QUESTION ON NOTICE - TOWN BEACH NORTH AMENITIES PROJECT**

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*RESOLVED: Cusato/Griffiths*

That Council

1. Note the information provided in the Town Beach North Amenities Project report.
2. Engage with the project architect to finalise the design for the amenity building.
3. Prepare a draft budget and tender specifications for the construction for the Town Beach North amenity building.
4. Request the General Manager prepare a report to the February 2016 Council Meeting with an update on the Town Beach North project.

*CARRIED: 8/0*

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

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**10.04 RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - NOVEMBER 2015 MEETING**

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*RESOLVED: Besseling/Hawkins*

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

1. Lachlan Kirkland in the amount of \$350.00 to assist with the expenses he would have incurred travelling to and competing at the Pacific School Games (swimming) recently held in Adelaide, South Australia from November 21 - 29, 2015 .

*CARRIED: 8/0*

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

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**11.01 REVIEW OF GLASSHOUSE SUB-COMMITTEE CHARTER**

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*RESOLVED: Griffiths/Turner*

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

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**11.02 COMMERCIAL ACTIVITIES ON COUNCIL-MANAGED LAND**

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Councillor Turner declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7.22pm.

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7.22pm.

Note: A submission from the Bonny Hills Progress Association was omitted from the submissions table of the report.

**MOTION**

*MOVED: Sargeant/Cusato*

That Council:

1. Note the submissions and feedback received for the Commercial Activities on Council-managed Land Policy (draft).
2. Rescind the Use of Reserves and Beaches by Private Enterprise Policy.
3. Adopt the Commercial Activities on Council-managed Land Policy, as amended, and authorise Council Officers to prepare for Policy implementation as per the program outlined in this report.
4. Remove the words Support and encourage from clause 2.1 so that the purpose of the policy is to manage the commercial user of public land.
5. To note that this policy will be further reviewed in six (6) months.

**AMENDMENT**

*MOVED: Intemann/Sargeant*

That Council:

1. Note the submissions and feedback received for the Commercial Activities on Council-managed Land Policy (draft).
  2. Rescind the Use of Reserves and Beaches by Private Enterprise Policy.
-

3. Adopt the Commercial Activities on Council-managed Land Policy, as amended, and authorise Council Officers to prepare for Policy implementation as per the program outlined in this report.
4. Remove the words 'support' and 'encourage' from clause 2.1 so that the purpose of the policy is to manage the commercial use of public land.
5. Note that this policy will be further reviewed in six (6) months.

**FORESHADOWED MOTION**

*MOVED: Hawkins/*

That Council:

1. Note the submissions and feedback received for the Commercial Activities on Council-managed Land Policy (draft).
2. Rescind the Use of Reserves and Beaches by Private Enterprise Policy.
3. Adopt the Commercial Activities on Council-managed Land Policy, as amended, and authorise Council Officers to prepare for Policy implementation as per the program outlined in this report.
4. Replace clause 2.1 of the policy with the words:  
'support, facilitate and manage appropriate commercial and recreational activities on Council managed land, while not detracting from the amenity and natural environment enjoyed by both visitors and residents.
5. Note that this policy will be further reviewed in six (6) months.

**THE AMENDMENT WAS PUT**

*MOVED: Intemann/Sargeant*

That Council:

1. Note the submissions and feedback received for the Commercial Activities on Council-managed Land Policy (draft).
2. Rescind the Use of Reserves and Beaches by Private Enterprise Policy.
3. Adopt the Commercial Activities on Council-managed Land Policy, as amended, and authorise Council Officers to prepare for Policy implementation as per the program outlined in this report.
4. Remove the words 'support' and 'encourage' from clause 2.1 so that the purpose of the policy is to manage the commercial use of public land.
5. Note that this policy will be further reviewed in six (6) months.

*EQUAL: 3/3*

*FOR: Besseling, Intemann and Sargeant*

*AGAINST: Cusato, Griffiths and Hawkins*

*CASTING VOTE FOR: Besseling*

**THE AMENDMENT BECAME THE MOTION  
THE MOTION WAS PUT**

*RESOLVED: Intemann/Sargeant*

That Council:

1. Note the submissions and feedback received for the Commercial Activities on Council-managed Land Policy (draft).

- 
2. Rescind the Use of Reserves and Beaches by Private Enterprise Policy.
  3. Adopt the Commercial Activities on Council-managed Land Policy, as amended, and authorise Council Officers to prepare for Policy implementation as per the program outlined in this report.
  4. Remove the words 'support' and 'encourage' from clause 2.1 so that the purpose of the policy is to manage the commercial use of public land.
  5. Note that this policy will be further reviewed in six (6) months.

*CARRIED: 4/2*

*FOR: Besseling, Cusato, Intemann and Sargeant*

*AGAINST: Griffiths and Hawkins*

Councillor Levido returned to the meeting, the time being 7.40pm.

Councillor Turner returned to the meeting, the time being 7.40pm.

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#### **11.03 RECOMMENDED ITEM FROM ECONOMIC DEVELOPMENT STEERING GROUP - 2013-2016 ECONOMIC DEVELOPMENT STRATEGY REVIEW**

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*RESOLVED: Turner/Hawkins*

That Council:

1. Note the Economic Development Steering Group has undertaken its annual review of the 2013-2016 Economic Development Strategy.
2. Note the significant progress made by Council in the implementation of the Economic Development Strategy 2013-2016.
3. Endorse the four (4) priority areas of focus for the Economic Development Steering Group in 2016 as described in the body of this report.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**12.01 PURCHASE OF LOTS 56 AND 57 IN DP 219719 QUEENS GRANT ESTATE, PLOMER ROAD, NORTH SHORE, PORT MACQUARIE**

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*RESOLVED: Cusato/Griffiths*

That Council:

1. Accept the offer by Ms Young to sell Lots 56 and 57 in DP 219719 in the Queens Grant Estate to Council at a combined purchase price of \$39,100 ext GST.
2. Pay reasonable legal fees incurred by Ms Young with the sale of her land to Council.
3. Upon the settlement of this sale commence the procedure to classify this land "Operational".
4. Affix the seal of Council to the necessary legal transfer documents associated with the purchase of Lots 56 and 57 in DP 219719.
5. Delegate authority to the General Manager to sign and execute a Contract of Sale for the purchase of Lots 56 and 57 in DP 219719.
6. Request the General Manager provide a report to the April 2016 Council Meeting detailing the history of the Queens Grant Estate in regards to land owner agreements with Council, rezoning, acquisitions, and Council's expected direction for future acquisitions within the Estate.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**12.02 DA2015 - 0527 ALTERATIONS AND ADDITIONS TO DWELLING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 37 DP 231816, NO 29 MATTHEW FLINDERS DRIVE, PORT MACQUARIE**

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*RESOLVED: Hawkins/Griffiths*

That the determination of DA2015 - 0527 for alterations and additions to dwelling including Clause 4.6 objection to Clause 4.3 (height of buildings) under the Port Macquarie Hastings Local Environmental Plan 2011 at Lot 37, DP 231816, No. 29 Matthew Flinders Drive, Port Macquarie, be noted.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**12.04 DA2015 - 0659 - ADDITIONS TO DWELLING INCLUDING CLAUSE 4.6  
OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) UNDER PORT  
MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - 33  
BELLEVUE DRIVE, PORT MACQUARIE**

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*RESOLVED: Griffiths/Hawkins*

That the determination of DA2015 - 0659 for additions to dwelling including Clause 4.6 objection to Clause 4.3 (height of buildings) under the Port Macquarie Hastings Local Environmental Plan 2011 at Lot 2, DP 224236, No. 33 Bellevue Drive, Port Macquarie, be noted.

*CARRIED: 8/0*

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

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**12.05 GRANT OFFER FROM THE MID NORTH COAST WEEDS COORDINATING  
COMMITTEE / LOCAL LAND SERVICES**

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

*RESOLVED: Intemann/Cusato*

That Council:

1. Accept the grant offer of \$65,000 over 3 years from the Mid North Coast Weeds Coordinating Committee and Local Land Services for the control of noxious and invasive weeds on Rocky Beach Escarpment
2. Amend the 2015/2016 budget to reflect the first year of the grant.

*CARRIED: 8/0*

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

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**12.06 DRAFT BIODIVERSITY CERTIFICATION ASSESSMENT AND APPLICATION - PORT MACQUARIE AIRPORT AND SURROUNDING LAND**

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Councillor Cusato declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7.47pm.

Councillor Besseling declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7.47pm.

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

*RESOLVED: Levido/Turner*

That Council:

1. Note the information contained in the Draft Biodiversity Certification Assessment and Application - Port Macquarie Airport and surrounding land report.
2. Delegate authority to the General Manager to submit a draft biodiversity certification assessment and strategy for the Port Macquarie Airport and surrounding lands to the NSW Minister for the Environment and to publicly notify and exhibit the assessment and strategy in accordance with sections 126J and 126N of the Threatened Species Conservation Act 1995.
3. Receive a submissions report following the public exhibition period for consideration prior to referral of the biodiversity certification assessment and strategy to the NSW Minister for the Environment.

*CARRIED: 6/0*

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

*AGAINST: Nil*

Councillor Cusato returned to the meeting, the time being 7.50pm.

Mayor Besseling returned to the meeting, the time being 7.50pm.

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

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**13.01 NATIONAL STRONGER REGIONS FUND - RESULTS OF ROUND 2 APPLICATIONS**

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*RESOLVED: Turner/Hawkins*

That the information contained in the National Stronger Regions Fund - Results of Round 2 Applications report be noted.

*CARRIED: 8/0*

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

*AGAINST: Nil*



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**13.02 CONCEPT DESIGN - FORESHORE WALKWAY TOWN GREEN TO KOOLOONBUNG CREEK FOOTBRIDGE**

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*RESOLVED: Cusato/Griffiths*

That Council:

1. Note the information contained in this report relating to the preparation of the Concept Plan for the Foreshore Walkway Town Green to Kooloonbung Creek footbridge.
2. Place the Concept Design for the Foreshore Walkway Town Green to Kooloonbung Creek footbridge on public exhibition for the period of 7 January 2016 to 19 February 2016.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**13.07 ROCKS FERRY RESERVE - RIVER BANK EROSION**

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*RESOLVED: Griffiths/Intemann*

That Council:

1. Continue with detailed surveys of the eroded area, taking into consideration current cost estimates.
2. Support an application to the Treasury Managed Fund for remediation works as detailed in the Concept Plan Area A.
3. Note the quotation provided by Statewide Mutual Insurance.
4. Consider additional funding sources to complete all works required for inclusion in the draft 2016/17 Operational Plan.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**14 QUESTIONS FOR NEXT MEETING**

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Nil.

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**CONFIDENTIAL COMMITTEE OF THE WHOLE**

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*RESOLVED: Levido/Cusato*

1. That pursuant to section 10A subsections 2 & 3 and 10B of the Local

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Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole (Closed Session) on the basis that items to be considered are of a confidential nature.

2. That Council move into Confidential Committee of the Whole (Closed Session) to receive and consider the following items:

Item 15.01 Tender T-15-13 PMHC Printing Services

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, prejudice the commercial position of the person who supplied it.

Item 15.02 Tender T-15-45 Media Planning Buying

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, prejudice the commercial position of the person who supplied it.

Item 15.03 Tender T-15-61 Supply and Install Photovoltaic System - PMHC Headquarters Building

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, prejudice the commercial position of the person who supplied it.

Item 15.04 Landfill Gas

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, prejudice the commercial position of the person who supplied it.

Item 15.05 Tender T-15-44 Sportsfield Lighting Renewal Program

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, prejudice the commercial position of the person who supplied it.

Item 15.06 Tender T-15-49 Port Macquarie Pool Heat Pump Replacement

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, prejudice the commercial position of the person who supplied it.

Item 15.07 Tender T-15-54 Foamed Bitumen Stabilisation - Lord Street

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, prejudice the commercial position of the person who supplied it.

Item 15.08 Tender T-15-57 Stormwater CCTV Inspections and Condition Surveys - Stage 1

- 
- 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 15.09 Tender T-15-63 Two (2) 4WD Backhoe/Loader
- 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: 8/0*

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

*AGAINST: Nil*

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**ADJOURN MEETING**

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The Ordinary Council Meeting adjourned at 8.00pm.

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**RESUME MEETING**

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The Ordinary Council Meeting resumed at 8.12

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

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*RESOLVED: Sargeant/Griffiths*

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

**Item 15.01 Tender T-15-13 PMHC Printing 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**

That Council:

1. In accordance with the Local Government (General) Regulations 2005, 178 (1) (b) decline to accept any of the tenders submitted for Tender T-15-13 PMHC Printing Services.
2. In accordance with Local Government (General) Regulations 2005, 178 (3) (b) invite, in accordance with clause 167, fresh tenders based on different details.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-13.

**Item 15.02 Tender T-15-45 Media Planning Buying**

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 Enigma Communication Pty Limited for Media Planning Buying.
2. Accept the corresponding Schedule of Rates from Enigma Communication Pty Limited.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-45.

**Item 15.03 Tender T-15-61 Supply and Install Photovoltaic System - PMHC Headquarters Building**

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 Solgen Energy Pty Ltd for \$145,671.23

(exclusive of GST) for the Supply and Install Photovoltaic System - PMHC Headquarters Building.

2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-61.

Item 15.04 Landfill Gas

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 the information in the Landfill Gas report be noted.

Item 15.05 Tender T-15-44 Sportsfield Lighting Renewal Program

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 Musco Lighting Australia Pty Ltd for \$495,900 (exclusive of GST) for Sportsfield Lighting Renewal Program.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-44.

Item 15.06 Tender T-15-49 Port Macquarie Pool Heat Pump Replacement

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 alternative tender from Evo Energy Technologies Pty Ltd for \$179,820 (exclusive of GST) for Port Macquarie Pool Heat Pump Replacement.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-49.

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**Item 15.07 Tender T-15-54 Foamed Bitumen Stabilisation - Lord Street**

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 Stabilised Pavements of Australia Pty Limited for \$885,378.19 (exclusive of GST) for the Foamed Bitumen Stabilisation - Lord Street.
2. Accept the corresponding Schedule of Rates from Stabilised Pavements of Australia Pty Limited for the Foamed Bitumen Stabilisation - Lord Street.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-54.

**Item 15.08 Tender T-15-57 Stormwater CCTV Inspections and Condition Surveys - Stage 1**

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 Interflow Pty Limited for \$193,852.50 (exclusive of GST) for the Stormwater CCTV Inspections and Condition Surveys - Stage 1.
2. Accept the corresponding Schedule of Rates from Interflow Pty Limited.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-57.

**Item 15.09 Tender T-15-63 Two (2) 4WD Backhoe/Loader**

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. Pursuant to Section 55 (3) (a) of the Local Government Act 1993, not invite tenders for the supply and delivery of two (2) JCB 3CX APC- Elite ECO backhoe loader including Buckets and spare rim and tyres.
2. Accept the tender, through Local Government Procurement, from Construction Equipment Sales Australia Pty Ltd (CES Australia) for the supply and delivery of two (2) JCB 3CX APC-

- 
- Elite ECO backhoe loader including buckets, spare rims and tyres for \$296,370.90 (exclusive of GST). Price per unit \$148,185.45 (exclusive of GST).
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-63.

*CARRIED: 8/0*  
*FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Sargeant and Turner*  
*AGAINST: Nil*

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The meeting closed at 8.12pm

.....  
Peter Besseling  
Mayor



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Item: 05  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

Name of Meeting: .....  
Meeting Date: .....  
Item Number: .....  
Subject: .....  
.....

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

☐

**Pecuniary:**

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

☐

**Non-Pecuniary - Significant Interest:**

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

☐

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

May participate in consideration and voting.

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

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

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

**Further Explanation**

(Local Government Act and Code of Conduct)

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

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

**Pecuniary Interest**

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

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

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

**Non-Pecuniary**

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

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

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

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

***Non Pecuniary – Significant Interest***

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

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

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

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

***Non Pecuniary – Less than Significant Interest***

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

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

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

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

**Important Information**

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

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

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i. Section **443** (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative<sup>iv</sup> or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

ii. Section **442** of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section **448** of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).

iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section **443** (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—see section **448** (g) (ii) of the *Local Government Act 1993*.

iv. **Relative** is defined by the *Local Government Act 1993* as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

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**Item: 06.01**

**Subject: MAYORAL MINUTE - MAYORAL DISCRETIONARY FUND  
ALLOCATIONS**

**Mayor, Peter Besseling**

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### **RECOMMENDATION**

**That the Mayoral Discretionary Fund allocations for the period 5 December to 3 February 2016 inclusive be noted.**

### **Discussion**

#### Mayoral Discretionary Fund Allocations

The total commitment from the Mayoral Discretionary Fund from 5 December to 3 February 2016 inclusive was \$457.00.

This included the following:

Sympathy Flowers - Abi-Saab Family	\$57.00
Donation to Fundraiser for Caleb Scott held on 17/01/16	\$200.00
Donation to MS Fundraiser for Christine Olive held on 06/02/16	\$200.00
	<u><b>\$457.00</b></u>

### **Attachments**

Nil

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**Item: 07**

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

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

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**Alignment with Delivery Program**

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

**RECOMMENDATION**

**That Council determine that the attachment to Item Number 09.08 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.**

**Discussion**

The following confidential attachment has been submitted to the Ordinary Council Meeting:

<b>Item No:</b>	09.08
<b>Subject:</b>	Quarterly Budget Review Process
<b>Attachment Description:</b>	2015 - 2016 December Quarterly Budget Review Statement - Consultancy Engagements
<b>Confidential Reason:</b>	If disclosed, would confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c).

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

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

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

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

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



## Ensuring Good Governance

### What are we trying to achieve?

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

### What will the result be?

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

### How do we get there?

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

## Ensuring Good Governance

**Item: 09.01**

**Subject: STATUS OF OUTSTANDING REPORTS TO COUNCIL**

**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.

### RECOMMENDATION

**That the information in the February 2016 Status of Outstanding Reports to Council be noted.**

### Discussion

Reports requested by Council

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Free Camping - Position Statement monitoring and engagement with free camping community. (Item 11.03 - OC 18/03/15)		DCEG	Feb 2016	Feb 2016
Town Beach North Project Update(Item 10.01 - OC 16/12/15)		DCEG		Feb 2016
Three Villages Sewerage Scheme Construction - options to deliver fit-for-purpose and value-for-money. (Item 09.02 - EX-OC 29/07/15)		DIAM	Nov 2015	Mar 2016
Code of Meeting Practice - submissions (Item 09.06 - OC 21/10/15)	Further liaising with Councillors	DCOS	Feb 2016	Mar 2016
Zero Based Budgeting (Item 09.11 - OC 18/11/15)		DCOS		Mar 2016
Energy Strategy (Item 09.07 - OC 15/07/15)		DDES		Mar 2016

## Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Water Fluoridation - request for detailed information on studies and programs. (Item 10.01 - OC 15/07/15)		DIAM		Mar 2016
Yaluma Drive Reserve (Item 10.03 - OC 16/12/15)		DCEG		Mar 2016
Planning Controls for Short-Term Rental Accommodation (Item 13.04 - OC 16/12/15)		DDES		Mar 2016
Queens Grant Estate History (Item 12.01 - OC 16/12/15)		DCOS		Apr 2016
Council Policy Template Review (Item 09.07 - OC 15/07/15)		DCOS	Dec 2015	May 2016
Impact of Road Openings and Closures on Private Property. (Item 12.03 - OC 18/09/13)	To be included in overall review of roads policies. Information still being sought.	DIAM	Mar 2015	Jun 2016
Development Contributions for Student Accommodation - results of trial. (Item 13.06 - OC 19/11/14)		DDES		Jun 2016
Progress on Recreational Boating & RMS investigations for Hastings & Camden Haven Rivers (Item 13.10 - OC 19/08/15)		DCEG		Jun 2016
Committees Review (Item 12.04 - OC 20/05/15)	Further consultation required with Councillors prior to consideration	DCOS	Jul 2015	Jun 2016
Development Contributions for Non Residential Development - outcome of trials. (Item 13.07 - OC 20/05/15)		DDES		Jul 2016

## Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Draft Structure Plan for the Greater Sancrox Area - consideration/investigations of potential urban capability/serviceability / capacity of lands between Oxley Highway to north, Pacific Highway to west and Houston Mitchell Drive to south and viability of rural residential development in the Greater Sancrox area. (Item 13.07 - OC 18/02/15)		DDES	2016	2016

### Cyclic Reports

Report	Reporting Officer	Reporting Cycle
Monthly Financial Update	DCOS	Monthly
Investments	DCOS	Monthly
Mayoral Discretionary Fund Allocations	GM	Monthly
Development Activity and Assessment System Performance	DDES	Quarterly (Apr, Jul, Oct, Feb)
Glasshouse Quarterly Financial Report	DCOS	Quarterly (July, Oct, Feb, Apr)
Procurement Strategy - Progress Report (Item 08.10 - ORD 18/09/2013)	DCOS	Quarterly (July, Oct, Feb, Apr)
Glasshouse Strategic Business Plan - Progress Report	DCOS	Quarterly (Aug, Nov, Feb, May)
Delivery Program - Progress Report	DCEG	Biannual (Mar, Sept)
Operational Plan - Progress Report	DCEG	Biannual (May, Oct)
Economic Development Strategy - Progress Report (Item 10.03 - ORD 20/11/2013)	DCEG	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	DCOS	Annually (July)
Annual Report of the Activities of the Mayor's Sporting Fund	DCEG	Annually (Aug)

## Ensuring Good Governance

Report	Reporting Officer	Reporting Cycle
Compliments and Complaints Annual Report	DCEG	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	DCOS	Annually (Sept)
Audit Committee Annual Report	DCOS	Annually (Sept)
Annual Report of Disability Discrimination Act Action Plan	DCEG	Annually (Sep)
Annual Disclosure of Interest Returns	GM	Annually (Oct)
Payment of Expenses and Provision of Facilities to Councillors Policy for Adoption	DCOS	Annually (Nov)
Council's Annual Report	DCEG	Annually (Nov)
Annual Reporting of Contracts for Senior Staff	GM	Annually (Nov)
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)	DCOS	Annually (Nov)

### Attachments

Nil

## Ensuring Good Governance

**Item: 09.02**

**Subject: AMENDMENT OF OCEAN DRIVE DUPLICATION STEERING GROUP CHARTER**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council endorse an amendment to the Ocean Drive Duplication Steering Group Charter.**

### Executive Summary

There is a need for the Charter associated with the Ocean Drive Duplication Steering Group to be updated following the appointment of Robyn Wilson, Chief Financial Officer. Robyn Wilson has replaced Monika Bretmaisser, Group Manager Financial Services, on the Charter following a reorganisation within the Corporate and Organisational Services Division.

### Discussion

The Ocean Drive Duplication Steering Group was established by Council resolution at the Ordinary Meeting held on 21 May 2014.

Since its inception, the Steering Group has provided governance and oversight of the proposed duplication.

The amendment to the Charter proposed is not considered to be a substantial deviation from the original and provides for the recent engagement of Council's new Chief Financial Officer, Robyn Wilson.

### Options

Council has the option of supporting the amendment or leaving the membership as is.

### Community Engagement & Internal Consultation

#### Community Engagement

Nil.

#### Internal Consultation

- Ocean Drive Duplication Steering Group



## Ensuring Good Governance

- Director Corporate and Organisational Services

### Planning & Policy Implications

There are no planning or policy implications resulting from this report.

### Financial & Economic Implications

There are no financial or economic implications resulting from this report.

### Attachments

1 [View](#). Ocean Drive Duplication Steering Group Charter

## Ensuring Good Governance

**Item: 09.03**

**Subject: DISCLOSURE OF INTEREST RETURN**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

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

- 1. Development Assessment Planner.**
- 2. Building Surveyor.**

### Executive Summary

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

### Discussion

Section 445 of the *Local Government Act 1993*, requires Designated Persons to prepare and submit written returns of interests in accordance with section 449. The positions of Development Assessment Planner and Building Surveyor are a designated person under the Local Government Act.

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

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

The Returns for the positions of Development Assessment Planner and Building Surveyor will be tabled at this meeting.

### Options

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



## Ensuring Good Governance

### Community Engagement & Internal Consultation

#### Internal Consultation

- Group Manager Governance & Executive Services.
- General Manager.
- Development Assessment Planner
- Building Surveyor

### Planning & Policy Implications

Nil.

### Financial & Economic Implications

Nil.

### Attachments

Nil

## Ensuring Good Governance

**Item: 09.04**

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

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

### Alignment with Delivery Program

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

### RECOMMENDATION

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

**a) Michael Roberts (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 & Executive Services.

### 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

Nil.

### Attachments

Nil

## Ensuring Good Governance

**Item: 09.05**

**Subject: INVESTMENTS - DECEMBER 2015**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

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

#### Executive Summary

- Total funds invested as at 31 December 2015 equals \$205,733,158.
- Year-to-date investment income of \$3,704,211 is 88.35% of the total annual budget of \$4,192,650.
- In line with Council's Investment Policy, the total portfolio has performed above benchmark levels.

#### Discussion

This report provides details of, and certifies that all funds invested by Council as of 31 December 2015, comply with Section 625 of the Local Government Act 1993. All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

As at 31 December 2015, the investments held by Council totalled \$205,733,158 and attributed to the following funds:

General Fund	101,942,837
Waste Fund	12,403,652
Water Fund	55,535,609
Sewer Fund	34,598,145
Sanctuary Springs Fund	26,745
Broadwater	1,226,170
	<b>205,733,158</b>

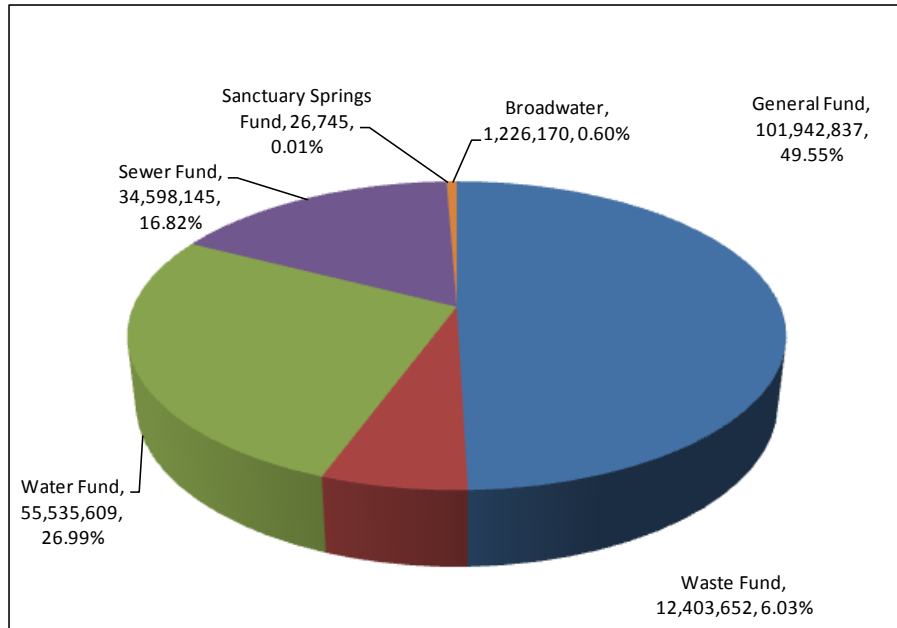
These monies are predominantly restricted funds from loans, s94 contributions and other avenues which are committed for future works. These funds may be spent in the shorter or longer term depending on whether they are allocated to specific

## Ensuring Good Governance

projects or held to accumulate to allow for larger works. The totals will fluctuate dependent on the status of individual projects.

The total amount of unrestricted funds available is calculated only at financial year end (30 June). These unrestricted funds are required to fund timing differences between receipts and payments. As at financial year end (30 June 2015) the amount was \$3.654m.

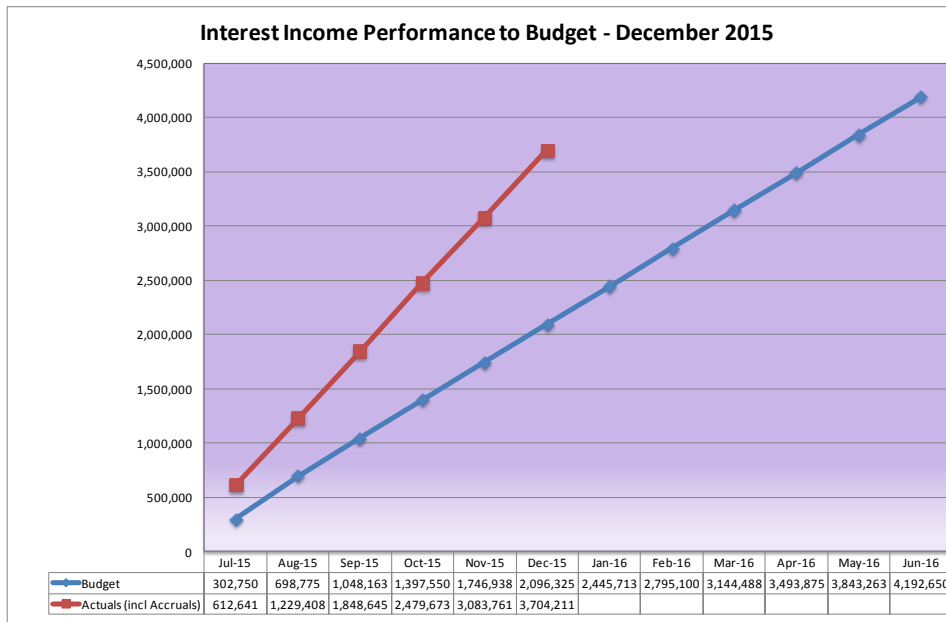
### Investments by Fund - as at 31 December 2015



### Portfolio Performance

- Council's total investment portfolio performance for December 2015 was 1.13% above the benchmark (3.62% against 2.49%). Benchmark being the Bank Bill reference rate as quoted at month end in the Australian Financial Review.
- The total year-to-date investment income of \$3,704,211 is 88.35% of the total annual budget of \$4,192,650.

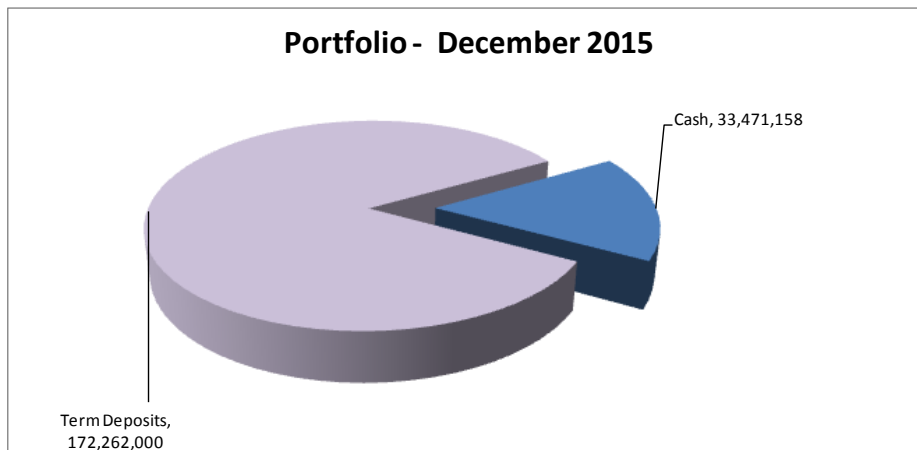
## Ensuring Good Governance



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

### Investment Portfolio Mix

Council's current portfolio is represented by cash and term deposits. The total term deposits represent 83.7% of the total investment portfolio. As at 31 December 2015, the total investment portfolio was \$205,733,158 up from \$204,756,232 as at the end of November 2015.



### Term Deposits

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




## Ensuring Good Governance

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


*Table 1 - Term to Maturity*

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

Term to Maturity 	Balance \$	% Held	Policy Min	Policy Max
0 - 12 months	\$106,362,000	61.74%	40.00%	100.00%
1 - 3 years	\$63,900,000	37.09%	0.00%	60.00%
3 - 5 years	\$2,000,000	1.16%	0.00%	30.00%
5+ years		0.00%	0.00%	15.00%
<b>Grand Total</b>	<b>\$172,262,000</b>	<b>99.99%</b>		

*Table 2 - Overall Portfolio Credit Framework*

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

Rating Framework 	Total	% Held	Maximum % Policy	Variance
A	64,362,000	37.36%	60.00%	22.64%
AA	90,900,000	52.77%	100.00%	47.23%
BBB	17,000,000	9.87%	15.00%	5.13%
Below BBB		0.00%	0.00%	0.00%
<b>Grand Total</b>	<b>172,262,000</b>	<b>100%</b>		

These tables show the total amount held for Council's term deposits. 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. There are currently nil investments with Credit Unions.

### Cash - Westpac Business Cash Reserve Account

*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. As at end December the balance was \$33,471,158.

## Ensuring Good Governance

### Investment Portfolio by Maturity Date - as at 31 December 2015

Inv Name	Type	Purchase Date	Maturity Date	Yield	Face Value
National Australia Bank	TD	16-Sep-14	19-Jan-16	3.68%	3,000,000
National Australia Bank	TD	23-Feb-15	22-Feb-16	3.18%	5,000,000
Westpac Banking Corporation	TD	23-Oct-14	23-Feb-16	3.94%	4,000,000
National Australia Bank	TD	23-Oct-15	22-Feb-16	2.84%	2,000,000
National Australia Bank	TD	9-Mar-15	9-Mar-16	3.15%	8,000,000
ANZ Bank	TD	26-Nov-14	28-Mar-16	3.63%	2,000,000
National Australia Bank	TD	28-Mar-14	28-Mar-16	4.20%	2,000,000
Bank of Queensland	TD	8-Oct-15	8-Apr-16	2.98%	3,000,000
Westpac Banking Corporation	TD	20-Aug-14	11-Apr-16	3.74%	4,000,000
Bank of Queensland	TD	17-Apr-15	17-Apr-16	3.10%	3,000,000
Bank of Queensland	TD	23-Oct-15	23-Apr-16	2.95%	4,000,000
Commonwealth Bank	TD	10-May-13	9-May-16	4.50%	1,000,000
Newcastle Permanent	TD	13-May-15	12-May-16	3.00%	4,000,000
Commonwealth Bank	TD	13-May-13	13-May-16	4.50%	1,000,000
Commonwealth Bank	TD	27-May-13	27-May-16	4.55%	1,000,000
Bank of Queensland	TD	16-Sep-14	16-Jun-16	3.70%	3,000,000
National Australia Bank	TD	18-Jun-15	20-Jun-16	2.98%	2,000,000
Westpac Banking Corporation	TD	20-Jun-13	20-Jun-16	4.51%	3,000,000
National Australia Bank	TD	9-Mar-15	11-Jul-16	3.15%	6,000,000
Bendigo Bank	TD	22-Jul-15	22-Jul-16	3.00%	362,000
Bendigo Bank	TD	22-Jul-15	22-Jul-16	3.00%	2,000,000
Bendigo Bank	TD	8-Oct-15	8-Aug-16	2.95%	4,000,000
St George Bank	TD	21-Aug-15	21-Aug-16	2.98%	5,000,000
Bank of Queensland	TD	13-Sep-13	13-Sep-16	4.55%	3,000,000
Westpac Banking Corporation	TD	14-Sep-11	14-Sep-16	6.05%	7,000,000
Newcastle Permanent	TD	23-Oct-14	24-Oct-16	3.75%	5,000,000
Rabobank	TD	11-Nov-11	11-Nov-16	6.30%	2,000,000
Westpac Banking Corporation	TD	11-Nov-11	11-Nov-16	6.22%	3,000,000
Bendigo Bank	TD	13-Nov-15	13-Nov-16	2.85%	2,000,000
National Australia Bank	TD	26-Nov-14	28-Nov-16	3.65%	2,000,000
Bendigo Bank	TD	14-Dec-15	14-Dec-16	3.05%	2,000,000
National Australia Bank	TD	17-Dec-14	19-Dec-16	3.65%	2,000,000
National Australia Bank	TD	17-Dec-14	19-Dec-16	3.65%	3,000,000
ING Bank (Australia) Limited	TD	20-Dec-11	20-Dec-16	6.16%	3,000,000
National Australia Bank	TD	23-Feb-15	23-Feb-17	3.18%	4,000,000
Bank of Queensland	TD	9-Mar-15	9-Mar-17	3.15%	6,000,000
Westpac Banking Corporation	TD	12-Mar-14	12-Mar-17	4.38%	3,000,000
Bank of Queensland	TD	17-Apr-15	17-Apr-17	3.10%	2,000,000
National Australia Bank	TD	12-May-15	12-May-17	3.08%	4,000,000
Newcastle Permanent	TD	13-May-15	12-May-17	3.10%	4,000,000
Bank of Queensland	TD	18-Jun-15	18-Jun-17	3.05%	2,000,000
National Australia Bank	TD	18-Jun-15	19-Jun-17	2.99%	1,900,000
Bendigo Bank	TD	22-Jul-15	24-Jul-17	3.10%	4,000,000
Westpac Banking Corporation	TD	4-Sep-14	4-Sep-17	4.07%	2,000,000
AMP Bank	TD	4-Sep-15	4-Sep-17	2.90%	5,000,000
Bendigo Bank	TD	8-Oct-15	8-Oct-17	2.98%	5,000,000
ANZ Bank	TD	13-Nov-12	13-Nov-17	4.87%	2,000,000
Bank of Queensland	TD	13-Nov-15	13-Nov-17	3.00%	2,000,000
Newcastle Permanent	TD	14-Dec-15	14-Dec-17	3.20%	2,000,000
Bank of Queensland	TD	20-Jun-13	20-Jun-18	5.00%	4,000,000
Westpac Banking Corporation	TD	4-Sep-14	4-Sep-18	4.22%	4,000,000
Bendigo Bank	TD	7-Sep-15	7-Sep-18	3.00%	5,000,000
ME Bank	TD	14-Dec-15	14-Dec-18	3.33%	2,000,000
Rabobank	TD	20-Jan-15	20-Jan-19	3.90%	2,000,000
Total TD's					\$172,262,000
Westpac Business Cash Reserve Account					
	CASH			2.70%	33,471,158
Total Portfolio					\$205,733,158



## Ensuring Good Governance

The portfolio continues to retain a level of liquidity through its cash component total of \$33,471,158. The balance remains high with a large number of redemptions and interest payments received this month, despite some investment activity. This will be monitored with further investments made in the oncoming month.

It should be noted that funds currently within the Westpac Business Cash Reserve Account are attracting an interest rate of 2.7% being the current cash rate plus 0.7% (based on the cash rate drop on 5 May 2015).

The largest sector of the portfolio is the term deposit allocation of \$172,262,000 (last month \$174,262,000) or 83.7% of the total.

### Options

This is an information report.

### Community Engagement & Internal Consultation

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

### Planning & Policy Implications

Nil.

### Financial & Economic Implications

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

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

Council's total investment portfolio performance for December 2015 is 1.13% above the benchmark (3.62% against 2.49%) and year-to-date income at 88.35% of the total annual budget.

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

The overall investment income will be adjusted at financial year end by the total interest refunded on repayment of bonds. As Council constantly receives and refunds bonds, it is difficult to accurately determine the quantum of these refunds. This financial year Council has refunded bonds with an associated interest component of \$15,491.75 which will be monitored and advised monthly.

## Ensuring Good Governance

### 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.

*Monika Bretmaisser*  
*Responsible Accounting Officer*

### **Attachments**

Nil

## Ensuring Good Governance

**Item: 09.06**

**Subject: INVESTMENTS - JANUARY 2016**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council note the Investment Report for the month of January 2016.**

#### Executive Summary

- Total funds invested as at 31 January 2016 equals \$202,896,039.
- Year-to-date investment income of \$4,314,135 is 102.9% of the total annual budget of \$4,192,650.
- In line with Council's Investment Policy, the total portfolio has performed above benchmark levels.

#### Discussion

This report provides details of and certifies that all funds that Council has invested as of 31 January 2016, comply with Section 625 of the Local Government Act 1993. All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

As at 31 January 2016, the investments held by Council totalled \$202,896,039 and attributed to the following funds:

General Fund	98,708,923
Waste Fund	12,194,052
Water Fund	56,486,257
Sewer Fund	34,248,851
Sanctuary Springs Fund	20,290
Broadwater	1,237,666
	<b>202,896,039</b>

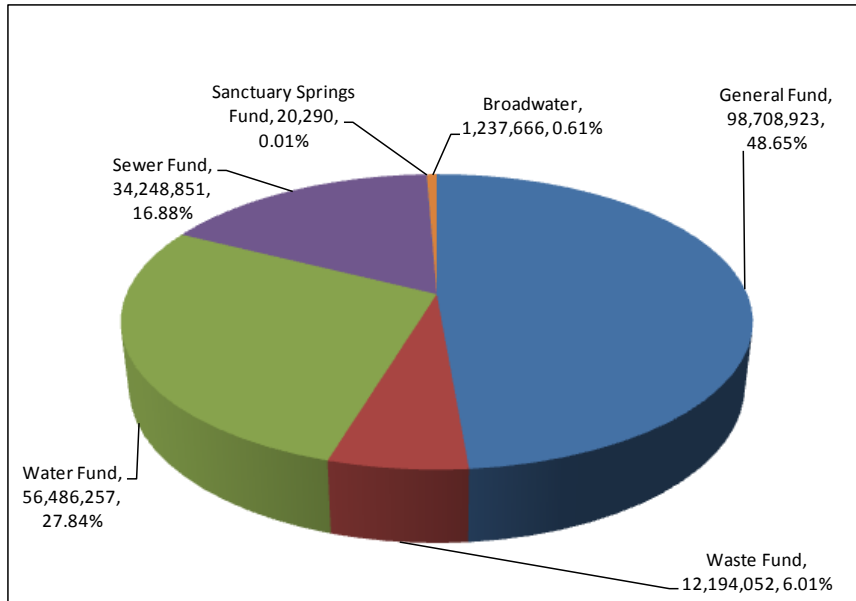
These monies are predominantly restricted funds from loans, s94 contributions and other avenues which are committed for future works. These funds may be spent in the shorter or longer term depending on whether they are allocated to specific

## Ensuring Good Governance

projects or held to accumulate to allow for larger works. The totals will fluctuate dependent on the status of individual projects.

The total amount of unrestricted funds available is calculated only at financial year end (30 June). These unrestricted funds are required to fund timing differences between receipts and payments. As at financial year end (30 June 2015) the amount was \$3.654m.

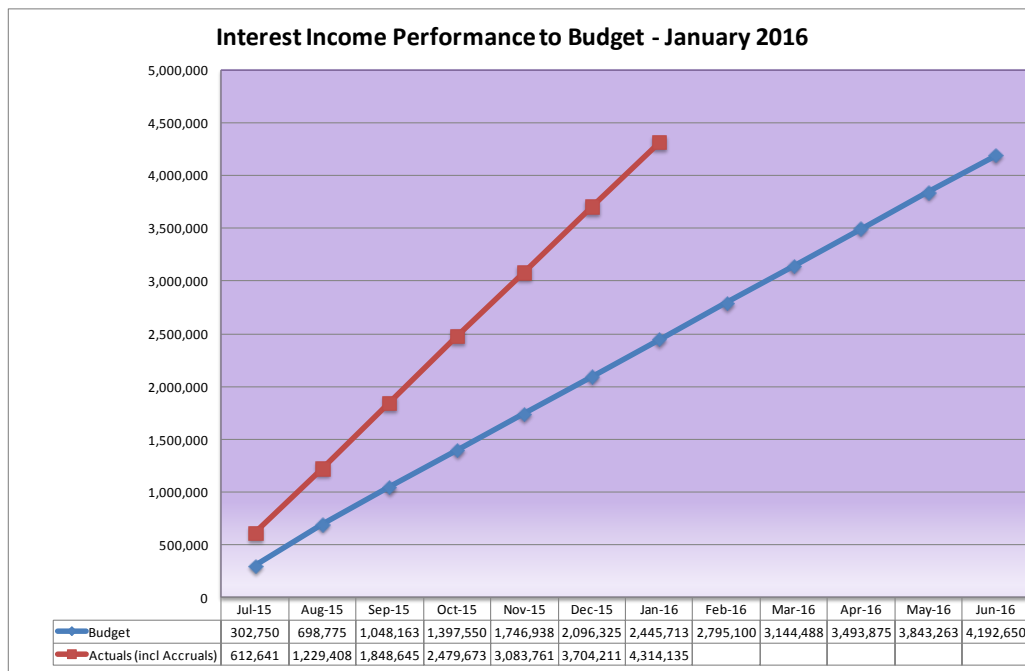
### Investments by Fund - as at 31 January 2016



### Portfolio Performance

- Council's total investment portfolio performance for January 2016 was 1.48% above the benchmark (3.60% against 2.12%). Benchmark being the Bank Bill reference rate as at 27 January 2016 in the Australian Financial Review.
- The total year-to-date investment income of \$4,314,135 is 102.9% of the total annual budget of \$4,192,650.

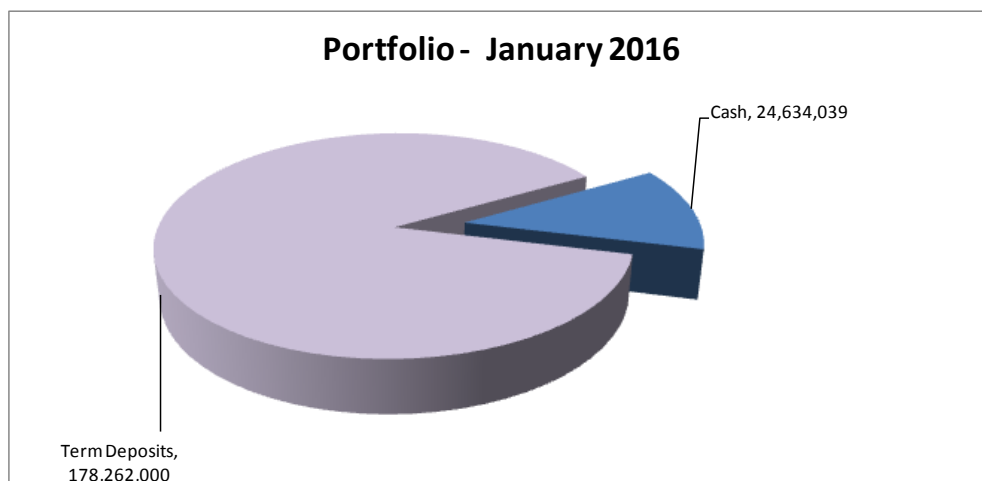
## Ensuring Good Governance



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

### Investment Portfolio Mix

Council's current portfolio is represented by cash and term deposits. The total term deposits represent 87.9% of the total investment portfolio. As at 31 January 2016, the total investment portfolio was \$202,896,039 down from \$205,733,158 as at the end of December 2015.



### Term Deposits

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

## Ensuring Good Governance

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

*Table 1 - Term to Maturity*

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

Term to Maturity	Balance \$	% Held	Policy Min	Policy Max
0 - 12 months	\$108,362,000	60.79%	40.00%	100.00%
1 - 3 years	\$69,900,000	39.21%	0.00%	60.00%
5+ years		0.00%	0.00%	30.00%
<b>Grand Total</b>	<b>\$178,262,000</b>	<b>100.00%</b>		

*Table 2 - Overall Portfolio Credit Framework*

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

Rating Framework	Total	% Held	Maximum % Policy	Variance
A	66,362,000	37.23%	60.00%	22.77%
AA	94,900,000	53.24%	100.00%	46.76%
BBB	17,000,000	9.54%	15.00%	5.46%
Below BBB		0.00%	0.00%	0.00%
<b>Grand Total</b>	<b>178,262,000</b>	<b>100%</b>		

These tables show the total amount held for Council's term deposits. 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. There are currently nil investments with Credit Unions.

### Cash - Westpac Business Cash Reserve Account

*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.



## Ensuring Good Governance

## Investment Portfolio by Maturity Date - as at 31 January 2015

Inv Name	Type	Purchase Date	Maturity Date	Yield	Face Value
National Australia Bank	TD	23-Feb-15	22-Feb-16	3.18%	5,000,000
Westpac Banking Corporation	TD	23-Oct-14	23-Feb-16	3.94%	4,000,000
National Australia Bank	TD	23-Oct-15	22-Feb-16	2.84%	2,000,000
National Australia Bank	TD	9-Mar-15	9-Mar-16	3.15%	8,000,000
ANZ Bank	TD	26-Nov-14	28-Mar-16	3.63%	2,000,000
National Australia Bank	TD	28-Mar-14	28-Mar-16	4.20%	2,000,000
Bank of Queensland	TD	8-Oct-15	8-Apr-16	2.98%	3,000,000
Westpac Banking Corporation	TD	20-Aug-14	11-Apr-16	3.74%	4,000,000
Bank of Queensland	TD	17-Apr-15	17-Apr-16	3.10%	3,000,000
Bank of Queensland	TD	23-Oct-15	23-Apr-16	2.95%	4,000,000
Commonwealth Bank	TD	10-May-13	9-May-16	4.50%	1,000,000
Newcastle Permanent	TD	13-May-15	12-May-16	3.00%	4,000,000
Commonwealth Bank	TD	13-May-13	13-May-16	4.50%	1,000,000
Commonwealth Bank	TD	27-May-13	27-May-16	4.55%	1,000,000
Bank of Queensland	TD	16-Sep-14	16-Jun-16	3.70%	3,000,000
National Australia Bank	TD	18-Jun-15	20-Jun-16	2.98%	2,000,000
Westpac Banking Corporation	TD	20-Jun-13	20-Jun-16	4.51%	3,000,000
National Australia Bank	TD	9-Mar-15	11-Jul-16	3.15%	6,000,000
Bendigo Bank	TD	22-Jul-15	22-Jul-16	3.00%	362,000
Bendigo Bank	TD	22-Jul-15	22-Jul-16	3.00%	2,000,000
Bendigo Bank	TD	8-Oct-15	8-Aug-16	2.95%	4,000,000
St George Bank	TD	21-Aug-15	21-Aug-16	2.98%	5,000,000
Bank of Queensland	TD	13-Sep-13	13-Sep-16	4.55%	3,000,000
Westpac Banking Corporation	TD	14-Sep-11	14-Sep-16	6.05%	7,000,000
Newcastle Permanent	TD	23-Oct-14	24-Oct-16	3.75%	5,000,000
Rabobank	TD	11-Nov-11	11-Nov-16	6.30%	2,000,000
Westpac Banking Corporation	TD	11-Nov-11	11-Nov-16	6.22%	3,000,000
Bendigo Bank	TD	13-Nov-15	13-Nov-16	2.85%	2,000,000
National Australia Bank	TD	26-Nov-14	28-Nov-16	3.65%	2,000,000
Bendigo Bank	TD	14-Dec-15	14-Dec-16	3.05%	2,000,000
National Australia Bank	TD	17-Dec-14	19-Dec-16	3.65%	2,000,000
National Australia Bank	TD	17-Dec-14	19-Dec-16	3.65%	3,000,000
ING Bank (Australia) Limited	TD	20-Dec-11	20-Dec-16	6.16%	3,000,000
National Australia Bank	TD	14-Jan-16	16-Jan-17	3.05%	5,000,000
National Australia Bank	TD	23-Feb-15	23-Feb-17	3.18%	4,000,000
Bank of Queensland	TD	9-Mar-15	9-Mar-17	3.15%	6,000,000
Westpac Banking Corporation	TD	12-Mar-14	12-Mar-17	4.38%	3,000,000
National Australia Bank	TD	14-Jan-16	13-Apr-17	3.04%	2,000,000
Bank of Queensland	TD	17-Apr-15	17-Apr-17	3.10%	2,000,000
National Australia Bank	TD	12-May-15	12-May-17	3.08%	4,000,000
Newcastle Permanent	TD	13-May-15	12-May-17	3.10%	4,000,000
Bank of Queensland	TD	18-Jun-15	18-Jun-17	3.05%	2,000,000
National Australia Bank	TD	18-Jun-15	19-Jun-17	2.99%	1,900,000
Bendigo Bank	TD	22-Jul-15	24-Jul-17	3.10%	4,000,000
Westpac Banking Corporation	TD	4-Sep-14	4-Sep-17	4.07%	2,000,000
AMP Bank	TD	4-Sep-15	4-Sep-17	2.90%	5,000,000
Bendigo Bank	TD	8-Oct-15	8-Oct-17	2.98%	5,000,000
ANZ Bank	TD	13-Nov-12	13-Nov-17	4.87%	2,000,000
Bank of Queensland	TD	13-Nov-15	13-Nov-17	3.00%	2,000,000
Newcastle Permanent	TD	14-Dec-15	14-Dec-17	3.20%	2,000,000
Bendigo Bank	TD	14-Jan-16	15-Jan-18	3.10%	2,000,000
Bank of Queensland	TD	20-Jun-13	20-Jun-18	5.00%	4,000,000
Westpac Banking Corporation	TD	4-Sep-14	4-Sep-18	4.22%	4,000,000
Bendigo Bank	TD	7-Sep-15	7-Sep-18	3.00%	5,000,000
ME Bank	TD	14-Dec-15	14-Dec-18	3.33%	2,000,000
Rabobank	TD	20-Jan-15	20-Jan-19	3.90%	2,000,000
Total TD's					\$178,262,000
Westpac Business Cash Reserve Account					
	CASH			2.70%	24,634,039
Total Portfolio					\$202,896,039

## Ensuring Good Governance

The portfolio continues to retain a level of liquidity through its cash component total of \$24,634,039. Further redemptions and investments will be made in the oncoming month.

It should be noted that funds currently within the Westpac Business Cash Reserve Account are attracting an interest rate of 2.7% being the current cash rate plus 0.7% (based on the cash rate drop on 5 May 2015).

The largest sector of the portfolio is the term deposit allocation of \$178,262,000 (last month \$172,262,000) or 87.9% of the total.

### Options

This is an information report.

### Community Engagement & Internal Consultation

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

### Planning & Policy Implications

Nil.

### Financial & Economic Implications

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

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

Council's total investment portfolio performance for January 2016 is 1.48% above the benchmark (3.60% against 2.12%) and year to date income at 102.9% of the total annual budget.

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

The overall investment income will be adjusted at financial year end by the total interest refunded on repayment of bonds. As Council constantly receives and refunds bonds, it is difficult to accurately determine the quantum of these refunds. This financial year Council has refunded bonds with an associated interest component of \$16,917.38 which will be monitored and advised monthly.



## Ensuring Good Governance

### 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

## Ensuring Good Governance

**Item: 09.07**

**Subject: GLASSHOUSE QUARTERLY REPORT AND UPDATE ON STRATEGIC PLAN RECOMMENDATIONS**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

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

#### Executive Summary

At the Ordinary Council Meeting held on 20 February 2013, Council resolved:

#### 08.17 GLASSHOUSE FINANCES

*RESOLVED: Hawkins/Roberts*

*That Council:*

- 1. Note the information contained in the report.*
- 2. Adopt the budget amendments to the current financial year as detailed in the confidential attachment.*
- 3. Request a detailed quarterly Glasshouse financial report be tabled at relevant Council meetings commencing from the fourth quarter reporting period of the 2012/2013 financial year i.e. the first quarterly report to be tabled in July 2013. The report should be sufficiently detailed to provide a break down across the key reporting categories for the Glasshouse i.e. Commercial, Community, Cultural, Front of House, Back Of House and Glasshouse Management.*
- 4. That a report be prepared for the March 2013 Council Meeting outlining possible options for debt reductions for the Glasshouse.*

*CARRIED: 8/0*

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

*AGAINST: Nil*

Further, at the Ordinary Council Meeting held on 16 July 2014, Council resolved:

#### 09.04 GLASSHOUSE STRATEGIC PLAN

## Ensuring Good Governance

### MOTION

*MOVED: Roberts/Turner*

*That Council:*

- 1. Adopt the Glasshouse Strategic Plan 2014 - 2017 as detailed in this report.*
- 2. Request that the General Manager include within the Glasshouse Financial Quarterly Report, an update on progress made against the Glasshouse Strategic Plan, commencing in October 2014.*
- 3. Waive the fee for display of brochures in the Glasshouse to previous partnership program members (as at 30 June 2014) pending the outcome of the review of information services prescribed at Action 2.2 of the Glasshouse Strategic Plan.*

### FORESHADOWED MOTION

*MOVED: Sargeant*

*That Council defer consideration of the Glasshouse Strategic Plan subject to further*

*information being provided as previously outlined relating to levels of service and overall management and financial matters.*

### THE MOTION WAS PUT

*RESOLVED: Roberts/Turner*

*That Council:*

- 1. Adopt the Glasshouse Strategic Plan 2014 - 2017 as detailed in this report.*
- 2. Request that the General Manager include within the Glasshouse Financial Quarterly Report, an update on progress made against the Glasshouse Strategic Plan, commencing in October 2014.*
- 3. Waive the fee for display of brochures in the Glasshouse to previous partnership program members (as at 30 June 2014) pending the outcome of the review of information services prescribed at Action 2.2 of the Glasshouse Strategic Plan.*

*CARRIED: 7/1*

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

*AGAINST: Sargeant*

At the Ordinary Council Meeting held on 21 October 2015, Council also resolved:

### 09.12 GLASSHOUSE QUARTERLY REPORT AND UPDATE ON STRATEGIC PLAN RECOMMENDATIONS

*RESOLVED: Roberts/Levido*

*That Council:*

- 1. Note the information provided in the report.*
- 2. Request that in future reports the updated status of the Glasshouse loan balances be reported.*

*CARRIED: 8/0*

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

*AGAINST: Nil*

Accordingly, this report tables a quarterly report on the Glasshouse finances as at 31 December 2015 including the updated status of the Glasshouse loan balances, and provides an update on progress achieved against the Recommendations identified in the Glasshouse Strategic Plan 2014 - 2017.

## Ensuring Good Governance

### Discussion

#### Glasshouse Finances

Attached is the quarterly Financial Statement for the Glasshouse for the period ending 31 December 2015 and shows a result for the quarter (being 1 October 2015 to 31 December 2015).

The operating deficit for the quarter (before interest & depreciation) is \$656,102 against a quarterly budget of \$677,508, hence tracking within budget.

On a year to date basis, the operating deficit is \$1,216,232 against a budget of \$1,292,731, also tracking within budget.

Actual results for the same period in the prior year (1 July 2015 to 31 December 2015) was an operating deficit of \$1,119,297. Hence the Glasshouse operating deficit has increased by 8% in this 12 month period. Operating Expenditure is actually less in the current financial year by comparison, however income is lower. This is predominantly due to the timing of the Glasshouse Season Launch being held in January 2016 as opposed to November 2015. Ticket sales associated with the Season Launch will be captured in the next quarterly report to Council.

This operating deficit can also be represented as follows:

#### Glasshouse Operating Deficit by Activity - Year to Date 31 December 2015:

	Management	Back of House	Front of House	Community	Commercial	Cultural	Total
Operating Income	-	-	-	2,789	621,717	199,604	824,110
Operating Expenditure (Before Council Overheads)	88,976	468,877	267,728	28,929	502,515	344,276	1,701,301
Council Overheads	59,228	22,210	43,682	14,066	29,836	170,019	339,041
Net Operating Surplus (Deficit)	(148,204)	(491,087)	(311,410)	(40,206)	89,366	(314,691)	(1,216,232)

Management, Back of House and Front of House provide internal support functions for Community, Commercial and Cultural activities. Community and Cultural functions also hire space from the Commercial function to derive actual costs of delivering community and cultural functions within the Glasshouse overall function. When the costs of these internal support functions are distributed, the operating surplus (deficit) can be represented as follows:

#### Glasshouse Operating Deficit by Activity (after internal adjustments) - Year to Date 31 December 2015:

	Management	Back of House	Front of House	Community	Commercial	Cultural	Total
Net Operating Deficit (from the above)	(148,204)	(491,087)	(311,410)	(40,206)	89,366	(314,691)	(1,216,232)

## Ensuring Good Governance

table)							
Internal Overhead Distribution	148,204	491,087	311,410	(314,844)	114,359	(750,216)	0
Net Operating Surplus (Deficit) (after internal adjustments and transfers)	-	-	-	(355,050)	203,725	(1,064,907)	(1,216,232)

Loan borrowings assisted in the funding of the Glasshouse at the time of construction. Of the total cost, \$27,975,954 was sourced through loan borrowings that are repaid through Council general revenue; and \$10,873,801 was sourced through loan borrowings that are paid from the S94 restricted asset for community facilities.

Of the borrowings that are repaid through general revenue, \$18,283,466 is the balance of the loans as at 31 December 2015. This demonstrates that almost \$10 million has already been repaid, with loans expected to be repaid by 2029.

Councils often use borrowing as a way to fund additional infrastructure whilst maintaining intergenerational equity outcomes.

### Glasshouse Strategic Plan Recommendations

The Glasshouse Strategic Plan 2014 - 2017 was adopted by Council at the Ordinary Council Meeting held on 16 July 2014 to provide a greater commercial focus in the operation of the venue across four key outcome areas: *ensuring good governance; developing successful partnerships; enhancing utilisation and visitation; and promoting viability.*

Significant progress has been achieved since July 2014 with regard to the implementation of the strategic direction outlined in the Plan. This progress is summarised in the attached *Update on Glasshouse Strategic Plan Recommendations February 2016* with some specific outcomes discussed below.

#### *1.2 Review management and reporting systems to support effective decision-making*

The following table includes the following Key Performance Indicator (KPI) data associated with Glasshouse utilisation and occupancy rates (noting that the results are reported to the end of January 2016):



## Ensuring Good Governance

Performance Indicator	2014-15 Actual	2015-16 Target	2015-16 Actual Jul-Jan
<b>Key Outcome 3: Enhancing Utilisation and Visitation</b> <i>Implement targeted marketing and sales strategies to enhance utilisation, increase event visitation and maximise commercial outcomes</i>			
Visitation (Glasshouse)	249,879	262,500	137,767
Visitation (Gallery)	46,336	47,500	26,020
Visitation (website)	121,394	133,500	66,408
Utilisation (%) (theatre)	38%	> 40%	42%
Utilisation (%) (studio)	22%	> 30%	32%
Utilisation (%) (meeting rooms)	42%	> 40%	23%
Average attendance (%) (theatre)	67%	> 70%	72%
Average attendance (%) (studio)	76%	> 70%	54%
Number of tickets processed	61,726	65,000	36,216
Percentage of tickets sold online	27%	> 30%	25%

While the financial year-to-date visitation numbers are tracking slightly behind the corresponding period last year (predominantly due to the significant Courage to Care program conducted in July - August 2014), the utilisation, theatre attendance and number of tickets processed results are all on track with the 2015-16 targets.

As previously reported, the Glasshouse ticketing system is one of the key management and reporting systems at the venue. Implementation of the new Seat Advisor ticketing system has now been completed with the system going "live" on 1 December 2015 in conjunction with the Membership Renewal Launch.

Coupled with the new website, the new ticketing system offers significant improvements for customers (including Glasshouse Members) in purchasing tickets online for Glasshouse events. The new ticketing system will also improve box office functionalities, promoter features, as well as improve internal reporting and marketing processes to support effective decision-making in relation to the operation of the venue.

### 2.1 *Identify and develop key partnerships to maximise cultural, community and commercial outcomes*

As mentioned above, a new Membership Renewal Strategy was implemented on 1 December 2015, with the Glasshouse Season Launch rescheduled from its "traditional" November date to 28 January 2016. Prior to the Season Launch, 742 Glasshouse Members had renewed their membership which is an excellent result, demonstrating the significant loyalty and customer / member base that the Glasshouse venue enjoys within our community.

This number of Glasshouse Members far exceeds the patron participation results achieved by other similar NSW venues (based on Australian Performing Arts Centre Association data).

## Ensuring Good Governance

Council is continuing to support and develop a number of corporate partnerships / sponsorships consistent with the Glasshouse Marketing and Sales Plan, including the Glasshouse Founding Sponsors, Arts NSW and a number of regional / local media organisations.

Council is also continuing to provide support for a wide variety of community groups to access and use the Glasshouse facilities.

### *2.2 Review the delivery of information services (including visitor information) within the Glasshouse in partnership with Council's Economic Development unit*

At the Ordinary Council Meeting held on 21 October 2015, Council resolved:

#### *11.01 REVIEW OF VISITOR INFORMATION SERVICES*

*RESOLVED: Roberts/Cusato*

*That Council:*

- 1. Acknowledge the feedback received from stakeholders following the stakeholder engagement presentations and workshops conducted on the review into Visitor Information Services.*
- 2. Allocate an additional budget in the 2015/16 Operational Plan of \$30,000 to provide for improvements to the Visitor Information Centre located at the Glasshouse as per Phase 1 in Table 1 in the body of the report.*
- 3. Give further consideration to additional improvements for the delivery of visitor information services across the LGA as part of Council's 2016-2017 budget process.*

*CARRIED: 8/0*

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

*AGAINST: Nil*

In accordance with Resolution 2 above, the Phase 1 improvements to the Visitor Information Centre located at the Glasshouse were implemented in December 2015 prior to the busy Christmas / New Year school holiday period, with positive feedback received from industry stakeholders.

### *3.1 Promote operational flexibility in the use of the Glasshouse footprint to optimise cultural, community and commercial outcomes*

This work is continuing on an ongoing basis. As an example, some operating constraints have been identified with the Glasshouse podium and stairs actually being defined as part of the road reserve associated with the Hay Street Forecourt area. In order to promote greater flexibility in the use of this space, it has been determined that an application should be made for the partial road closure of this section of the Hay Street Forecourt.

This item is the subject of a separate report to the Ordinary Council Meeting to be held on 17 February 2016.

### *3.2 Develop Glasshouse Marketing and Sales Strategies, including redevelopment of the website [www.glasshouse.org.au](http://www.glasshouse.org.au)*

As previously reported to Council, the Glasshouse website redevelopment project has been co-ordinated and run in parallel with the implementation of the new ticketing system (see Recommendation 1.2 above). The new website has now been

## Ensuring Good Governance

completed with the site going “live” on 1 December 2015 in conjunction with the Membership Renewal Launch.

### Other actions

Further detail is provided in the attached *Update on Glasshouse Strategic Plan Recommendations February 2016*.

### **Options**

Council has the option to either adopt the recommendations of this report, to amend, or not to adopt.

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

The information provided in this report has been presented to the Glasshouse Sub-Committee at its meeting held on 2 February 2016.

### **Planning & Policy Implications**

This report is consistent with the key outcomes, recommendations and governance and reporting arrangements identified in the adopted Glasshouse Strategic Plan 2014 - 2017.

Key recommendations from the Glasshouse Strategic Plan to be delivered in the 2015-16 financial year, have been incorporated into Council's overall 2015 - 2016 Operational Plan.

### **Financial & Economic Implications**

The Glasshouse Strategic Plan 2014 - 2017 aims to continue the significant progress that has been made in reducing the net cost of the operation of the Glasshouse to the community, while continuing to ensure the delivery of high quality cultural, community and commercial activities.

There are significant ongoing (annual) economic benefits that the Glasshouse venue delivers to the Port Macquarie-Hastings LGA.

### **Attachments**

1 [View](#). Glasshouse Financial Statements - December 2015

2 [View](#). Update on Glasshouse Strategic Plan Recommendations February 2016



## Ensuring Good Governance

**Item: 09.08**

**Subject: QUARTERLY BUDGET REVIEW STATEMENT**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council note the Quarterly Budget Review Statement for the December 2015 quarter.**

### Executive Summary

This report will detail the Quarterly Budget Review Statement (QBRs) for the end of the first half of the 2015-16 financial year (July 2015 to December 2015).

### Discussion

The Quarterly Budget Review Statement (QBRs) is a statutory report prepared in accordance with the Local Government (General) Regulations, Sections 202 & 203.

The QBRs presents a summary of Council's financial position at the end of each quarter. It is a mechanism whereby the Councillors and the community are informed of Council's progress against the Operational Plan (original budget) and the last revised budget. It also outlines recommended changes and reasons for major variances.

Whilst the Local Government (General) Regulations requires the annual budget to be reviewed on a quarterly basis through this QBRs, Councillors are provided with details of the financial position and associated variances on a monthly exception basis.

Attached is the Quarterly Budget Review Statement for the December 2015 quarter for Council's information, which includes the following components:

- Statement by the Responsible Accounting Officer on Council's financial position at the end of the year based on the information in the QBRs
- Budget review of Income and Expenditure in a consolidated format (including performance indicators)
- Budget review of the Capital budget
- Budget review of the cash and investments position
- Budget review of contracts and other expenses
- TCorp Ratios in line with the Local Government Code of Accounting Practice

## Ensuring Good Governance

Also attached is a confidential attachment on Consultancy engagements as resolved by Council under Item 09.09 Supply of Services to Council on 21 October 2015. This resolution resolved:

2. To Adopt Option 2 to expand the existing reporting format of the Quarterly Budget Review Statement to include additional categories of consultancy engagements including accounting, audit, legal, planning, architectural, surveying, environmental, IT and HR with individual consultant data to be provided in a confidential attachment.
3. Commence the reporting regime from the next Quarterly Budget Review Statement.

CARRIED: 8/0

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

AGAINST: Nil

*This attachment titled "2015 2016 December Quarterly Budget Review Statement - Consultancy Engagements" provides information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c).*

With the introduction of phased budgeting to capital works in 2015/16, this QBRS further improves the reporting with comparisons to Council's yearly and quarterly budgets.

The following key variances within the Income and Expense statement are noted:

1. Income

Income of \$126.9m for the first two quarters year to date (YTD) is 109.8% of the YTD budget, representing 73.9% of the \$171.6m annual income budget.

Key points to note are as follows:

- Rates & annual charges income continues to track in line with the budget, being 102.1% of the YTD budget and 97.4% of the annual budget. There are favourable variances of \$0.62m for domestic waste charges relating to population growth and for annual water charges of \$0.5m that is due to timing of rebates given to pensioners, which at this stage of the year is lower than expected.
- User fees & charges are at 96.6% of the YTD budget and 48.0% of annual budget. Water user charges improved in the quarter, but remain below the YTD budget by \$.58m, due to the timing of water consumption invoices and the recent spell of wet weather. Similarly, Aerodrome user fees improved slightly in the quarter, still down \$0.25m against the YTD budget. These fees (include passenger tax & security screening fees) can be subject to variations, with payments received in the following month. In other areas, fees for planning remain higher due to increased building and subdivision activity in the area, up by 124% on the YTD budget, representing 62% of the annual budget. In Waste management, tipping fees are also above the YTD budget by \$0.18m, mainly relating to the Cairncross Tip, noting that this income is subject to actual use of tip facilities.

## Ensuring Good Governance

- Interest & investment revenue against the YTD budget is 177%, and at 82% of the annual budget.
- Other Revenues of \$2.4m whilst above the YTD budget by 13%, are generally in line with budget expectations. The income represents 53% of the annual budget. Ordinance Services Income (Fines) is still below budget and has had the budget reduced to reflect lower than expected revenues. This is offset by gains in other areas considered timing differences to the YTD budget.
- Operating Grants & Contributions are 87% of the YTD budget, and 58% of the annual budget. These payments are subject to timing, with some grants paid up front, whilst others are paid when the project is finalised. The main variance is with the federal Roads to Recovery grant, partially funding projects that are either yet to start, or in their infancy. These projects being the Houston Mitchell Drive upgrade and the High Traffic Road Resurfacing projects. This grant is paid in arrears as costs are incurred.

### Capital Grants and Contributions

For the YTD income from these items is \$13.66m against the YTD budget of \$4.45m. This income represents 44.5% of the annual budget and is further dissected and discussed below.

- Capital Grants received are \$2.56m being 231% of the YTD budget, against the YTD budget of \$1.11m. This relates directly to the progress of capital works and timing of payments for grants from the Roads & Maritime Services (RMS), usually paid in arrears. This quarter, the variance was caused by funding being received earlier than expected for the Stingray Creek Bridge.
- Capital Contributions comprise Section 64 & 94 developer contributions which are up significantly for the YTD to \$11.1m, against the YTD budget of \$3.341m. This equates to 83% of the current annual budget of \$13.3m, with the increased income a result of the significant subdivision developments in the area. There are other non-cash contributions, such as developer provided assets. These will not be known until after the end of the financial year.
- Income from the disposal of assets relates to receipts from the sale of assets such as land and plant/equipment. The full year forecast is included in the net loss from the disposal of assets.

### 2. Employee costs

Expenditure for the first two quarters in this category is at 96% of the YTD budget, representing 42% of the annual budget.

Variances are considered timing differences and are contingent on other factors such as unfilled positions, when employees take leave and the duration of leave or in the case of workers compensation, whether there have been injury claims made, and if so how many.

The workers' compensation premium remains below the budget. It is deemed prudent to keep the budget at this level, as injury claims determine the actual

## Ensuring Good Governance

premium. PMHC actively works to keep claims as low as possible and this is represented by a low claims history.

### 3. Borrowing costs

Borrowing costs of \$2.6m are on par with the budget, being 90% of the YTD budget and 46% of the annual budget. These costs are subject to the timing of payments, receipts of interest payment information and accrual entries. In addition, the budget for interest on loans was completed prior to the actual interest rate being known on the Stingray Creek Bridge and Hastings River Drive loans. These loans were borrowed at a lower interest rate than they were budgeted for, which has a flow through effect on the principal repayments. The budget for borrowing costs will be altered once the final borrowings for the year are undertaken.

### 4. Materials & Contracts

Expenditure to the end of the second quarter is \$15.5m, that is 80% of the YTD budget of \$19.4m and 41% of the annual budget of \$38m. A review of the expenditure across areas showed that there are a number of areas currently underspent. The main areas of note being in Transport & Traffic, \$1.0m with resealing & resurfacing works to be carried out in the second half of the year. In Environmental Services, \$1.2m relates to the timing of payments. Approximately half of this is for the Remondis organics contract and the JR Richards domestic waste contract.

It is expected that budgets will be spent by the end of the year and therefore it is not appropriate to make any adjustments at this time. These variances can be in large attributed to timing of events.

### 5. Other Expenses

These items are at 77.6% of the YTD budget, representing 43% of the annual budget. The YTD variance of \$1.7m, mostly relates to the timing of when payments are made for these services. The main area is in electricity & street lighting at \$1.1m, where payment for these is made a month in arrears.

A budget review occurs each month, with appropriate adjustments made. At this stage it is not possible to identify any further savings.

### 6. Net loss from disposal of assets

This section relates to losses which may have occurred from either sale of plant or following capitalisation when an asset is renewed and the old asset disposed. There are no losses to report at this stage.

## Capital Expenditure

This section includes a comparison of the actual result against the phased capital expenditure budget.



## Ensuring Good Governance

For the first half of the year, a total of \$26.3m was expended, being 53% of the YTD budget of \$49.2m and 21.6% of the annual budget of \$121.6m. These figures exclude commitments.

### General Fund

The General Fund expended \$15.6m of \$32.2m being 48% of the YTD budget and represents 19% of the annual budget (\$80m). Major projects are on track and variances are considered predominately timing issues. These include, YTD:-

- Houston Mitchell Drive stage 2 & 3 - variance \$3.1m, this was previously delayed to the third quarter pending a funding announcement for 'shovel ready' projects. The funding application was not successful with project commencement now imminent.
- Hastings River Drive - Gordon to Aston - variance \$2.5m
- Plant Purchases - variance \$1.4m plant items acquired subject to business needs.
- Stingray Ck Bridge - variance \$1.1m
- Blackbutt Roundabout at Lake Road - variance \$0.8m
- Clarence/Murray Intersection - variance \$0.6m
- Wayne Richards Park Development Stage 3 - variance \$0.6m

### Waste

The YTD variance of \$0.5m relates to the Kew Transfer Station (variance \$0.6m). The commencement of this project is now delayed pending construction certificate approval, previously due to commence in February 2016.

### Water

The YTD variance within water totals \$1.7m, with most projects on track and variances relating to timing. There are two exceptions being the Southern Arm Trunk Main (0.5m), delayed due to discovery of naturally occurring asbestos, and the Renewal of Koree WPS #1 (0.25m) which is not going to proceed.

### Sewer

The Sewer section has a YTD budget variance of \$3.9m being 58%. Key variances include:-

- STSS Telegraph Point - variance \$0.947m, STSS Long Flat - variance \$0.387m and STSS Comboyne - variance \$0.336m. These are currently behind schedule but in procurement planning.
- Thrumster Reclaimed Water Interim Supply - variance \$0.69m with construction commenced and on target.
- Small Towns Sewer Scheme (STSS) North Shore - variance \$0.4m. This project remains on track with the variance due to the timing of contract payments, i.e. payment made in the following month
- Sewer Rehabilitation - variance .391m works ongoing on an 'as needed basis'.

## Ensuring Good Governance

### TCorp Ratios

Council's current position with regard to these ratios has been attached to this report. As previously advised, some ratios cannot be accurately determined until financial year end, so remain estimates only.

Key ratios of note are the Rates and Annual charges outstanding percentage and Infrastructure ratios.

Rates and Annual Charges outstanding percentage - the actual ratio as at 30 June 2015 was 6.42% with the rate at the end of this quarter currently estimated at 6.49%. The previous quarter was 6.56%. This percentage will be affected by the Water accrual, an end of year adjustment for water used in the current year, but billed in the next year. Staff remain proactive with debt collection, continuing to make considerable effort to reduce this ratio. Historical data indicates that this ratio is continuing to trend downward, being at levels not obtained since 2006-07.

During the last financial year considerable work was undertaken to review the methodologies used in the calculation of the key infrastructure ratios, including the Infrastructure backlog ratio. This has seen improvement in the ratios from the previous financial periods. These ratios remain estimates only for this quarter with more accurate ratios available at year end.

### **Options**

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

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

Not applicable.

### **Planning & Policy Implications**

Nil.

### **Financial & Economic Implications**

There are no financial and economic implications in this report. The variances between budget and actual results continue to be monitored.

### **Attachments**

1 [View](#). 2015 - 2016 December Quarterly Budget Review Statement - Consultancy Engagements (Confidential)

2 [View](#). 2015 - 2016 Quarterly Budget Review Statement

## Ensuring Good Governance

**Item: 09.09**

**Subject: MONTHLY FINANCIAL REVIEW FOR JANUARY 2016**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council adopt the adjustments in the "Financial Implications" section of the report for January 2016.**

### Executive Summary

This report will detail the monthly budget adjustments to the 31 January 2016.

The Council adopted budget position as at 1 July 2015 was a shortfall of \$850,000.

During the month of January 2016 there have been several budget adjustments that have improved the budget shortfall position by \$187,154 to a budget shortfall of \$527,349.

### Discussion

#### Monthly Budget Adjustments for January 2016

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 adopted 2015-2016 budget along with the proposed movement of funds to accommodate any changes.

#### Monthly Budget Review Summary

<b>Original Budget as at 1 July 2015</b>	<b>Shortfall</b>	<b>(\$850,000)</b>
Plus adjustments:		
July Review	Balanced	\$0
August Review	Balanced	\$0
September Review	Balanced	\$0
October Review	Surplus	\$135,497



## Ensuring Good Governance

November Review	Balanced	\$0
January Review	Surplus	\$187,154
<b>Forecast budget position for 30 June 2016</b>	<b>Shortfall</b>	<b>(\$527,349)</b>

### January 2016 Adjustments

The following adjustments reflect the additional budget adjustment included in this report that impact Council's budget position:

Item	Surplus/ Deficit	Amount \$	Comment
S94 Administration Levy	Surplus	\$110,546	Increased development activity has resulted in increased S94 Administration Levy Income.
Insurance Income	Surplus	\$64,774	Council has received an insurance rebate.
Bushfire Control Management	Surplus	\$36,079	Council has received the annual assessment notice from the NSW Government for contributions towards the Rural Fire Service and it is less than anticipated.
Grants Operating - Parks & Gardens	Surplus	\$6,273	An employment/training grant has been received for parks and gardens staff.
Contribution to Fire and Rescue	Surplus	\$3,875	Council has received the annual assessment notice for our contribution to the NSW Fire Brigades and it was less than anticipated.
Operating Grants - Fire Control	Surplus	\$3,462	The 2015-16 Rural Fire Service allocations have been received and the grant for bushfire maintenance was greater than anticipated.
Endeavour Park - Playground Replacement	Shortfall	(\$1,835)	This is to cover a minor over-expenditure on this project.
Jonathon Dickson Reserve - Walkway Southern End	Shortfall	(\$1,910)	This is to cover increased preliminary costs on this project
Contribution to NSW State Emergency Services	Shortfall	(\$10,610)	Council has received the annual assessment notice for our contribution to the SES and it is greater than anticipated.
Business Continuity Framework	Shortfall	(\$23,500)	Council has engaged a consultant to undertake this project.
<b>Total</b>	<b>Surplus</b>	<b>\$187,154</b>	

The following adjustments reflect budget movements as a result of S94 funding, 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
Transfer from Reserves/Restrictions	1	Reserves	\$186,500

## Ensuring Good Governance

S94 Funding	2	Revenue/S94	\$101,600
Grant projects	3	Grant	\$84,294
Over-expenditure review approved by Executive	4	Revenue/Contribution	\$204,781
Transfers between projects	5	Revenue/Reserves	\$349,350
<b>Total</b>			<b>\$926,525</b>

Within the January 2016 adjustments, the following are included:

1. Four projects have been adjusted using Reserve/Restricted funds. The changes resulted in a transfer from reserves of \$186,500.
  - An additional \$100,000 has been included in the ICT budget to cover the Dekho replacement.
  - Airport Terminal Building Upgrade - \$50,000
  - Regional Master Planning - \$16,000
  - Mobile Library Service - \$20,500
2. Four S94 funded projects totalling \$101,600 have been included/increased in the review this month.
  - Open Space S94 Contributions Works Program Review - \$15,000
  - Riverbank Erosion Control Designs - \$41,600
  - Section 94 Team Casual Assistance (due to upsurge in development activity) - \$15,000
  - Section 94 Planning Consultants (due to upsurge in development activity) - \$30,000
3. Council has received two additional grants in the amount of \$84,294 this month.
  - Rocky Beach Littoral Rainforest Recovery Project - \$25,000
  - Rural Fire Service - Hazard Reduction - \$59,294
4. Executive have approved an over-expenditure review for the Cycleway - Beach to Beach CH to Dunbogan through Laurieton. During the pre-planning and on completion of the construction estimates for this project it was apparent that all four stages of this project could not be completed within the available funding. It was decided to continue with the work having full regard to the fact that this would take the works beyond the original RMS grant value. The decision to proceed (after funding was determined) was made to ensure the community didn't receive a pathway that stopped half way between the reserve and the boatshed (a popular walk) - \$204,781
5. There have been a number of transfers between projects totalling \$349,350.
  - \$32,550 has been transferred from ICT salary costs to Financial Services salary costs to cover debt recovery resources.
  - \$60,000 has been transferred from Sealed Road Maintenance to Road Vegetation Management

## Ensuring Good Governance

- \$50,000 has been transferred from Bridge and Pavement Tests to Additional Road funding
- \$10,000 has been transferred from Comboyne Road - Replace Hartys Creek Bridge and \$40,000 has been transferred from Additional Design Works Funding to Comboyne Road - Preconstruction Hyndmans Creek Bridge to cover the tendered cost of this project.
- \$156,800 has been transferred from the Additional Design Budget to the projects below so that the budget can be better managed.
  - Footpath Design, Ocean Drive Lake Cathie (Miala St to Medical Centre) - \$7,000
  - Footpath Design, Ocean Drive Bonny Hills (Panorama Dr Nth of Graham Street) - \$8,500
  - Footpath Design, Hill St PM (Hill St between Parker St and Lake Road) - \$6,800
  - Traffic Light Augmentation - \$50,000
  - Wauchope Depot Gate Installation Design - \$4,500
  - Boundary St, PM Concept - \$30,000
  - Bulli Creek Bridge, Comboyne - \$50,000

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

Nil.

### Financial & Economic Implications

Attached to the report for information is each individual budget adjustment by Division and Section. The net budget movement for January 2016 reduce the current budget shortfall position by \$187,154 to an improved shortfall position of \$527,349.

### Responsible Accounting Officer Statement

The approved budget shortfall for 2015-2016 at the end of November 2015 was a shortfall of \$714,503. The adjustments included in this report will improve this position to a budget shortfall of \$527,349. The shortfall position is considered an unsatisfactory result for the year and as such budgets will need to be closely monitored during the remainder of the year with a view to reducing this shortfall.

### Attachments

1 [View](#). January 2016 Budget Review

## Ensuring Good Governance

**Item: 09.10**

**Subject: 2015-2016 OPERATIONAL PLAN QUARTERLY PROGRESS REPORT  
AS AT 31 DECEMBER 2015.**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council note the 2015-2016 Operational Plan Quarterly Progress Report as at 31 December 2015.**

### Executive Summary

This quarterly report covers progress on implementing actions in the 2015-2016 Operational Plan up to 31 December 2015. The report assesses Council's delivery against the actions and performance measures adopted in the 2015-2016 Operational Plan. It seeks to provide concise and accurate information about what Council has delivered in the first half of the financial year.

The 2015-2016 Operational Plan contains 357 actions with the total number of performance measures being 468.

As at 31 December 2015, 84% of Operational Plan actions are on target. These include actions that have been achieved and that are yet to commence, with the remaining portion recorded as behind target or behind schedule.

2015-2016 Operational Plan Summary of performance measures by Focus Area				
Focus Area	Total number performance measures	Measures that are behind	Measures that are on target	Overall % of delivery
Governance	86	6	80	93%
People	86	11	75	87%
Prosper	45	8	37	82%
Environment	30	5	25	83%
Infrastructure	221	47	174	79%
<b>Totals</b>	<b>468</b>	<b>77</b>	<b>391</b>	<b>84%</b>



## Ensuring Good Governance

84% achievement of actions after six months is an improved comparative position of delivery, relative to the last two years (81% 2014-2015, 82% 2013-2014).

The Operational Plan actions that have been completed in the Governance and People focus areas represent valuable achievements in transparent and relevant community interactions. Completion and advancement of major long term infrastructure projects such as sewerage infrastructure, Beechwood Road, Stingray Creek Bridge and Port Macquarie Indoor Stadium, will have a significant positive impact on a broad cross section of the community.

### Discussion

#### Overview: Quarterly Progress Report as at 31 December

Meeting the targets and performance measures in the annual Operational Plan contributes to the achievement of the overall objectives outlined in the 2013-2017 four year Delivery Program. The Delivery Program is reviewed on a six-monthly basis and is next scheduled to be reported to Council in March 2016.

In addition to the overview in the Executive Summary the detailed analysis outlines performance achievements and actions that are behind target according to each Focus Area.

The attachment provides the full 2015-2016 Operational Performance Report, which includes a comprehensive listing of each individual Operational Plan action, performance measure, target and commentary on progress.

Major capital projects are incorporated into the body of the Operational Plan and as such are reported on as individual actions with performance measured against the adopted project plan.

#### Detailed Analysis by Focus Area

Achievement highlights and details of those actions behind target is summarised below according to each Focus Area within the Operational Plan.

#### Guiding Principle - Ensuring good governance

Focus Area	Performance Measures	Behind target	On target
Ensuring good governance	86	6	80

#### Highlights

- Over 218 media releases, media statements, media alerts and community announcements were distributed during June to December 2015
- Community interaction achieved through digital channels has improved with a 12% increase in social media followers and 2700 users the PMHC listening online engagement tool
- 49 community engagement activities were conducted across the region and included a range of discussion topics such as park and playground upgrades, Hastings River Drive duplication, Wauchope Main Street and amendments to

## Ensuring Good Governance

Local Environment Plans. Community sessions with business users about commercial activities on public land. A Civic Leaders Conference and Sports Forum were also held as part of the Your Voice Our Community program.

- Investment returns exceeded the Office of Local Government benchmarks
- Preparation of Councils 2014-2015 financial statements were complete in line with legislation
- Accessibility to Council was reinforced through the October 2015 Council meeting in Laurieton and "Listening and Engaging with the Community" meetings held in Pappinbarra and the North Shore.
- Over 25 Mayoral messages have been published during the reporting period
- Over 49,000 calls and 43,000 counter transactions were processed by the customer service branches across the region
- Combined, over 640 Development Applications, Construction Certificates and Complying Development Applications were determined from July 2015 - December 2015 within the agreed processing times
- The 2014-2015 Annual Report was adopted in line with legislation, complimented by distribution of the reader friendly Community Report Card to community groups and through Council offices and Libraries

### Operational Plan Actions Behind Target

- Review of current Community Reference Group membership and the consultation processes used to engage with this group is behind schedule pending an external review of Community Engagement processes and practices
- Implementation of the Councillor Training plan is currently behind target as scheduling is yet to be complete
- Identifying key reporting requirements for corporate reporting systems is currently behind
- The review of best practice approaches to Council business intelligence and reporting is currently behind schedule; however, initial planning work has begun.
- Construction of the new works depot is slightly behind schedule, site constraints and determining layout options are ongoing. Pre-lodgement for the development application has occurred in preparation for the relocation

### Focus Area - Looking after our people

Focus Area	Performance Measures	Behind target	On target
Looking after our people	86	11	75

### Highlights

- Over 2,500 students participated in lifeguard education programs
- Building related complaints, environmental issues, on-site sewer management, compliance issues and animal companion issues were all responded to above the set service standard
- Over 110 risk based audit inspections carried out in relation to public health standards
- Implementation of strategies from the Disability Action Plan included delivery of a well attended International Day for People with Disability event
- Community-led projects across the region were stimulated by \$89,000 distributed to 20 community groups in Round 1 of the Community Grants Program

## Ensuring Good Governance

- A successful countdown to Christmas event held in November with over 4,000 people attending
- Fundraising activities supporting the Mayors Sporting Fund raised over \$9,000 in the first half of the year
- 11 Performing Art events have been presented at the Glasshouse and 12 visual arts exhibitions opened
- The first annual sports forum was held in December with 55 sporting club representatives in attendance

### Operational Plan Actions Behind Target

- Delivering the annual maintenance program for bushfire mitigation works on Council owned land is behind schedule
- Behind set service standard targets for responding to public health issues due to a increase in customer requests
- Slightly behind target for reporting on environmental and regulatory requests at the lab
- Due to competing priorities the aboriginal interagency meetings were not attended
- The Town Centre Master Plan placemaking activation of the Hay Street Forecourt is behind schedule as the approach is still being determined with the TCMP committee
- Parks/reserves and sports fields bookings are slightly behind target against the year to date target
- Expanding Council's artwork collection is on hold pending the Collection Management Policy review
- The annual update and replacement of Library furnishings, fittings and equipment is behind schedule due to competing priorities
- The Library Local Priority Grant is currently behind schedule as focus is on expending the Library Infrastructure Grant to meet the State Library deadline

### Focus Area - Helping our community prosper

Focus Area	Performance measures	Behind target/schedule	On target
Helping our community prosper	45	8	37

### Highlights

- Implementation of actions within the Construction, Manufacturing and Transport and Warehouse Industry Action Plans continues
- The Glasshouse new ticketing system and website redevelopment is complete
- Over 116,000 people have visited the Glasshouse in the first half of the financial year
- Improvements at Comboyne cemetery have been completed
- Implementation of actions from the Major Events Strategic Action Plan continues
- Several major events have been staged and supported during July to December 2015 which included the NSW Junior State Surfing Titles, Three Rivers Mini Marathon, Ekam Yoga Festival, King of the Mountain Fun Run, Ironman 70.3 and the NSW Senior Touch State Cup. Two new events were secured, Round 3 NSW Motocross Junior State Championships and the 2016 Trans-Tasman Indoor Cricket Championships
- Hanger 5 facility improvements completed at the airport



## Ensuring Good Governance

- Over 112,000 passengers passed through Port Macquarie Airport and over 2,700 aircraft movements were recorded
- A successful Tastings on Hastings event was staged

### Operational Plan Actions Behind Target

- Operating revenue of Council business units including the Airport, Crematorium and the Glasshouse is behind target
- Glasshouse revenue performance indicates a positive variance of 2% which is below the set 5% target
- Preparation of the draft planning proposal for amendments to the business park near Port Macquarie Airport is behind schedule due to traffic modelling complications
- Planning amendments to facilitate industrial development at Houston Mitchell Drive Lake Cathie are behind pending initial reports and draft proposal by proponent
- The business proposal for establishment of a Property Business Unit is behind, with work underway to achieve the draft proposal by February 2016
- Preparation of planning amendments to Major Innes Rd/Charles Sturt University Precinct and surrounds is dependent on progress with aligned projects
- Implementation of the actions from the Digital Strategy are behind pending additional resources being secured

### Focus Area - Looking after our environment

Focus Area	Performance measures	Behind target/schedule	On target
Looking after our environment	30	5	25

### Highlights

- 20% of plant nurseries have been inspected for invasive weeds
- Over 500 hectares of land has been treated for invasive weeds and over 750kms of weed dispersal routes were treated on roads across the region, including Pappinbarra Road, Thone River Road, Comboyne Road, Wingham Road and North Shore Beach
- Over 550 hectares of bush regeneration has been undertaken on Lighthouse Beach Gully, Pelican Point, Googleys Lagoon, Lake Cathie, Nobbys Beach, Shelly Beach and Middle Rock
- Over 780 customer requests have been processed in relation to tree management
- Works commenced on capping at the Dunbogan Waste Depot
- Development of a Flood Awareness Program has commenced

### Operational Plan Actions Behind Target

- Slightly behind target meeting the effluent requirements of the Environmental Protect Licence due to a discharge at a sewerage treatment plant during the reporting period
- Cairncross Waste precinct facility expansion is behind schedule as delays were experience with the contractor during the second quarter
- Construction of the Kew Transfer Station is yet to commence pending detailed design finalisation and approvals

## Ensuring Good Governance

- Providing advice on Tree Management requirements in line with the service standard is slightly behind the set target
- Investigating illegal tree works within the set service standard is slightly behind target due to the workload volume

### Focus Area: Planning and providing our infrastructure

Focus Area	Performance measures	Behind target/schedule	On target
Planning and providing our infrastructure	221	47	174

### Highlights

- Beechwood Road construction from Bains Bridge to Rosewood Road complete
- Clarence and Murray St intersection complete as part of the Town Centre Master Plan including improved parking, landscaping, kerb and guttering, footpath replacement, improved lighting and upgrade of underground services
- The out of water dry dock slipping of the Settlement Point Ferry was complete
- Relocation of picnic shelters and BBQ's at Bartletts Beach Reserve as part of the Bonny Hill's Reserves Master Plan complete
- Playground replacement at Endeavour Park complete
- Replacement of infrastructure at Wauchope Skate Park complete
- Park furnishing upgrades complete at Lasiandra Park, Shelly Beach, Wall Reserve North Haven and Westport Reserve
- Pathway replacement at Glebe Park complete
- Replacement of the timber steps at Lake Cathie Foreshore Reserve complete
- Construction of the rising main along Ocean Drive from North Haven, North Haven to Laurieton and Stingray Creek bridge crossing complete
- Sancrox 20ML Reservoir complete in order to service Sancrox and Area 13 industrial and residential development areas
- Upgrade of sewer mains - Stingray Creek Bridge complete
- Port Macquarie Sewerage Treatment Plant - upgrades to comply with the Environmental Protection Authority commitments complete
- Investigations and condition ratings for Short Street drainage complete
- Process management issues have been resolved in order to allow construction of the Port Macquarie regional Indoor Stadium to commence
- Upgrade to Hastings River Drive from single lane to dual lanes commenced and supported by a comprehensive communications campaign
- Tender awarded to undertake the Port Macquarie-Hastings Local Area Traffic Study in accordance with the program
- Completion of the 'under bore' as part of the provision of the centralised sewerage system for the North Shore for the Small Towns Sewerage Program
- Construction commenced on the new Stingray Creek Bridge

### Operational Plan Actions Behind Target

- Expansion of Cairncross Waste precinct is behind due to delays experienced with the contractor, negotiations underway to bring this project to completion
- Construction of Kew Transfer Station is yet to commence pending detailed design finalisation and approvals
- Town Centre Master Plan design and preconstruction of lighting and banner poles is behind pending ongoing discussion with TCMP to determine priorities

## Ensuring Good Governance

- Lake Road detailed designs for dual lanes has preliminary scope of work provided and initial concepts for Stage 1(Ocean Dr to Chestnut) underway
- Signage audit complete in order to inform recommendations for upgrades and changes to Town Centre Master Plan signage
- Construction of Town Square is awaiting commencement pending completion of detailed designs
- Town Centre Master Plan implementation of cyclist friendly actions are behind
- Houston Mitchell Drive/Ocean Drive roundabout delayed until January 2016 by funding application
- Town Centre Master Plan Koolonbung Creek pedestrian paths is pending detailed designs being finalised following changes to the scope of works
- Lake Road intersection with Blackbutt is behind and expected to commence in early 2016 subject to the tender process. Service relocations are underway
- Construction of the Port Macquarie Indoor Stadium upgrade is currently behind the original schedule and will continue into 2016-2017
- Flynn's Beach Seawall Upgrade is pending coastal grant funding which was expected November/December 2015 and may continue into 2016-2017
- Wauchope Swimming Pool upgrade expecting tender advertisement early 2016 with commencement of works proposed for April 2016, this project will continue into 2016-2017
- Upgrade of Westport boat ramp Stage 2 is behind, project planning for commencement of works planned for March/April 2016
- Construction of Town Beach Reserve amenities are yet to commence and are pending detailed designs and approvals, project may continue into 2016-2017.
- Replacement of revetment wall at Dunbogan Reserve is delayed pending additional funding applications to cover full scope of works, project may continue into 2016-2017.
- Construction of the Southern Arm Truck Main at Houston Mitchell Drive is planned to commence construction in February 2016
- Stage 2 stormwater remediation at Batar Creek Road Kendall is behind pending external detailed design, with construction expected mid 2016
- Stormwater remediation at Skyline Terrace Bonny Hills is behind, detailed design is complete, however property matters are delaying commencement
- Stormwater remediation at Blackbutt Creek Wauchope is behind, detailed design complete, however properties matters are delaying commencement
- Stormwater remediation at Calwalla Cres is behind pending external detailed design, construction expected in mid 2016.
- Preconstruction and design for the Works Depot relocation is behind schedule which is attributed to site constraints for equipment, materials and plant
- The Management Plan development for the Town Centre Master Plan is ongoing with the Committee to determine requirements
- Parks signage - a list of replacement reserves signage is being complied with draft artwork, procurement and installation to follow
- Amethyst Way, Allen Road Reserve, Ferry Reserve and Wade Reserve replacement playgrounds are under procurement which are awaiting tender results expected in late January
- Jonathon Dickson Reserve walkway construction is behind due to delay with the consultant's report
- Bonny Hills Amenities Upgrade is behind pending concept option consideration
- Design and implementation of the Master Plan for Town Green is behind due to other project demands
- Fixtures and light fitting replacement at Findlay Park, Lake Cathie sportsfield, Stuart Park and Woods Street sporting fields are behind schedule
- Vince Inmon Sport Complex floodlighting replacements have now had the contract awarded and construction will commence in February 2016

## Ensuring Good Governance

- Tuffins Lane power supply upgrade is on hold pending consideration of future facility management
- Community consultation to provide input into the Mid North Regional Study is behind schedule pending release of the State Government Strategy
- LEP and DCP amendments for Precinct C of Lake Cathie/Bonny Hills is behind awaiting the applicant. Exhibition may not take place by 30 June
- The review of the DCP and LEP for neighbourhood planning at Thrumster is behind pending priority being given to the comprehensive KPoM project
- Revised draft Koala Plan of Management is behind as priority has been given to the comprehensive KPoM project
- A discharge was recorded at the Wauchope Sewer Treatment Plant which has is below the 100% compliance target set
- Purchasing new water quality monitoring equipment is behind awaiting quotes and trial program
- Camden Haven Sewerage Pump Station 22 power supply is behind schedule pending land title change requirements
- Small Town Sewerage Program at Telegraph Point, Comboyne and Long Flat are behind schedule due to Council resolving in July 2015 to rewrite contract specifications to allow for greater tender flexibility which will impact on program timing
- Sewer relining works are behind due to requirements of tender process
- Port Macquarie Sewer Treatment Plant aerator is behind schedule, quotes from suppliers received with installation planned for June 2016

### Options

Seek further information on performance measures reflected in this report.

### Community Engagement & Internal Consultation

The information contained in this report has been subject to consultation with the Executive, Senior Leadership Team, Integrated Planning and Reporting Development Officer and Staff.

### Planning & Policy Implications

This report is consistent and aligned with the Integrated Planning and Reporting Framework provisions contained in the Local Government Act (1993).

### Financial & Economic Implications

The Quarterly Budget Review Statement is tabled under separate cover and reflects the financial implications of these actions.

### Attachments

- 1 [View](#). 2015-2016 Operational Plan Quarterly Progress Report as at 31 December 2015



## 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: COMMUNITY EVENT PROGRAM APRIL 2016**

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

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### 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 notes the proposed program of community events for April 2016. The government programmed weeks are used to highlight social inclusion and participation in community life including Seniors week, Youth Week, Heritage Week, ANZAC Commemorations and Creative Ageing Festival which will form a month long program that encourages community capacity building.**

### Executive Summary

Each year Council runs a number of government legislated activities, events and programs for which Council receives funding or subsidised salaries. These include Seniors Week, Youth Week, Heritage Week, ANZAC Commemorations, holiday programs and the Creative Ageing Festival. The intent of the month of activities is to develop a calendar of events, activities and programs that will support social inclusion and bring our community together in creating a more vibrant and connected place.

The program, activities and events are aligned with the Port Macquarie Hastings Towards 2030 Community Strategic Plan and will assist Council in achieving social infrastructure and community programs that creates a healthy, inclusive and vibrant community. By ensuring a safe, caring and connected community and a strong community that is able to identify and address social issues.

### Discussion

During April 2016 Council will run a number of socially targeted events that bring our community together. They are designed to thank, celebrate and recognise our community members for the role they play and the contributions they make to the community.

Every year during Seniors Week, Youth Week, Heritage Week and ANZAC commemorations, the government, our Council, the community and other commercial organisations hold events across the region which encompass art, sport, music, entertainment, technology, recreation, health, good nutrition and much more!

## Looking After Our People

This year with all the events happening in April, it is an opportunity to combine our efforts and make April an amazing month of social inclusions, promoting health, happiness and wellbeing through a series of activities, events and programs that will bring all areas of our community together.

These events, activities and programs include:

### ***Creative Ageing Festival 1 - 10 April***

Celebrate Seniors Week in Port Macquarie-Hastings, engage seniors and industry workers in Creative Ageing.

Festival Program:

- Library - One Book One Community (200 books for community to read "Still Alice" during March then attend giant book club at Library with panel) co-pro with Alzheimer's Australia;
- High Tea and IT Workshops (workshops for seniors how to use i-pad, Imaginarium, 3D printer etc);
- Cultural Companions - launch. Seniors who are alone join Cultural Companions and all go together to cultural and recreational programs during the Festival (based on Creative Ageing Britain);
- The Big Chat - for industry workers in Ageing. Showcasing the Glasshouse Dementia Program, practical workshops in Creative Ageing.
- CSU to measure the well being of 2 month art therapy project at Mingaletta with residents with dementia;
- Young at Heart - Hosting this Australian-wide Seniors Short film festival screening;
- Pimp my Ukulele - a co-pro with Creative Ageing Festival of Wales, UK. These are exhibited at the Glasshouse then given to disadvantaged seniors to learn how to play; and
- Council of the Ageing (COTA) - will establish a reference group of seniors representative of our LGA to provide feedback to the NSW Govt Positive Ageing Strategy.

Outcomes:

- Acknowledge the important role that seniors play in our community;
- Training for Industry workers ;
- Partnerships such as CSU and ageing institutions;
- Offer opportunities for Seniors to engage with Council facilities including the Library and Glasshouse;
- Offer opportunities for seniors to participate in the arts - through workshops, exhibitions, performances, film screening, discussion groups and networking;
- Council of the Ageing - establishes a reference group of Seniors representatives in our LGA to provide feedback for the NSW Govt Positive Ageing Strategy (this group will operate for 12months); and
- Remove barriers for older people to access cultural activities and events.

Proposed measure

- Charles Sturt University project to measure the wellbeing on staff and residents with dementia for the 2 month long Creative Ageing project at UnitingCare Ageing, Mingaletta;
- Number of seniors attending programs and workshops;



## Looking After Our People

- Council of the Ageing Group established - seniors have advocacy in public policy; and
- Number of industry workers attending The Big Chat.

### **Mayor's Sporting Fund - Golden Thong Bowls Day April 1**

The Annual Mayors Golden Thong Bowls Day to raise funds for the Mayor's Sporting Fund at Port City Bowling Club.

Outcome:

- Funds raised to be distributed to young local athletes who apply for financial assistance to compete at an elite level.

Proposed measure:

- To raise more money than that raised in 204/2015 (\$3,100 nett)

### **Portraits of Memory and ARTWALK - 20 April - 5 May**

Portraits of Memory is a large scale outdoor projected exhibition that acknowledges the impact that the ANZAC spirit has within the community today. Stories and footage of community members holding objects of personal significance will be captured through large scale portraits providing us with an exhibition of memory-pieces that connect us today to the experiences of Australians at war. Funding has been received from the Australian Government from the Anzac Centenary Arts and Culture Fund Public Grants Program to deliver this project. The projections will be projected onto the PM Courthouse, Cinema and wall of the Macquarie Waters building.

Artwalk will be incorporated into the Portraits of Memory schedule to activate the CBD through the provision of our existing arts and cultural businesses and public art, highlight and raise the profile of our regional artists and arts businesses and our cultural facilities.

Outcome:

- Increased awareness of our arts and cultural businesses in the CBD;
- Increased visitation to local arts and cultural business and commercial businesses;
- Local artist work is exhibited and promoted to the general public;
- A unique experience is delivered that encourages participation and engagement with art;
- Activation of the CBD during the evening;
- Increased visitation to local arts and cultural site;
- Community engagement and participation in the project;
- Education about our local contribution to Australians at War (Our Heritage); and
- A unique experience is delivered that encourages participation and engagement with art.

Proposed Measure

- Survey businesses before and after;
- Number of attendees to each venue;
- Survey on the night from participants/ consumers measuring; and
- Survey of artists.

## Looking After Our People

This project will also be travelling around the region to engage with all members of the community. It will be displayed in Laurieton and Wauchope during May and June.

### ***Heritage Week - 16 April - 29 May***

Port Macquarie Hastings Council's Heritage Festival now in its 18<sup>th</sup> year, it runs in tandem with the National trust nation-wide festival. There continues to be strong collaboration between PMHC and many local community heritage, museum, gallery and school groups.

Heritage Week had traditionally run for one week, has grown significantly over the previous three years now held over one month incorporating over 30 community groups and over 100 community events including walking tours, archaeology tours, talks, museum and art exhibitions, and film nights.

- Outcomes:
  - to conserve, protect and celebrate our local heritage;
  - promote the heritage of our region;
  - build the capacity and capabilities of our local heritage and museum groups; and
  - encourage young people to become involved with our local heritage.

#### Proposed Measure

- Number of attendees to each venue; and
- Number of community activities.

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### ***Youth Week - 8-17 April***

Is organised by young people, for young people, in communities across NSW and Australia. Following the success of the NSW Youth Week program, Youth Week became a National event in 2000. National Youth Week is jointly supported by the Australian Government, State Governments and Local Governments. National Youth Week is an opportunity for young people to:

- share ideas;
- have their voices heard on issues of concern to them;
- showcase their talents;
- Skill development in event management and cultural pursuits;
- celebrate their contribution to the community; and
- attend live events.

The 2016 PMHC youth week program will be planned managed and implemented by the Hastings Youth Advisory Council (YAC) and will include:

- Mini Kokoda event, trek up North Brother mountain to raise awareness and support for local young people pursuing fundraising causes;
- Pop up Busking around the CBD;
- Wave and Melodies on Town Beach reserve with Skate workshops and competition, inflatable screen showing activity photos/Ideas taken during the week, temporary walls for street art mural workshops with Stalls and Giant games;
- Inflatable Toy Race, Busking comp and BBQ at Settlement point and will involve Surf Life Savers and will include Beach Sports and Sand Sculpting;
- Library Events during the week include Cosplay;

## Looking After Our People

- Kendal Movie maybe -Dive-in or Drive-in Movie to be confirmed; and
- Buses provided to bring young people from Wauchope and the Camden Haven to participate.

### Outcomes

- Engaged Young People;
- Skill development of YAC members;
- Awareness of issues for Young people.

### Proposed Measures

- Number of attendees to each venue;
- Survey on the night from participants/ consumers measuring.

### **Hastings Moonlight Movie Screening - 8-26 April**

To work in collaboration with other Place Facilitators as part of the Centenary of Anzacs - 2015 - 2018 celebrations with a screening of "Forty Thousand Horseman" (1940).

### Outcome:

- To provide a cinematic tribute to the mounted troops of the Australian Light Horse Regiment, giving life to the heroic tales of mateship during the Great War to coincide with the Centenary of Anzacs - 2015 - 2018.

### Proposed measure

- Number of attendees.

### **Other Activities in April**

There are a number of other activities that are happening in April across the region including:

- 1-3 April Australian Blues and BBQ Festival;
- 3 April - Alzheimer's Memory Walk & Jog - Westport Park, Town Green, Town Beach, Oxley Beach;
- 5 April - Mobility Information Seminar, Oxley Oval car park;
- 9 April - Foreshore Markets - Westport Park;
- 10 April - Sidewalk Astronomy - Lady Nelson Wharf;
- 17 April - Motorfest - Westport Park; and
- 30 April Toyota Ironman Australia 2016 IronKids and 5km Run - Town Green, Westport Park.

### **Community Engagement**

All of the proposed events have key partners, stakeholders and working groups enabling the programs to be delivered this includes:

#### Mayors Sporting Fund:

- Mayors Sporting Fund Committee, Local Businesses, Sponsors.

#### Creative Aging:

- Australian Centre for arts & health, Arts Mid North Coast, Local Govt NSW, NSW Dept Family & Community Services, NSW Govt Seniors Week, North Coast TAFE, Charles Sturt University, UnitingCare Ageing, Catholic Care of the Aged, Alzheimer's Australia, Hastings District Respite Care, U3A, ABC Mid North Coast, The Whiddon Group, Men's Shed.

## Looking After Our People

### Portraits of Memory/ Artwalk:

- RSL Glasshouse Regional Gallery, Port Macquarie Museum, Hastings Valley Fine Arts, 5 x local artists, Art House Industries, Sunset Gallery, Other business groups/ cafes - Wall space Port Macquarie RSL, Family History Society, Local Community, Port Macquarie Courthouse, Business/Land Holders.

### Heritage Week:

- Local Museums, Community Groups, Historical societies, Historic Courthouse.

### Youth Week:

- Headspace, CSU, TAFE, local businesses, Hastings Youth Network.

### Planning & Policy Implications

The programmed activities and events are in line with program State Government Service requirements as well as Council Operational plan:

#### 2.2.1 Build Capacity in the community to support young people:

- 2.2.1.1 Provide opportunities for young people to learn and develop - Youth Week held annually.

#### 2.4.1. Work with Community groups to build capacity on social justice issues:

- 2.4.1.3.3 Develop, implement and evaluate a Seniors' Week.

#### 2.5.2. Facilitate, support and or advocate for cultural and heritage education within the community.

#### 2.8 Promote Cultural and artistic expression;

- 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;

- 2.8.1.6 Work with community groups involved in arts and culture to deliver a wide range of inclusive cultural experiences across the LGA through Place making.

### Financial & Economic Implications

There is an allocated budget in the 15/16 operational budget within Community Place for all aspects of these events. This is for all resourcing including; staff time, speakers fees, artist fees, workshops, design, promotion and marketing.

- Creative Aging Budget: \$34k grant Creating Liveable Communities 2nd year of 2 year grant from Local Govt NSW and Dept Family & Community Services and matched with \$2.5k PMHC Seniors Week program budget
- Artwalk - \$10,000 from Creative Place Making Budget as part of Council annual Cultural Planning
- Portraits of Memory - \$50,000 grant from Federal Government
- Youth Week - \$4000 from Place Facilitator Operation budget and \$1845 from State Government Youth Week grant, State Government funding support for Youth Worker position.

## Looking After Our People

- Heritage Week - An annual allocation of \$7500 in the operational budget for heritage week promotion and preparation.
- Moonlight Movie - Funded from the existing 2015/2016 Hastings Moonlight Movies Budget Allocation Estimate cost \$1,500.00

### **Attachments**

Nil



## Helping Our Community Prosper

### What are we trying to achieve?

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

### What will the result be?

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

### How do we get there?

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

## Helping Our Community Prosper

**Item:** 11.01

**Subject:** ROAD CLOSURE - PART HAY STREET, PORT MACQUARIE

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

### Alignment with Delivery Program

3.2.2 Develop, manage and maintain Council business units to optimise commercial return and community benefit.

### RECOMMENDATION

**That Council:**

1. **Make application to the Department of Primary Industries - Lands to close that part of Hay Street, Port Macquarie comprising generally the Glasshouse podium and stairs.**
2. **Request the Department of Primary Industries - Lands vest the closed road in Council as operational land.**
3. **Affix the Common Seal to-**
  - a. **Plan of Road Closure and First Title Creation**
  - b. **Plan of Consolidation of the closed road and Lot 1 DP1140251**
4. **Delegate to the General Manager authority to sign the Land Titles Office Request Form.**

### Executive Summary

A report to consider the closure of that part of Hay Street, Port Macquarie (the Hay Street Forecourt) presently occupied by the Glasshouse podium and stairs.

### Discussion

The Glasshouse podium and stairs occupy part of the Hay Street Forecourt. Under Section 138 of the Roads Act 1993, approval for the occupation was provided at the time of the Glasshouse construction. As part of a road reserve (Hay Street), the use of the podium and stairs (and its supporting structures) is governed by the provisions of the Roads Act 1993.

Given the varied use of the Glasshouse venue including the podium and stairs (and its supporting structures), management under the provisions of the Local Government Act 1993 provides a broader range of opportunities as distinct from ongoing management under the provisions of the Roads Act 1993.

The closure of that part of Hay Street whereby it ceases to hold the status of a public road and becomes 'Operational' land under the provisions of the Local Government Act 1993, can be achieved by means of a formal road closing application made pursuant to the provisions of Part 4, Division 1 of the Roads Act 1993. The process is administered by the Department of Primary Industries - Lands. Only the Minister



## Helping Our Community Prosper

administering the Roads Act 1993 has the statutory power to permanently close public roads.

The general area of Hay Street occupied by the Glasshouse podium and stairs is shown in the attached plan. A more detailed survey of the area is depicted as Lot 1 in the attached survey plan.

At the conclusion of the road closing process, and on the basis that the closed road vests in Council as 'Operational' Land, the closed road should be consolidated with the existing Glasshouse land - Lot 1 Deposited Plan 1140251 - in order to satisfy planning requirements.

### Options

There is the option to:

Proceed with a road closing application; or  
Not proceed with a road closing application.

The recommendation to proceed with the road closing application is consistent with the Glasshouse Strategic Plan 2014 - 2017 adopted by Council at the Ordinary Council Meeting held on 16 July 2014.

### Community Engagement & Internal Consultation

The provisions of the Roads Act 1993 specify that a Notice proposing to close a public road must be published in a local newspaper. Accordingly, a Notice of Proposed Road Closure has been published in the "Council Matters" column in the *Port Macquarie Express*. No submissions were received during the public notice period.

The Department of Primary Industries - Lands has a standard template for the notification to Statutory Authorities that may hold an interest in a road being permanently closed. With the exception of Gas Suppliers who do not provide their product to the Mid North Coast, and Transgrid whose nearest infrastructure is some kilometres distant from Hay Street, notification of the proposed closure was provided. No Statutory Authority has raised an objection to the proposed closure.

There has been consultation within the Corporate & Organisational Services Division.

### Planning & Policy Implications

On closure of the road, the land comprising the closed road is to be consolidated with the existing Glasshouse landholding being Lot 1 DP1140251.

### Financial & Economic Implications

Costs will be incurred as part of the road closing process. Principal costs, estimated at \$5,000 (GST Exclusive), pertain to survey and plan registration. There is funding in the current budget to meet the estimated costs.

## Helping Our Community Prosper

### Attachments

- 1 [View](#). Plan of Proposed Road Closure
- 2 [View](#). General Location of Proposed Closure

## Helping Our Community Prosper

**Item: 11.02**

**Subject: FREE CAMPING MANAGEMENT STRATEGY**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council:**

- 1. Note the update on free camping in the Port Macquarie-Hastings region since Council's adoption of the Free Camping Position Statement.**
- 2. Agree to a continuation of the current approach to and monitoring of free camping as per the previously adopted Position Statement.**

### Executive Summary

Council's approach to free camping via the adopted Position Statement is built around welcoming all visitors who respect the local community and environment, not allowing free camping in public areas, education and enforcement of Council's position and on-going monitoring and response to free camping trends.

In the eleven months since adopting the Port Macquarie Hastings Free Camping Position Statement, whilst free campers are still observed around the region, the current approach appears to have eased the trend and appeased many local concerns.

### Discussion

In March 2015 Council resolved to:

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

The Position Statement has the following components:

- Port Macquarie Hastings Council does not allow camping or overnight stays at public car parks, reserves or road reserves (in tents, vehicles or any other shelter or accommodation) except for as provided in designated RV spaces in our CMCA approved RV friendly towns.

## Helping Our Community Prosper

- 'No camping' signage in free camping 'hot spots' used in conjunction with Rangers patrols, including enforcement where deemed necessary, to manage inappropriate behaviour.
- Targeted visitor education on acceptable camping options and Council's position on free camping. In particular, we provide where to camp information to vehicle hire companies, via our destination website and visitor information centres, and display 'no camping' signage.
- Continued monitoring of the free camping segment and ongoing community feedback will assist in determining any changes to the current approach.

Since the adoption of the Position Statement:

1. An additional "No Camping" sign has been erected at Shelly Beach.
2. The Where to Camp brochure has been updated and widely distributed.
3. Rangers have continued to monitor and engage with the free camping segment.
4. Neighbouring Council's have reported a noticeable increase in free camper numbers.
5. Primitive camp grounds at Wauchope, and to a lesser extent Kendall, Showgrounds are experiencing high levels of demand.
6. RV Friendly Town status has been finalised for Wauchope and Kendall.
7. RV Friendly short term parking areas at Wauchope and Kendall are being regularly used with no official reports of free camping problems.
8. Wikicamps listings now include accurate notations where camping is not allowed.

The following table shows the number of illegal camping observations by Council's Rangers during 2015/16:

Issue detected	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-15
Illegal Camping	59	75	20	24	88	116	151

Across the region free camping numbers, at least anecdotally, appear to be down on last summer, although there has been a noticeable spike during the peak holiday season which is typical of previous trends.

The following table shows the volume of community feedback received by Council on free camping:

	Pre Trial (12 months to 14/9/14)	During Trial (14/9/14 to 19/1/15)	Post Trial (20/1/15 to 29/2/15)	Post Trial (01/03/15 to 31/1/16)
Letters/Emails	14	18	12	4
Phone Calls	0	2	1	0
In-Person	0	2	-	0
<b>TOTAL</b>	<b>14</b>	<b>22</b>	<b>13</b>	<b>4</b>

## Helping Our Community Prosper

As illustrated, community feedback on the topic has declined significantly since the height of the trial and adoption of the Position Statement.

As noted in the previous briefing on this matter, a significant challenge to the adopted approach to free camping is the way in which existing legislation impacts compliance management. In June 2015, Council wrote to the NSW Government seeking greater powers through The Local Government Act 1993 to regulate free camping on roads and roadside areas and the ability to issue fines to a vehicle's registered owner (not the individual). The Minister for Local Government responded in September 2015 advising that the NSW Government is committed to strengthening the Local Government Act and will consider future legislative amendments. A change to the issuing of fines would require an amendment to the road safety and traffic management laws and this has been referred to the Minister for Roads, Maritime and Freight with no response received to date.

### Options

1. Continue with the adopted approach to free camping, as defined in Council's Position Statement.
2. Request further review of the Position Statement and develop a new/amended approach.
3. Direct a new approach to the management of free camping.
  - 1.

Option 1 is the preferred approach as it is assessed as having been effective to date, when assessed against other regional approaches.

### Community Engagement & Internal Consultation

Consultation on this matter within Council is ongoing between the Economic Development and Regulatory Services teams. At its 3 February meeting, the Economic Development Steering Group received an update on the matter and supported the proposed continuation of the current approach.

### Planning & Policy Implications

Nil proposed.

### Financial & Economic Implications

Should Council agree to a continuation of the current approach, Regulatory Services will continue to monitor and engage with the free camping segment within existing resources.

### Attachments

Nil



## 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:** DA2015 - 643.1 - TWO (2) LOT SUBDIVISION AND CONSTRUCTION OF NEW DWELLING WITH CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) UNDER PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011, LOT 27 DP 733503, 16-18 WATERVIEW CRESCENT, WEST HAVEN

**Report Author:** Matt Rogers

**Property:** Lot 27 DP 733503, 16-18 Waterview Crescent, West Haven  
**Applicant:** J N & D I Gunn  
**Owner:** J N & D I Gunn  
**Application Date:** 12 November 2015  
**Estimated Cost:** \$186,700  
**Location:** West Haven  
**File no:** DA2015 - 643.1  
**Parcel no:** 24743

### Alignment with Delivery Program

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

### RECOMMENDATION

That the determination of DA2015 - 643.1 for a two (2) lot subdivision and construction of new dwelling with Clause 4.6 variation to Clause 4.3 (Height of Buildings) under Port Macquarie Hastings Local Environmental Plan 2011, Lot 27 DP 733503, 16-18 Waterview Crescent, West Haven, be noted.

### Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegated authority by the Group Manager Development Assessment. Granting consent involved use of Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.3 (height of buildings) by not more than 10%.

In this case, the maximum overall height of the proposed dwelling above ground level (existing) is 8.93m which does not comply with the standard height limit of 8.5m applying to the site.

The objectives of Clause 4.3 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,

## Looking After Our Environment

- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,
- (c) to minimise the adverse impact of development on heritage conservation areas and heritage items,
- (d) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan.

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

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

- The variation is only minor. In particular, the section above the height limit represents a variation of 5.05% and is only for a length of 3m.
- The variation is created by the steep terrain.
- The variation does not impact on any privacy, views or solar access to adjoining properties.
- The development is not in a heritage area.
- Development is consistent with the objectives of Clause 4.3 and the zone.

Having considered the application and Clause 4.6 variation, Council staff supported the reasons provided by the applicant. In addition, Council staff also supported the variation for the following additional reasons:

1. The bulk and scale of the development is not out of character with other development in the immediate area.
2. Strict compliance with the development standard is unreasonable and unnecessary in this case due to the steep terrain and minor nature of the variation.
3. The assessment report showed that there was sufficient planning grounds to justify the variation.
4. The variation will have no impact on the public interest in the area.
5. Ceiling heights were standard.
6. There are stormwater issues in the area, which also lends the house to being raised slightly.

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

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

Following exhibition of the application, no submissions were received.

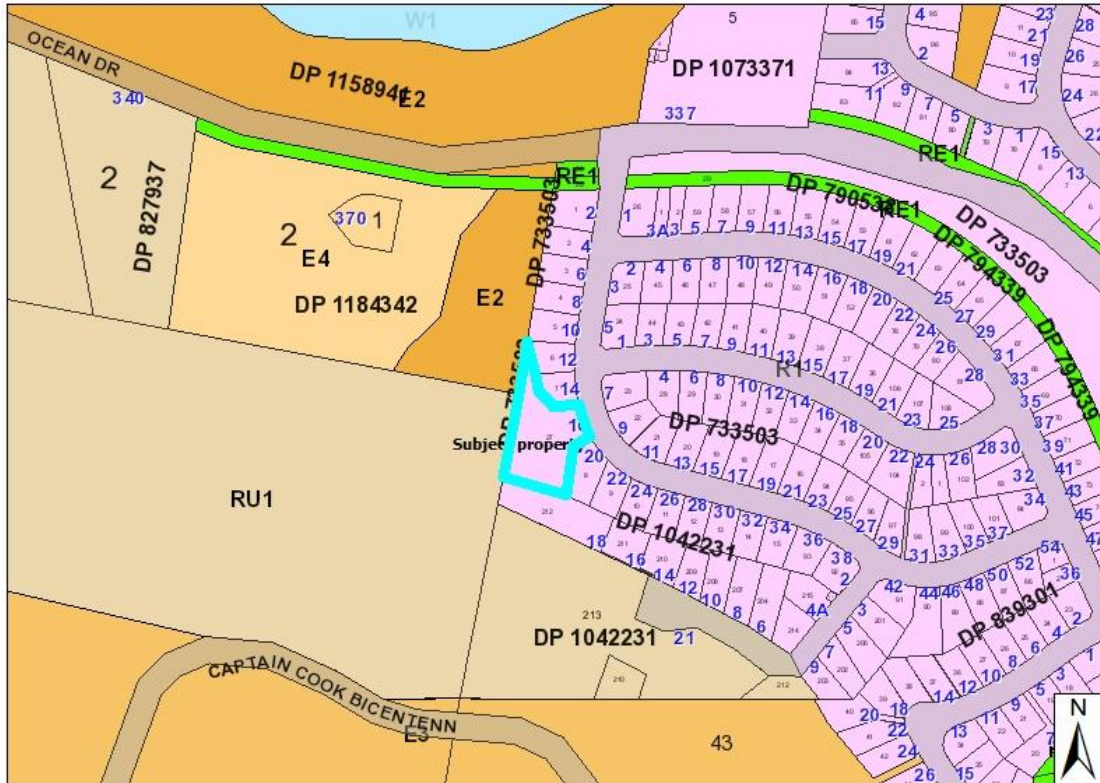
## Looking After Our Environment

### 1. BACKGROUND

#### Existing sites features and Surrounding development

The site has an area of 3559m<sup>2</sup>.

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:

- Subdivision of the property into two (2) lots.
- Construction of a new dwelling.
- Clause 4.6 variation to Clause 4.3 (height of building) Port Macquarie Hastings Local Environmental Plan 2011.

Refer to attachments at the end of this report.

#### Attachments

- 1 [View](#). DA2015 - 643.1 Approved Stamped Plans.
- 2 [View](#). DA2015 - 643.1 DA Consent

## Looking After Our Environment

**Item:** 12.02

**Subject:** DA2014 - 227.2 - MODIFICATION TO DWELLING ADDITIONS INCLUDING A CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) UNDER PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011, LOT 371 DP 236950, 43 VENDUL CRESCENT, PORT MACQUARIE

**Report Author:** Matt Rogers

**Property:** Lot 371 DP 236950, 43 Vendul Crescent, Port Macquarie  
**Applicant:** N J & L M Carrall  
**Owner:** N J & L M Carrall  
**Application Date:** 17 December 2015  
**Estimated Cost:** N/A  
**Location:** Port Macquarie  
**File no:** DA2014 - 227.2  
**Parcel no:** 24374

### Alignment with Delivery Program

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

### RECOMMENDATION

That the determination of the section 96(1A) modification to DA2014 - 227 for dwelling additions including a clause 4.6 objection to clause 4.3 (Height of Buildings) under Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 371, DP 236950, No. 43 Vendul Crescent, Port Macquarie, be noted.

### Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegated authority by the Group Manager Development Assessment. Granting consent involved use of Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.3 (height of buildings) by not more than 10%.

In this case, the maximum overall height of the proposed dwelling above ground level (existing) is 8.63m which does not comply with the standard height limit of 8.5m applying to the site.

The objectives of Clause 4.3 are as follows:

## Looking After Our Environment

- (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,
- (c) to minimise the adverse impact of development on heritage conservation areas and heritage items,
- (d) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan.

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

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

- The variation is only minor. In particular, the section above the height limit represents a variation of 1.5% and is only for a minimal length.
- The variation is created by the slope of the site.
- The variation does not impact on any privacy, views or solar access to adjoining properties.
- The development is not in a heritage area.
- Development is consistent with the objectives of Clause 4.3 and the zone.

Having considered the application and Clause 4.6 variation, Council staff supported the reasons provided by the applicant. In addition, Council staff also supported the variation for the following additional reasons:

1. The bulk and scale of the development is not out of character with other development in the immediate area.
2. Strict compliance with the development standard is unreasonable and unnecessary in this case due to the slope and minor nature of the variation.
3. The assessment report showed that there was sufficient planning grounds to justify the variation.
4. The variation will have no impact on the public interest in the area.
5. Ceiling heights were standard.

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

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

Following exhibition of the application, no submissions were received.



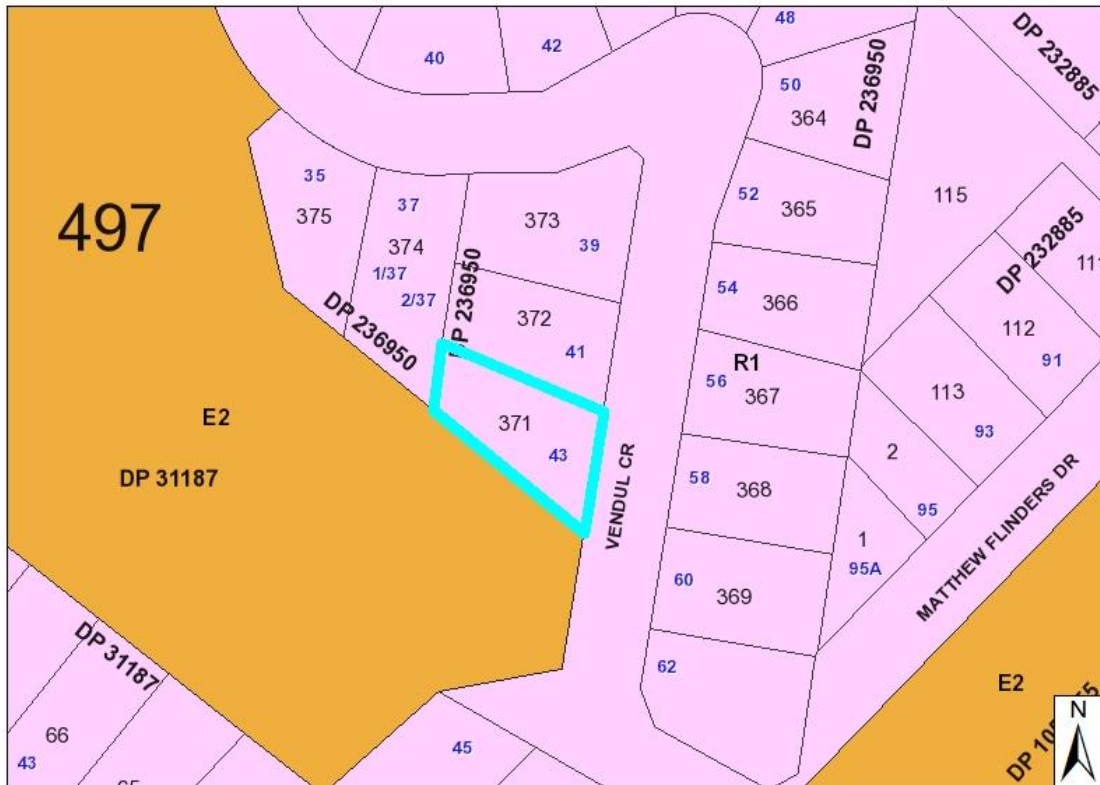
## Looking After Our Environment

### 1. BACKGROUND

#### Existing sites features and Surrounding development

The site has an area of 556.4m<sup>2</sup>.

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:

- Change to building height for dwelling additions.
- Clause 4.6 variation to Clause 4.3 (height of building) Port Macquarie Hastings Local Environmental Plan 2011.

Refer to attachments at the end of this report.

#### Attachments

- 1 [View](#). DA2014 - 227.2 Modification of Consent
- 2 [View](#). DA2014 - 227.2 Approved Plans

## Looking After Our Environment

**Item:** 12.03

**Subject:** DA2015 - 612.1 - DWELLING, POOL AND BOAT RAMP INCLUDING  
CLAUSE 4.6 OBJECTION TO CLAUSE 4.4 (FLOOR SPACE RATIO)  
OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN  
2011 - 125 PARK STREET, PORT MACQUARIE

**Report Author:** Matt Rogers

**Property:** Lot 1 DP 1156002, 125 Park Street, Port Macquarie  
**Applicant:** BW & AJ Jones CARE King and Campbell  
**Owner:** BW & AJ Jones  
**Application Date:** 2 September 2015  
**Estimated Cost:** \$900K  
**Location:** Port Macquarie  
**File no:** DA2015 - 612.1  
**Parcel no:** 61863

### Alignment with Delivery Program

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

### RECOMMENDATION

**That the determination of DA2015 - 612.1 for a dwelling, pool and boat ramp including clause 4.6 objection to clause 4.4 (floor space ratio) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 1 DP 1156002, No. 125 Park Street, Port Macquarie, be noted.**

### 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 4.4 (floor space ratio) by not more than 10%.

The proposed development resulted in a 3.8% (17m<sup>2</sup>) variation from the 0.65:1 floor space ratio adopted for the site. The primary reasons for supporting the variation was due to the dwelling being of a similar in size, bulk and scale to the other dwellings in the immediate locality. The variation was considered to be minor and not result in any significant adverse planning impacts.

The Department of Planning and Infrastructure circular PS 08-003 provides for the Director General's assumed concurrence.



## Looking After Our Environment

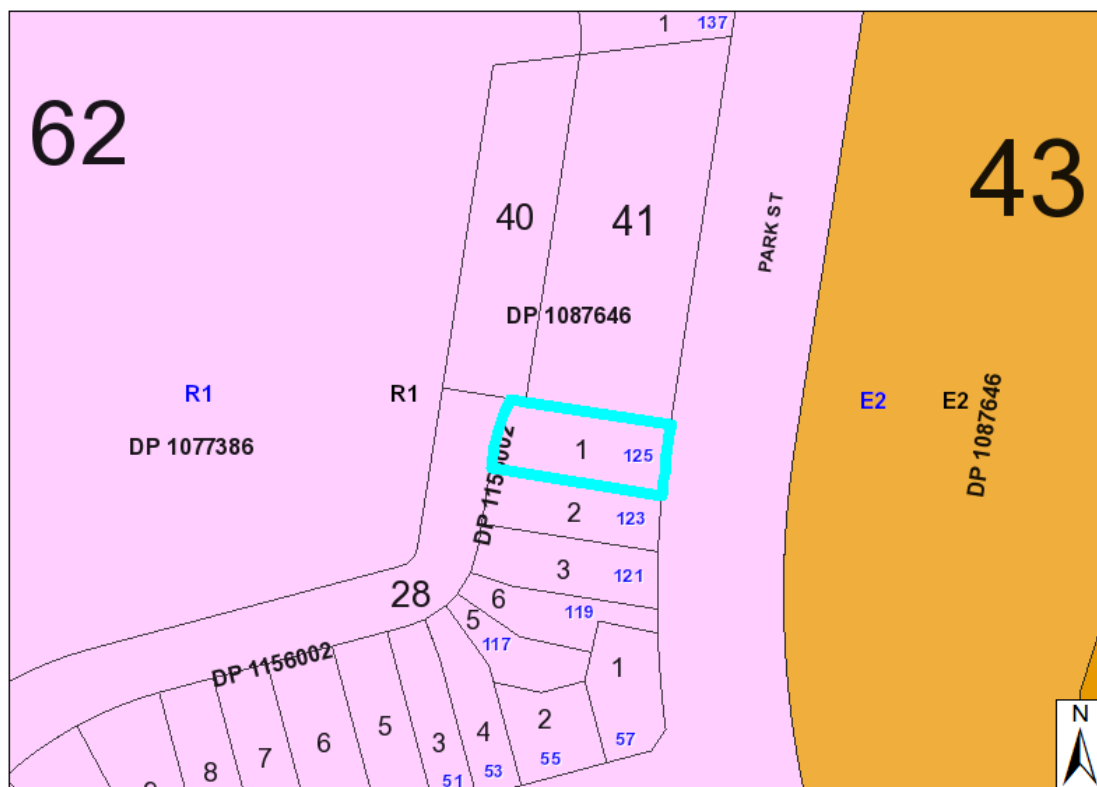
The Department's circular PS08-014 further reminds councils of their assumed concurrence role in relation to SEPP 1 and Clause 4.6 LEP variations. The circular advises that where Clause 4.6 variations are approved under delegated authority that Council be advised of the decision made and it be appropriately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

### 1. BACKGROUND

#### Existing sites features and Surrounding development

The site has an area of 685.3m<sup>2</sup>.

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(2012) photograph:

## Looking After Our Environment



### 2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Dwelling, pool and boat ramp
- Clause 4.6 variation is proposed to Clause 4.4 (floor space ratio) of Port Macquarie-Hastings Local Environmental Plan 2011.

#### Attachments

1 [View](#). DA2015 - 612.1 DA Consent

2 [View](#). DA2015 - 612.1 Plans

## Looking After Our Environment

**Item: 12.04**

**Subject: DEDICATION OF ENVIRONMENTAL RESIDUE LAND ON LOT 100  
DP1211516, 6 CATHIE ROAD PORT MACQUARIE.**

**Presented by: Development and Environment Services, Matt Rogers**

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### Alignment with Delivery Program

4.1.1 Implement and advocate a range of proactive programs for the environmental management of lands within the local government area .

### RECOMMENDATION

1. That Council accept the offer from Bermuda Breezes Residences Pty Ltd to dedicate the proposed residue environmental land on Lot 100 DP 1211516 to Council.
2. That the Common Seal Of Council be affixed to the linen plan of the subdivision (boundary adjustment)
3. That the General Manager be delegated authority to sign the Contract for the Sale of Land and the Land and Property Information Transfer form.

### Executive Summary

As part of the recent redevelopment of Lot 100, DP1211516 the residue environmental land has been offered to Council by the owner. The land is proposed to be consolidated into the larger publicly owned Rushcutters reserve.

This report details the offer and implications for Council.

### Discussion

As part of the recent redevelopment of Lot 100 DP1211516 an area of currently E3 zoned land has been identified as surplus to the owner. The owner has offered to dedicate to the land to Council. Compensation for the dedication of the land by the owner is not being sought.

The residue environmental land is shown in attachment 1 and contains significant environmental values including Biconvex Paperbark and Lowland Rainforest of Subtropical Australia, both of which are listed as vulnerable and critically endangered under the federal *Environment Protection and Biodiversity Conservation Act 1999* respectively.

This land forms part of a larger remnant of native vegetation which includes Rushcutters Reserve as shown in attachment 2.

Landcare volunteers have been working in the Rushcutters Reserve for over 10 years. The proposed dedication land sits within the centre of the Rushcutters Reserve.



## Looking After Our Environment

Redevelopment of Lot 100 DP1211516 and the offer of dedication of the residue environmental land allows for consolidation of the Rushcutters Reserve riparian corridor in its entirety. Consolidation will allow for Landcare volunteers, with Council support, to undertake comprehensive weed control activities across, under a uniform tenure and management. Furthermore the consolidation will secure the public amenity and access along the riparian corridor.

Accepting the offer will not have significant financial implications for Council as the maintenance liability would be managed through a partnership with Landcare. It should also be noted that bushland maintenance liabilities decrease over time where a proper bushland management regime is put in place and this would be the case for this land.

The proposed dedication will still result in all asset protection and stormwater maintenance liabilities staying with the development (strata title) ownership.

### Options

Council could choose not to accept this offer.

Not accepting the offer will have no direct impact but does compromise bushland management outcomes through fragmented land ownership.

### Community Engagement & Internal Consultation

There has been internal consultation concerning bushfire risk, stormwater assets management, and the associated planning and acquisition process.

### Planning & Policy Implications

This proposal has no planning and/or policy impact. The dedication of land as part of the development process is a common practice.

### Financial & Economic Implications

There are some minor costs associated with the dedication process. This cost is estimated at \$6,000 for survey and registration of a boundary adjustment. This cost can be accommodated in the existing 2015-16 operational budget.

As discussed above, ongoing maintenance of the reserve will be undertaken by Port Macquarie Landcare Volunteers as part of the maintenance of Rushcutters Reserve.

There are no economic implications associated with the proposal.

### Attachments

1 [View](#). Proposed area for dedication

2 [View](#). Proposed dedication in relationship to Rushcutters Reserve

## Looking After Our Environment

**Item:** 12.05

**Subject:** RECOMMENDED ITEM FROM COAST, ESTUARY AND FLOODPLAIN  
ADVISORY SUB-COMMITTEE - NSW GOVERNMENT REFORM  
PACKAGE FOR THE MANAGEMENT OF THE NSW COASTLINE

**Presented by:** Development and Environment Services, Matt Rogers

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### Alignment with Delivery Program

4.8.1 Carry out relevant studies to determine the likely extent of natural events and the impact of climate change, develop relevant mitigation strategies.

### RECOMMENDATION

That Council make a submission on the Reform Package for the Management of the NSW Coastline in line with the issues identified in the report and the following additional points as identified by the Coast, Estuary and Floodplain Advisory Sub-Committee:

1. Buffer zones proposed in the proposed State Environmental Planning Policy should be able to be reviewed to take climate change effects into consideration.
2. Watson Taylor Lake to be added to the list of sensitive lakes in Schedule 1 of the proposed State Environmental Planning Policy.

### Executive Summary

The Coast, Estuary and Floodplain Advisory Sub-Committee met on 9 February 2016, reached consensus on Item 07 (attached) and now submits the above recommendation for Council consideration.

### Attachments

1 [View](#). Item 07 Coast, Estuary and Floodplain Advisory Sub-Committee 2016 02 09

## 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: LAND ACQUISITION - UPGRADE OF THE INTERSECTION OF OCEAN DRIVE AND HOUSTON MITCHELL DRIVE, LAKE CATHIE**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council:**

- 1. Pay compensation in the total amount of \$18,000 (GST Exclusive) to the owners of Lot 34 Deposited Plan 803801, being RTS Super Pty Limited, Stacks Super Pty Limited and TJS Super Pty Limited for the acquisition of that part of Lot 34 Deposited Plan 803801 more specifically described as Lot 3 in registered plan of acquisition, Deposited Plan 1210904.**
- 2. On acquisition of Lot 3 Deposited Plan 1210904 dedicate the land as public road pursuant to Section 10 of the Roads Act 1993.**
- 3. Delegate to the General Manager authority to sign -**
  - a. Contract for Sale/Deed of Acquisition**
  - b. Land and Property Information Transfer Form.**

### Executive Summary

A report to consider the payment of compensation for the acquisition of land required as part of the upgrade of the intersection of Ocean Drive and Houston Mitchell Drive at Lake Cathie.

### Discussion

Infrastructure works have been occurring at the intersection of Ocean Drive and Houston Mitchell Drive at Lake Cathie to facilitate the construction of a roundabout and to generally widen the approaches to the intersection to allow for the safer movement of vehicles. In order to achieve the desired outcomes, the acquisition of land from properties adjacent to the roundabout is required.

Consent was obtained from all landowners to enable the infrastructure works to commence whilst the land acquisition component of the project was occurring. The acquisition of land on the northern side of Houston Mitchell Drive is now at the stage where the acquisition can be reported to Council to enable the payment of monetary compensation. The location and general extent of the land to be acquired is depicted by the red line in the plan attached to this report. The survey accurate extent of the land to be acquired, Lot 3 Deposited Plan 1210904, can be found with reference to the attached copy of DP1210904.

## Planning and Providing Our Infrastructure

The acquisition of the land from the other landowners will be reported to Council once negotiations regarding compensation have concluded.

### Options

Given that the landowner provided agreement for construction of the road infrastructure prior to the land acquisition being finalised and given that the road infrastructure works have reached practical completion, it is considered there are no options other than to pay the agreed compensation.

### Community Engagement & Internal Consultation

There has been consultation with the landowners and consultation between the Infrastructure Services Division and the Corporate & Organisational Services Division.

### Planning & Policy Implications

The land acquisition has been conducted in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.

### Financial & Economic Implications

Compensation is payable to the land owners for the acquisition of the land, Lot 3 Deposited Plan 1210904. Council's Consulting Valuer has assessed 'just' compensation for the land in the amount of \$18,000 (GST Exclusive). In addition, the land owners are also entitled to be compensated for their 'out of pocket' expenses reasonably incurred arising from the acquisition. Such expenses include legal and valuation fees.

An offer based on the valuation was made to the landowners who have provided their written acceptance to the offer.

There is funding in the current budget to meet the land acquisition compensation amount plus the 'out of pocket expenses'. These expenses are estimated at \$1,500 (GST Exclusive).

### Attachments

1 [View](#). Plan depicting location of land acquisition

2 [View](#). Deposited Plan 1210904



## Planning and Providing Our Infrastructure

**Item: 13.02**

**Subject: PROPOSED NAMING OF AN AREA OF OPEN SPACE WITHIN THE SOVEREIGN HILLS LAND RELEASE**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council:**

- 1. Note the content of the submissions received by the Geographical Names Board.**
- 2. Request the Geographical Names Board to continue processing the naming application.**

### Executive Summary

A report to consider the content of submissions received following statutory advertising of a naming proposal by the Geographical Names Board.

### Discussion

At the Ordinary Council Meeting held on 19 August 2015, Council considered a request for the naming of an area of open space situated within the Sovereign Hills land release at Thrumster. A copy of the report is attached and the Council resolution is included below.

#### **13.04 PROPOSED NAMING OF AN AREA OF OPEN SPACE WITHIN THE SOVEREIGN HILLS LAND RELEASE**

**RESOLVED:** Cusato/Roberts

*That application be made to the Geographical Names Board to name an area comprising 9,000m<sup>2</sup> of park within Lot 401 Deposited Plan1208753 as "Joeys Meadow".*

**CARRIED:** 8/0

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

**AGAINST:** Nil

*Councillor Sargeant returned to the meeting, the time being 8.15pm.*

Following Council's resolution to make application to the Geographical Names Board (GNB), the Board conducted advertising of the proposal as required by the provisions of the Geographical Names Act 1966.

The GNB has advised Council that at the conclusion of the statutory advertising period, it had received two submissions on the naming proposal. Both submissions

## Planning and Providing Our Infrastructure

objected to the proposal. A copy of the GNB's advice to Council and the submissions it received are attached. As instructed by the GNB, the submissions have been redacted so as not to identify the authors of the submissions.

### Options

There is the option to:

1. Request the Geographical Names Board continue to process the proposed naming; or
2. Advise the Geographical Names Board to discontinue the proposed naming.

### Community Engagement & Internal Consultation

The Geographical Names Board has advertised the naming proposal. Two submissions were received:

Submission 1.		Issue
1.	Identity withheld at request of GNB	Information supplied in support of the name "Thrumster" and concern about the proposed name change.
	<b>Response/ Comment:</b>	The proposal is to apply a name to a new area of open space as distinct from renaming. The name of Thrumster is recognised as an approved geographic locality and will continue after the area of open space is named.

Submission 2.		Issue
2.	Identity withheld at request of GNB	Suggest alternate name.
	<b>Response/ Comment:</b>	The naming guidelines drafted by the GNB and as adopted by Council preclude the use of the name of a living person.

### Planning & Policy Implications

There are no planning and policy implications.

### Financial & Economic Implications

There are no financial and economic implications.

## Planning and Providing Our Infrastructure

### Attachments

1 [View](#). August 2015 Council report

2 [View](#). Submissions received by Geographical Names Board

## Planning and Providing Our Infrastructure

**Item: 13.03**

**Subject: DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM  
PERFORMANCE**

**Presented by: Development and Environment Services, Matt Rogers**

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### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council note the Development Activity and Assessment System Performance Report for the second quarter of 2015-2016.**

### Executive Summary

This report provides a summary of development assessment, building certification and subdivision certification activities for the October to December 2015 quarter. Data on the number of applications and processing times, together with a commentary on development trends is provided for the information of Council.

### Discussion

The following table provides data on the volume of applications received and determined over the quarter relative to the year-to-date average and monthly average of the preceding three years.

High numbers of applications have continued for the October- December quarter, with the number of development application received per month is approaching 100 applications. When DAs are combined with complying development certificates issued by Council and private certifiers during the quarter, a total of 331 applications were determined during the quarter. The number of building construction certificates issued by Council (111) and the private sector (79) as well as plumbing and drainage approvals (196) and infrastructure construction certificates (29) for the quarter, highlights the large number of projects moving through to construction. This is a positive sign for the local industry and economy.

## Planning and Providing Our Infrastructure

Applications Received and Determined									
Applications Type	2011-12 Monthly Average	2012-13 Monthly Average	2013-14 Monthly Average	2014-15 Monthly Average	2015-16 Monthly Average	2015-16 Total	Oct-15	Nov-15	Dec-15
DAs Received	55	52	70	76	86	514	93	86	96
DAs Determined	52	53	65	74	79	471	67	82	93
DA Modifications Received	10	11	11	14	17	103	29	12	17
DA Modifications Determined	11	11	11	14	15	90	14	20	13
Complying Development Certificates Received by Council	9	11	13	10	7	43	9	7	7
Complying Development Certificates Determined	9	9	12	10	7	44	10	6	8
Complying Development Certificates Determined (Private Certifier)	16	11	14	15	21	128	12	32	21
Construction Certificates (Building Work) Received by Council	28	35	42	46	42	253	49	43	38
Construction Certificates (Building Work) Determined by Council	27	33	38	45	38	229	29	48	34
Construction Certificates Building Work Determined (Private Certifier)	19	12	17	20	28	165	28	28	23
Building Inspections Undertaken	321	286	371	393	427	2560	370	371	364
Plumbing & Drainage Applications Determined	48	42	52	64	64	386	57	67	72
Infrastructure Construction Certificates Received	3	2	5	8	9	52	10	6	10
Infrastructure Construction Certificates Determined	3	2	4	6	9	56	12	9	10
Subdivision Certificates Received	6	3	8	10	12	70	8	11	10
Subdivision Certificates Determined	6	7	7	9	11	65	7	11	9
Roads Act Applications Determined	25	30	30	38	47	280	38	59	42

The following table outlines the estimated value of works per development type approved for the quarter. As with application volumes, the total value for development work has significantly increased. Residential related development continues to be the dominant development type. The large value of industrial development approved during December relates to the approval of the bulky goods development at 18 John Oxley Drive, Port Macquarie.

Estimated Value of Work	Oct-15	Nov-15	Dec-15	Total to Date 2015 - 2016	Total 2014 -2015	Total 2013-2014
Ancillary	\$191,344	\$466,905	\$206,011	\$5,258,775	\$7,269,155	\$7,144,054
Commercial	\$538,000	\$1,552,142	\$464,000	\$8,541,501	\$5,095,040	\$26,482,821
Community	\$0	\$127,500	\$0	\$2,217,500	\$36,827,280	\$29,328,620
Industrial	\$38,371	\$400,000	\$21,950,000	\$22,913,171	\$6,672,864	\$6,617,002
Residential	\$11,339,653	\$8,368,442	\$11,412,985	\$83,849,916	\$143,995,310	\$112,608,913
Rural	\$320,000	\$849,100	\$1,201,800	\$4,459,040	\$8,383,305	\$8,965,554
Subdivision	\$1,535,000	\$1,825,000	\$1,475,000	\$4,836,100	\$25,407,500	\$5,232,000
Tourist	\$0	\$12,469,350	\$20,000	\$17,589,350	\$12,292,240	\$966,066
<b>Total</b>	<b>\$13,962,368</b>	<b>\$26,058,439</b>	<b>\$36,729,796</b>	<b>\$149,665,353</b>	<b>\$245,942,694</b>	<b>\$197,345,030</b>



## Planning and Providing Our Infrastructure

Applications of note during the quarter include:

- DA2015-600 - bulky goods premises ('Masters'), 18 John Oxley Drive, Port Macquarie
- DA2015-280 - multi dwelling housing, Friar, Port Macquarie.
- DA2015-430 - multi dwelling housing Clearwater Crescent, Port Macquarie
- DA2015-281 - multi dwelling housing, Marion Dr, Port Macquarie.

Quarterly application processing data and longer term trends for the various application types is provided in the table below. It is noted that net and gross DA processing times have increased compared to 14/15 yearly average. Following from the previous quarterly report, the vacant building surveyor position was filled in mid December and an additional casual planning resource has been used from mid December to assist with the influx of DAs. Management will continue to monitor application volumes and processing times and evaluate whether the additional resourcing has been sufficient.

Lengthy gross average processing times were experienced for subdivision certificates during December and infrastructure construction certificates during October and November. The result for subdivision certificates in December is due to a subdivision release at Production Drive Wauchope. The application was lodged in 2009 and was not able to be finalised earlier due to a number of complex legal and land ownership issues surrounding the industrial estate and the construction of Production Drive roadway itself. When this outlier is excluded from the other December subdivision certificates, gross average processing times are 68 days.

For infrastructure construction certificates in October there was a gross average of 186 processing days and net average of 85 days. During this month 5 applications were determined relating to the one rural residential subdivision in Beechwood (1 application for each of the 5 stages). These applications all had gross processing times of 333 days and net processing times of 142 days due to a 'back and forth' of additional information with the applicant to resolve flooding issues. If these outlier applications are removed for October, gross average processing days are 80 with net days at 45.

For infrastructure construction certificates in November there was a gross average of 147 days and net average of 47 days. This is largely due to a construction certificate relating to an industrial subdivision at Sancrox that was with Council for 607 days. This application was ready to release to the applicant after 73 days upon payment of a bond. However, as the bonded works also related to some of the work being undertaken by the Roads and Maritime Services at the Sancrox interchange, the applicant requested that the application be placed on hold until the RMS completed the work. Removing this application from the November data results in a gross average of 89 days and net average of 43 days.

## Planning and Providing Our Infrastructure

PMHC Application Processing Performance											
	2010-11 Monthly Average	2011-12 Monthly Average	NSW 2012-13 Monthly Average	2012-13 Monthly Average	NSW 2013-14 Monthly Average	2013-14 Monthly Average	2014-15 Average to date	2015-16 Average to date	Oct-15	Nov-15	Dec-15
DA Processing - Net Average Days	39	38	46	35	39	31	36	33	33	38	34
DA Processing - Gross Average Days	75	60	71	67	61	55	56	60	61	81	61
Complying Development Processing - Net Average Days	5	6	18	5		7	13	9	11	6	2
Complying Development Processing - Gross Average Days	6	7		5	19	8	14	10	11	6	2
Building Construction Certificate Processing - Net Average Days	27	16	16	11		7	12	9	2	4	8
Building Construction Certificate Processing - Gross Average Days	68	64		60		41	49	54	63	54	47
Plumbing & Drainage Applications Processing - Net Average Days	32	30		30		19	17	18	14	31	14
Plumbing & Drainage Applications - Gross Average Days	37	42		45		57	61	53	41	71	48
Infrastructure Construction Certificate Processing - Net Average Days	33	33	33	35		41	41	41	85	47	28
Infrastructure Construction Certificate Processing - Gross Average Days	39	39	39	48		52	114	102	186	147	34
Subdivision Certificates Processing - Net Average Days	48	43		78		32	33	37	45	36	66
Subdivision Certificates Processing - Gross Average Days	51	44		78		39	72	120	63	62	477
Roads Act Applications Processing - Net Average Days	28	63		36		26	16	15	16	14	21
Roads Act Applications Processing - Gross Average Days	28	63		36		36	41	37	27	39	57

In response to ongoing concerns about the processing of infrastructure related applications, an additional development engineer has been employed, as reported to Council in 2016. This additional engineer has now been in place for about 2 months. It is expected that the additional resources will improve application processing times and that this will become evident over the coming months.

It is also important to note that an independent review of land development approval processes has been initiated in response to industry feedback about infrastructure application processing. At the time of writing, interviews with staff, Councillors and industry stakeholders have been completed and the ACELG team are compiling their findings and recommendations in a report for management. A forum on the outcomes of the review, involving Council and industry stakeholders, is planned for March 2016.

### Options

This is an information report.

### Community Engagement & Internal Consultation

Development assessment statistics are discussed internally as the key indicator of system performance.

## Planning and Providing Our Infrastructure

Feedback on the customer experience has continued to be sought, through monthly meetings with specific applicants, to build upon the information obtained from the recent customer survey as previously reported to Council.

The independent review into Council's land development approval processes includes a strong external engagement element.

### **Planning & Policy Implications**

Nil

### **Financial & Economic Implications**

This report does not have direct financial or economic implications. However, monitoring the performance of the development assessment system is an important undertaking given the role of development regulation in the broader economy and the need to minimise costs to business and the community in managing development.

### **Attachments**

Nil

## Planning and Providing Our Infrastructure

**Item: 13.04**

**Subject: TOWN BEACH NORTH AMENITIES PROJECT UPDATE**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council:**

- 1. Not proceed to tender due to budget constraints.**
- 2. Consider the installation of a prefabricated toilet block that fits within the current budget of \$156,922.**
- 3. Consider alternative locations within the reserve for this facility.**
- 4. Consider a further report to the March 2016 meeting of Council relating to the preferred location and revised project scope.**
- 5. Note the information included within this report.**

### Executive Summary

As per the resolution detailed below, Council staff has been working with the Town Beach North Amenities project architect to finalise design documentation and the construction specification.

Through the process of review of design and construction Council staff has reached a revised project estimated costing of \$391,577. This equates to an estimated budget shortfall of \$234,655.

At present, this project has a remaining budget of \$156,922 therefore requiring a funding source for the shortfall should this project proceed to tender.

### Discussion

This matter was last considered at the Ordinary Council Meeting held on 16 December 2016 where it was:

### 10.02 QUESTION ON NOTICE - TOWN BEACH NORTH AMENITIES PROJECT

**RESOLVED: Cusato/Griffiths**

*That Council*

- 1. Note the information provided in the Town Beach North Amenities Project report.*
- 2. Engage with the project architect to finalise the design for the amenity building.*
- 3. Prepare a draft budget and tender specifications for the construction for the Town Beach North amenity building.*
- 4. Request the General Manager prepare a report to the February 2016 Council Meeting with an update on the Town Beach North project.*

## Planning and Providing Our Infrastructure

CARRIED: 8/0 FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido,  
Sargeant and Turner  
AGAINST: Nil

In accordance with this resolution, staff have been working with the project architect to finalise the design and tender specifications for the amenity building.

At the time of writing this report, the appointed Project Manager advised that the design work and tender specifications are all but complete. There are few minor documentation details remaining which are expected to be resolved before this report is considered by council.

The Project Manager has indicated that there is nothing to stop this project from proceeding to tender from a design and construction specification perspective.

### Options

1. As per the resolution of the December meeting of Council, this project proceeds to the tender stage noting that there is shortfall of \$234,655. At the time of writing this report, a clear funding source has yet to be established and will require further investigation by Council staff. On early inspection, funds may be drawn from a number of areas but the impact of this on forward planning will need to be understood.
2. Council could agree to a change in project scope and consider the installation of a prefabricated toilet block within the reserve. The needs of reserve users that were to be met through operation of the kiosk facility could be accommodated by licensing mobile food vendor/s to provide similar services. This option can be delivered at a lesser cost to Council, however actual costs are not known at the time of writing this report. Costs will be reliant on style, size and siting of the prefabricated toilet block. Potential provision and associated cost of hardstand, seating and shade to support the mobile food vendor/s would also need to be explored. This option would allow for spatial separation between the toilets and food and beverage providers.

Location of the toilets elsewhere in the reserve would need to be carefully considered against the adopted Town Beach Masterplan and any amendments to this should be formalised through a Council resolution. See attached Town Beach Masterplan and images of examples of prefabricated facility.

### Community Engagement & Internal Consultation

There has been engagement between the following sections of Council in finalising the required project documentation and estimating project costing:

- Recreation & Buildings
- Infrastructure Delivery

There has been significant community engagement associated with the development of the Town Beach Masterplan and the adopted Plan of Management Hastings Regional Crown Reserve - Precinct A which incorporates Town Beach Reserve.



## Planning and Providing Our Infrastructure

### Planning & Policy Implications

The proposed facility is permitted within the RE1 Public Recreation zoning which applies to this reserve.

The Council adopted Town Beach Masterplan and the adopted Crown Reserve Plan of Management which incorporates this site supports the construction of this facility.

All statutory approvals required for the construction of the Town Beach North Amenities have been granted.

The tender process will be managed in accordance with Council's adopted Procurement Policy should Council opt to proceed to this phase of the project.

### Financial & Economic Implications

Staff have estimated that the cost to complete construction of this facility is \$391,577. This estimate includes a 15% construction contingency (\$47,163).

At the time of writing this report the project has an uncommitted balance of \$156,922. This equates to an estimated budget short fall of \$234,655.

Confirmation of additional project funding to cover this short fall is required prior to calling of tenders. The project is not recommended to proceed until this funding shortfall is addressed.

A prefabricated toilet block can be constructed at this site within existing budget. The defined scope of works will need to be clarified by staff and will be reported to the March 2016 Council meeting.

### Attachments

1 [View](#). Town Beach Master Plan (Long Term)

2 [View](#). Examples of pre-fabricated toilet buildings

## Planning and Providing Our Infrastructure

**Item: 13.05**

**Subject: RECREATIONAL BOATING UPDATE**

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

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council note the information contained within this report.**

#### Executive Summary

As previously reported to council, Transport for NSW (TfNSW) have adopted the Mid North Coast Regional Boating Plan. The plan identifies priority projects within the Port Macquarie - Hastings area. Two of these projects are:

- Site selection - new recreational boating facility, Hastings River Port Macquarie
- Recreational Boating Needs Study - Camden Haven River

In August 2015 Council resolved that Council request for the for the Roads and Maritime Services (RMS) to bring forward the timing of these studies which are scheduled within the Recreation Action Plan for delivery in 2016/17.

This has occurred and has been supported by the RMS who are currently advertising a Request for Tender (RFT) for these projects with the timeline for the studies being identified as April to October 2016.

#### Discussion

Council considered a report at the Ordinary Meeting held on 19 August 2015 regarding recreational boating priorities for the Port Macquarie - Hastings area. At this meeting it was resolved:

#### 13.10 RECREATIONAL BOATING UPDATE

**RESOLVED:** Cusato/Griffiths

**That Council:**

1. Receive and note the information in this report.
2. Request, through the General Manager, for the Roads and Maritime Services to bring forward options for priorities within the draft scope of investigations into the Camden Haven River and the Hastings River in line with the Recreational Plan adopted by Council.
3. Request the General Manager to report progress back to Councillors.

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

## Planning and Providing Our Infrastructure

As per Resolution 2, staff have been in consultation with RMS staff to discuss timing of delivery of these two projects. RMS staff have been supportive of commencing these projects as soon as possible.

As a result of this consultation, these projects have been bundled into a RFT with similar projects within the Kempsey and Greater Taree Local Government Areas to attract broader consultancy interest and to try to reduce overall project costs.

The RFT was first advertised on 22 January with submissions closing on 19 February 2016. The RFT identifies April 2016 as the commencement month for the project with completion of the required studies scheduled for October 2016.

The scope for both projects has been developed by council staff.

Council staff will be involved in the evaluation process in partnership with RMS staff.

### Options

Nil.

### Community Engagement & Internal Consultation

There has been engagement with the RMS in developing and finalising the Request for Tender documentation associated with this project.

There was broad community engagement undertaken by TfNSW in development of the Mid North Coast Regional Boating Plan and associated regional priority projects.

### Planning & Policy Implications

The projects identified within this report are identified within the Recreation Action Plan for delivery in 2016/17. With RMS having lead responsibility for this project the study will commence during the current financial year with completion scheduled for October 2016.

### Financial & Economic Implications

The cost of these studies will not be accurately known until after submissions have been assessed. It is estimated that they could cost as much as \$50,000 each. Council's contribution to these studies will be 20% of the total project cost with RMS funding the balance.

A budget for these studies has been included in the draft 2016/17 works programme which is being considered in the development of the 2016/17 Operational Plan.

### Attachments

Nil

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**Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE**

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**RECOMMENDATION**

1. That Council move into Confidential Committee of the Whole to receive and consider the following items:
  - Item 15.01 EOI-15-10 Lease of Town Beach Kiosk, Town Beach, Port Macquarie, NSW  
  
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 Cairncross Waste Collection Truck Depot - Proposal Not To Proceed  
  
This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
  - Item 15.03 Tender T-15-31 Supply and Delivery of Chemicals  
  
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 Tender T-15-65 Landscaping 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.
2. That pursuant to Section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole on the basis that the items to be considered are of a confidential nature.
3. That the recommendations made in Confidential Committee of the Whole be made public as soon as practicable.

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

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**RECOMMENDATION**

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

**Item 15.01 EOI-15-10 Lease of Town Beach Kiosk, Town Beach, Port Macquarie, NSW**

**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 Cairncross Waste Collection Truck Depot - Proposal Not To Proceed**

**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 Tender T-15-31 Supply and Delivery of Chemicals**

**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 Tender T-15-65 Landscaping 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**