

Ordinary Council

Business Paper

date of meeting: Wednesday 15 November 2017

location: Council Chambers
17 Burrawan Street
Port Macquarie

time: 5.30pm

Community Vision

A sustainable high quality of life for all

Community Mission

Building the future together
People Place Health Education Technology

Council's Corporate Values

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

Community Themes

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

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

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

These are:

- Addressing Council on an Agenda Item (if the matter **is** listed in the Council Business Paper)
- Addressing Council in the Public Forum (if the matter **is not** listed in the Council Business Paper)

You can request to address Council by completing the:

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

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

Requests can also be lodged on-line at:

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

<http://www.pmhc.nsw.gov.au/About-Us/How-Council-Works/Council-and-Committee-Meetings/Request-to-speak-in-a-Public-Forum>

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

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

Ordinary Council Meeting

Wednesday 15 November 2017

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

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

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

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

Item: 03**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

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

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 18 October 2017 be confirmed.

PRESENT

Members:

Councillor Peta Pinson (Mayor)
Councillor Lisa Intemann (Deputy Mayor)
Councillor Rob Turner
Councillor Michael Cusato (part of meeting)
Councillor Sharon Griffiths
Councillor Peter Alley
Councillor Justin Levido
Councillor Geoff Hawkins
Councillor Lee Dixon

Other Attendees:

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

The meeting opened at 5:30pm.

The Mayor referred to the resignation of the Director of Development and Environment, Matt Rogers, and thanked him for his 26 years of service to Council and the community.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Reverend Nathan Killick from the Camden Haven Anglican Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Cusato/Alley

That the Minutes of the Ordinary Council Meeting held on 20 September 2017 be confirmed.

CARRIED: 9/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 14.04 - T-17-46 Thrumster Interim Reclaimed Water Supply Main - Stage 1 Barton Crescent to Lake Road, the reason being that Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for a Tenderer of who has lodged a tender for this item.

Councillor Intemann declared a Non-Pecuniary, Less Than Significant Interest in Item 10.02 - 2016-2017 Community Grants Projects for Endorsement, the reason being that Councillor Intemann has been participating in recent meetings of the Hamilton Green Management Group to assist in their issues but am not a member of the Group.

Councillor Pinson declared a Non-Pecuniary, Significant Interest in Item 14.04 - T-17-46 Thrumster Interim Reclaimed Water Supply Main - Stage 1 Barton Crescent to Lake Road, the reason being that Councillor Pinson owns a company that has done business with one of the Tenderers.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Pinson

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

CARRIED: 9/0

*FOR: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and
Turner*

AGAINST: Nil

06.02 GENERAL MANAGER'S PERFORMANCE PANEL

RESOLVED: Pinson

That Council:

1. Determine the composition of the General Manager's Performance Review Panel for the 2017-2018 period to consist of the Mayor, Deputy Mayor, one (1) Councillor nominated by Council and one (1) Councillor nominated by the General Manager.
2. Appoint Councillor Peter Alley as the Councillor nominated by the Council to the General Manager's Performance Review Panel for the 2017-2018 period.
3. Note that Councillor Justin Levido is the General Manager's nominated Councillor on the General Manager's Performance Review Panel for the 2017- 2018 period.
4. Delegate to the General Manager's Performance Review Panel:
 - a) The whole process of performance management, including discussions about performance and performance reviews for the 2017-2018 period.
 - b) The reporting to Council of findings and recommendations of reviews for the 2017-2018 period and any actions that should be taken.
 - c) The determination of any new performance agreement for the period 2018-2019.
5. Determine for the 2017-2018 period that there be one formal performance review at the completion of the period and an informal performance review at seven / eight months, noting that the 2017-2018 General Manager performance plan will run from 1 July 2017 to 30 June 2018.

CARRIED: 9/0

*FOR: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and
Turner*

AGAINST: Nil

06.03 MEETINGS WITH NSW GOVERNMENT MINISTERS

RESOLVED: Pinson

That Council note the information relating to the recent meetings held with NSW Government Ministers and thank the Member for Port Macquarie, Leslie Williams MP, for hosting the meetings.

CARRIED: 9/0

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

AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

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

08 PUBLIC FORUM

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

1. Mrs Katherine Greatrex regarding blocked drain – corner Laurie and Lord Streets, Laurieton.
2. Mr Michael Carroll, representing the Queenslake Landcare Group, regarding removal of dead lantana by Council.
3. Mrs Jeannette Rainbow, representing the Wauchope Chamber of Commerce and Industry Inc., regarding Wauchope Main Street Plan – funding from RMS.
4. Mr Jason Koenig, representing Camden Haven Schools to Schools, regarding shared pathway between Sirius Drive and Brother Glen Drive.
5. Mr Peter Nash, representing Creek to Creek, regarding Creek to Creek Pathway – progress report.

RESOLVED: Dixon/Hawkins

CARRIED: 9/0

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

AGAINST: Nil

08.01 BLOCKED DRAIN - CORNER LAURIE AND LORD STREETS, LAURIETON

Mrs Katherine Greatrex address Council in regard to a blocked drain – corner Laurie and Lord Streets, Laurieton and answered questions from Councillors.

08.02 REMOVAL OF DEAD LANTANA BY COUNCIL

Mr Michael Carroll, representing the Queenslake Landcare Group, addressed Council in regard to removal of dead lantana by Council and answered questions from Councillors.

08.03 WAUCHOPE MAIN STREET PLAN – FUNDING FROM RMS

Mrs Jeannette Rainbow, representing the Wauchope Chamber of Commerce and Industry Inc., addressed Council in regard to the Wauchope Main Street Plan – funding from RMS.

08.04 SHARED PATHWAY BETWEEN SIRIUS DRIVE AND BROTHER GLEN DRIVE

Mr Jason Koenig and school students, representing Camden Haven Schools to Schools, addressed Council in regard to a shared pathway between Sirius Drive and Brother Glen Drive.

08.05 CREEK TO CREEK PATHWAY – PROGRESS REPORT

Mr Peter Nash, representing Creek to Creek, addressed Council in regard to the Creek to Creek Pathway – Progress Report.

REQUEST TO SPEAK ON AN AGENDA ITEM

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

Item 12.01 – Mr Mat Hafford in support of the recommendation.

Item 12.01 – Ms Michelle Chapman and Andrew Mcgrath in support of the recommendation.

Item 12.02 – Mr Peter Dick in support of the recommendation.

Item 12.09 – Mr Hadyn Oriti in opposition of the recommendation.

Item 12.09 – Mr Stuart Watson in support of the recommendation.

RESOLVED: Cusato/Hawkins

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

CARRIED: 9/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Dixon

That Standing Orders be suspended to allow Items 12.01, 12.02 and 12.09 to be brought forward and considered next.

CARRIED: 9/0

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

AGAINST: Nil

12.01 DA2016 - 701 - SENIORS HOUSING AGED CARE FACILITY INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) AND CLAUSE 4.4 (FLOOR SPACE RATIO) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL 2011 - 1 HIGHFIELDS CIRCUIT, PORT MACQUARIE

Mr Mat Hafford, Palmcare Pty Ltd and applicant, advised that he was available to answer questions from Councillors following Ms Chapman's address.

Ms Michelle Chapman, All About Planning, and Andrew Mcgrath, Perumal Pedavoli Architects, representing the applicant, addressed Council in support of the recommendation. Mr Mcgrath answered questions from Councillors.

Mr Hafford addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Levido/Griffiths

That DA2016 - 701 for a Seniors Housing Aged Care Facility Including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) and Clause 4.4 (Floor Space Ratio) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 4, DP 262236, No. 1 Highfields Circuit, Port Macquarie, be determined by granting consent subject to the recommended conditions and as amended below:

(11)(E031) Provision of adequate signage, including at the front vehicular access point within the property, prior to occupation or the issue of the Occupation Certificate, indicating that visitor/customer parking is available on-site.

CARRIED: 9/0

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

AGAINST: Nil

12.02 PROPOSED ROAD CLOSURE - UN-NAMED ROAD ADJOINING 631 BATAR CREEK ROAD, BATAR CREEK

Mr Peter Dick, applicant, addressed Council in support of the recommendation.

RESOLVED: Alley/Dixon

That Council:

1. Make application to the Department of Industry – Lands and Forestry for the closure of that part of the un-named road depicted in registered road plan R9387-1603 south of the current creek being the extent shaded in the Plan drawn by Hopkins Consultants under their reference 7152.
2. Request the Department of Industry – Lands and Forestry vest the closed road in Council as operational land.
3. Subject to the vesting of the closed road as operational land, accept the value assessed by Council's Consulting Valuer as being the purchase price to be paid by the owners of 631 Batar Creek Road.
4. Delegate to the General Manager authority to sign:
 - a) The linen plan of road closure and first title creation;
 - b) The Land and Property Information Request form for issue of certificate of title for the closed road;
 - c) The Land and Property Information Transfer form;
 - d) The Contract for Sale or Purchase of Land.

CARRIED: 9/0

*FOR: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and
Turner*

AGAINST: Nil

12.09 LONG TERM ENERGY STRATEGY - CONSIDERATION OF SUBMISSIONS

Mr Hadyn Oriti, representing the Port Macquarie Chamber of Commerce, was not present to address.

Mr Stuart Watson, representing the Port Macquarie Sustainability Working Group and the Hastings Climate Change Group, addressed Council in support of the recommendation and answered questions from Councillors.

MOTION: Cusato/Griffiths

That Council:

1. Note the submissions to the Draft Long Term Energy Strategy as discussed in this report.
2. Defer this matter and request that the General Manager:
 - a. Present a briefing to Councillors before the end of 2017 with a full detailed analysis of the Strategy, including cost implications.
 - b. Report to the February 2018 Council Meeting regarding the Long Term Energy Strategy for PMHC.

FORESHADOWED MOTION: Intemann

That Council:

1. Note the submissions to the Draft Long Term Energy Strategy as discussed in this report.
2. Adopt the Long Term Energy Strategy based on the comments received during the exhibition period.
3. Receive a report in October 2018 on progress in implementing the Long Term Energy Strategy.

THE MOTION WAS PUT

MOTION: Cusato/Griffiths

That Council:

3. Note the submissions to the Draft Long Term Energy Strategy as discussed in this report.
4. Defer this matter and request that the General Manager:
 - a. Present a briefing to Councillors before the end of 2017 with a full detailed analysis of the Strategy, including cost implications.
 - b. Report to the February 2018 Council Meeting regarding the Long Term Energy Strategy for PMHC.

LOST: 3/6

FOR: Cusato, Griffiths and Levido

AGAINST: Alley, Dixon, Hawkins, Intemann, Pinson and Turner

RESOLVED: Intemann/Hawkins

That Council:

1. Note the submissions to the Draft Long Term Energy Strategy as discussed in this report.
2. Adopt the Long Term Energy Strategy with the inclusion in Clause 1 of the Strategy to “pursue and implement the most cost effective energy projects over a long term period”.
3. Receive six monthly reports each April and October on progress towards implementing the Long Term Energy Strategy.

CARRIED: 8/1

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

AGAINST: Cusato

Councillor Cusato left the meeting, the time being 7:45pm.

09.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Intemann/Turner

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

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

09.02 QUESTION FROM PREVIOUS MEETING - DIRECTOR OF DEVELOPMENT & ENVIRONMENT POSITION

RESOLVED: Levido/Dixon

That the information provided on the Director of Development & Environment position be noted.

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

09.03 DISCLOSURES REGISTER - ANNUAL RETURNS 2016-2017

RESOLVED: Turner/Griffiths

That Council:

1. Note the information in the Disclosure Register for 2016-2017.
2. Determine that the following positions become a Designated Person pursuant to the provisions of section 441 of the Local Government Act 1993:
 - a) Arborist.
 - b) Invasive Species Officer.
 - c) Bushland Management Co-ordinator.
3. Note the following position title changes:
 - a) Director Corporate Performance (previously Director Corporate and Organisational Performance)
 - b) Director Strategy and Growth (previously Director Community and Economic Growth)
 - c) Director Infrastructure (previously Director Infrastructure and Asset Management)
 - d) Property and Leasing Co-ordinator (previously Property Development Manager)
 - e) Group Manager Governance and Procurement (previously Group Manager Governance and Executive Services)
 - f) Group Manager Commercial and Business Units (previously Group Manager Commercial and Business Services)

-
- g) Senior Stormwater Engineer (previously Drainage Engineer)
h) Senior Transport Engineer (previously Traffic & Transport Engineer)
i) Transport Engineer (previously Road Engineer)
4. Note that a further report will be presented to the November 2017 Ordinary Council Meeting tabling the outstanding Annual Disclosure Return as detailed in this report.

CARRIED: 8/0

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

AGAINST: Nil

09.04 DISCLOSURE OF INTEREST RETURN

RESOLVED: Intemann/Griffiths

That Council note the Disclosure of Interest returns for the two new members of the Development Assessment Panel.

CARRIED: 8/0

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

AGAINST: Nil

09.05 COUNCIL POLICY - POLICY REVIEW AND RESCISSIONS - POST EXHIBITION

RESOLVED: Pinson/Intemann

That Council:

1. Rescind the Lobbying Policy.
2. Adopt the amended Provision of Information and Interaction Between Councillors and Staff Policy.

CARRIED: 8/0

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

AGAINST: Nil

09.06 COUNCIL POLICY - POLICY REVIEW - NAMING AND RENAMING OF ROADS AND RESERVES

RESOLVED: Hawkins/Dixon

That Council:

1. Place on public exhibition from 25 October 2017 to 21 November 2017 (28 days) the following revised Policies:
 - a) Naming and Renaming of Reserves Policy;
 - b) Naming and Renaming of Roads Policy.
2. Note that a further report will be tabled at the December 2017 meeting of Council, detailing the submissions received from the public during the exhibition period.

CARRIED: 8/0

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

AGAINST: Nil

09.07 MONTHLY FINANCIAL REVIEW FOR SEPTEMBER 2017

RESOLVED: Hawkins/Griffiths

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

CARRIED: 8/0

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

AGAINST: Nil

09.08 INVESTMENTS - SEPTEMBER 2017

RESOLVED: Alley/Pinson

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

CARRIED: 8/0

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

AGAINST: Nil

09.09 DIGITAL TECHNOLOGY PROJECTS STATUS

RESOLVED: Hawkins/Alley

That Council note the information in the Digital Technology Projects Status report.

CARRIED: 8/0

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

AGAINST: Nil

09.10 ALTERATION TO THE BOUNDARY OF THE GEOGRAPHIC LOCALITIES OF PEMBROOKE AND BLACKMANS POINT

RESOLVED: Intemann/Griffiths

That Council make application to the Geographical Names Board to add those parts of Lots 3 and 4 DP1191388 situated on the east of the Pacific Motorway to the geographic locality of Blackmans Point.

CARRIED: 8/0

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

AGAINST: Nil

Dixon left the meeting, the time being 7:55pm.

Dixon returned to the meeting, the time being 7:58pm.

09.11 REGIONAL TRANSPORT INFRASTRUCTURE STEERING GROUP CHARTER

RESOLVED: Levido/Turner

That Council:

1. Endorse the Regional Transport Infrastructure Steering Group Charter.
2. Establish monthly meetings of the Regional Transport Infrastructure Steering Group to commence in February 2018 with the Major Projects Portfolio Councillors as Councillor Representatives.
3. Dissolve the Ocean Drive Duplication Steering Group as a result of the formation of the Regional Transport Infrastructure Steering Group

CARRIED: 8/0

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

AGAINST: Nil

09.12 COUNCILLOR PORTFOLIO STRUCTURE - REVISED

RESOLVED: Levido/Dixon

That Council:

1. Endorse the revised Councillor Portfolio Structure as follows:
 - (a) Communication, Governance and Community Relations
Chair: Mayor Peta Pinson
Alt Chair: Councillor Lisa Intemann
Alt Alt Chair: Councillor Rob Turner
 - (b) Major Projects
Chair: Councillor Justin Levido
Alt Chair: Councillor Mike Cusato
 - (c) Roads & Transport Infrastructure
Chair: Councillor Sharon Griffiths
Alt Chair: Councillor Lee Dixon
 - (d) Economic and Cultural Development
Chair: Councillor Rob Turner
Alt Chair: Councillor Geoff Hawkins
 - (e) Water, Stormwater, Sewer and Waste
Chair: Councillor Lisa Intemann
Alt Chair: Councillor Justin Levido
 - (f) Towns, Villages and Public Spaces
Chair: Councillor Lee Dixon
Alt Chair: Councillor Sharon Griffiths
 - (g) Planning, Environment and Sustainability
Chair: Councillor Peter Alley
Alt Chair: Councillor Rob Turner
 - (h) External Grants and Revenues
Chair: Councillor Mike Cusato
Alt Chair: Councillor Peter Alley
 - (i) Finance, Corporate Services and Information Technology
Chair: Councillor Geoff Hawkins
Alt Chair: Councillor Lisa Intemann

to champion the advancement of Council's key priorities by providing a means of gathering, receiving and discussing information in an efficient and timely manner;

2. Endorse the Councillor Portfolio Protocol attached to this Report but with updated Attachment per 1 above; and
3. Note that the monthly Councillor Portfolio Reporting Meeting will be held immediately following the Councillor Briefing scheduled for 4.00pm on the 4th Wednesday of each month.

CARRIED: 7/1

FOR: Alley, Dixon, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Griffiths

**09.13 QUESTION FROM PREVIOUS MEETING - SECTIONS 226(A) AND (C)
OF THE LOCAL GOVERNMENT ACT 1993**

RESOLVED: Levido/Hawkins

That Council note the information provided regarding Sections 226(a) and (c) of the NSW Local Government Act 1993.

CARRIED: 8/0

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

AGAINST: Nil

**10.01 QUESTION FROM PREVIOUS MEETING - ROADSIDE LITTER CLEAN-
UP PROGRAM**

RESOLVED: Turner/Griffiths

That Council:

1. Note the report on roadside litter management for the LGA.
2. Request the General Manager:
 - a) Write to The Hon. Leslie Williams MP, Member for Port Macquarie and The Hon. Melinda Pavey MP, Member for Oxley requesting an increase in the level of service provided by the Roads & Maritime Services for roadside litter removal on State owned roads such as the Oxley Highway from Long Flat to the Port Macquarie CBD, plus request financial assistance to Council to enable it to increase roadside litter management on local roads within the Port Macquarie-Hastings local government area.
 - b) Undertake investigations into how Council could better manage and or increase our roadside litter management on local roads across the local government area.
 - c) Provide a briefing to Councillors in the first quarter of 2018 on the outcomes of points 2 (a) and 2 (b) above, once further information is available.

CARRIED: 8/0

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

AGAINST: Nil

10.02 2016-2017 COMMUNITY GRANTS PROJECTS FOR ENDORSEMENT

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

RESOLVED: Pinson/Griffiths

That Council pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Community Grants 2017-2018 Round 1 for the total amount of \$107,008 to:

Organisation Name	Project	Funding
General:		
Catholic Parish of St. Agnes	#LitFest2444	\$10,000
Early Connections Port Macquarie	Shade cloth	\$1,650
Hastings Valley Mountain Bikers	Signage	\$1,048
Port Macquarie Lions Club	New shelving	\$2,466
Hamilton Green Management Group	Signage	\$3,740
Port Macquarie Tennis Club	Protective padding	\$1,679
Riding for the Disabled - Kendall	Protective gear	\$2,099
Wauchope Poultry Club	Exhibition equipment	\$2,032
	Sub Total:	\$24,714
Non Council Owned Halls:		
Byabarra Hall and Recreational Reserve Trust	Toilet upgrade	\$9,550
Rollands Plains Recreational Reserve Trust	Disabled Access	\$8,950
	Sub Total:	\$18,500
Christmas & New Year's Events:		
Port Macquarie Neighbourhood Centre	Christmas event	\$650
Wauchope Chamber of Commerce	Christmas event	\$4,500
Beechwood Public School P&C	Christmas event	\$3,788
Camden Haven Chamber of Commerce	Christmas event	\$5,000
Telegraph Point Community Association	Christmas event	\$1000
Byabarra Hall Recreational Reserve Trust	Christmas event	\$987
Lake Cathie Bonny Hills Lions Club	Christmas event	\$2,430
Kendall Heritage Society	Christmas event	\$1,250
	Sub Total:	\$19,605
Environmental Grants:		
Port Macquarie Landcare Group	Environmental Activities	\$10,000
Friends of Kooloonbung Creek	Weed Management	\$5,000
	Sub Total:	\$15,000
Band Grants:		
Port Macquarie Hastings Municipal Band	Band grant	\$10,000
Camden Haven Community Band	Band grant	\$7,100
Hastings Koalas Orchestra	Band grant	\$4,865

Hastings District Pipe Band	Band Grant	\$7,224
	Sub Total	\$29,189
	Total Allocated	\$107,008

CARRIED: 8/0

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

AGAINST: Nil

10.03 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - SEPTEMBER 2017 MEETING

RESOLVED: Pinson/Turner

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

1. Lachlan Jones be granted the amount of \$750.00 to assist with the expenses he would have incurred travelling to and competing at Cycling Australia's Junior Road National Championships to be in Tasmania from 1 September to 2 September 2017 inclusive.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Alley left the meeting, the time being 8:11pm.

11.01 EVENT SPONSORSHIP PROGRAM

RESOLVED: Turner/Griffiths

That Council pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Event Sponsorship Program Round 1 2018 in the total amount of \$20,000 to:

Event Name	Event Date	Funding
Suck it up Buttercup	1-2 June, 2018	\$5,000
Port Macquarie Running Festival	11 March, 2018	\$5,000
Slice of Haven	27 May, 2018	\$5,000
Hello Koalas Festival	7-11 June, 2018	\$5,000

CARRIED: 7/0

FOR: Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

Item - 12.01 DA2016 - 701 - Seniors Housing Aged Care Facility Including Clause 4.6 Objection To Clause 4.3 (Height Of Buildings) And Clause 4.4 (Floor Space

Ratio) Of The Port Macquarie-Hastings Local Environmental 2011 - 1 Highfields Circuit, Port Macquarie - has been moved to another part of the document.

Item - 12.02 Proposed Road Closure - Un-named Road Adjoining 631 Batar Creek Road, Batar Creek - has been moved to another part of the document.

12.03 LONG FLAT VILLAGE SEWER SCHEME - ACQUISITION OF LAND AND EASEMENT

RESOLVED: Levido/Intemann

That Council:

1. Pay compensation in the amount of \$13,500 (GST Exclusive) to the owners of Lot 1 DP1061397, D & L Hollis, for the acquisition of Lot 1 and the easement for drainage of sewage 3 wide shown as (A) in plan of acquisition prepared by Surveyor Mark William Rogers reference 17203DP01.
2. On registration of the plan of acquisition by the Land Titles Office, advertise for a period of 28 days the draft resolution "It is intended to classify Lot 1 (5076 Oxley Highway, Long Flat) as operational land".
3. Note that a further report will be provided detailing any submissions received during the advertising period.
4. Pursuant to Section 377 of the Local Government Act 1993, delegate to the General Manager authority to sign:
 - a) Deed of acquisition/Contract for Sale
 - b) Land Titles Office Transfer Form
 - c) Land Titles Office Purchaser Declaration Form
 - d) Letter to NSW Office of State Revenue seeking exemption from the payment of Stamp Duty.

CARRIED: 7/0

FOR: Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

Councillor Hawkins left the meeting, the time being 8:12pm.

Councillor Alley returned to the meeting, the time being 8:13pm.

12.04 SETTLEMENT SHORES ESTATE - FINAL CANAL MAINTENANCE PLAN

RESOLVED: Griffiths/Intemann

That Council:

1. Adopt the final Settlement Shores Estate Canal Maintenance Plan as attached to this report.
2. Note the submissions received from the public during the exhibition period.
3. Consider an allocation of \$690,000 from General Fund to the Canal Reserve during the preparation of the 2018/19 Operation Plan to fund works identified within the Settlement Shores Estate Canal Maintenance Plan.

-
4. Receive a further report within the 2018/19 financial year outlining the canal maintenance undertaken in the 2017/18 financial year, the planned maintenance to be undertaken in 2018/19 and the adjusted cost estimate for the remaining maintenance works.

CARRIED: 7/0
FOR: Alley, Dixon, Griffiths, Intemann, Levido, Pinson and Turner
AGAINST: Nil

Councillor Hawkins returned to the meeting, the time being 8:14pm.

12.05 SHORT-TERM HOLIDAY LETTING IN NSW: OPTIONS PAPER

RESOLVED: Alley/Turner

That Council make a submission to the Short-Term Holiday Letting in NSW Options Paper based on the issues outlined in this report.

CARRIED: 7/1
FOR: Alley, Dixon, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Griffiths

12.06 URBAN GROWTH MANAGEMENT STRATEGY 2017-2036 - COMMUNITY ENGAGEMENT

Director Strategy and Growth tabled a replacement updated table and additional submission from Love Project Management.

RESOLVED: Turner/Griffiths

That Council:

1. Exhibit the draft Urban Growth Management Strategy 2017 for a period of six (6) weeks, commencing 1 November 2017 and finishing 13 December 2017.
2. Accept written submissions by e-mail or post up to close of business on Friday 22 December 2017.
3. Consider a further report reviewing submissions following close of the exhibition period.

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

12.07 RECOMMENDED ITEM FROM TOWN CENTRE MASTER PLAN SUB-COMMITTEE - PORT MACQUARIE FORESHORE

RESOLVED: Hawkins/Levido

That Council:

1. Note the request from the Town Centre Master Plan Sub-Committee that it have representation on the Department of Primary Industries Lands 97A Committee.
2. Request the General Manager write to the Hon. Leslie Williams MP, Member for Port Macquarie, seeking her support to have a representative of the Port Macquarie Town Centre Master Plan Sub-Committee included in the Charter / Terms of Reference for the newly created Section 97A Committee separate from (and in addition to) any Council representation.

CARRIED: 8/0

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

AGAINST: Nil

12.08 RECOMMENDED ITEM FROM TOWN CENTRE MASTER PLAN SUB-COMMITTEE - CBD MAINTENANCE IMPROVEMENTS MONTHLY PROGRESS REPORT

RESOLVED: Hawkins/Pinson

That Council:

1. With immediate effect, ban the painting of rocks on the Town Green Foreshore west of the Breakwall.
2. Create and implement a media and communications strategy to assist the community to understand the value and importance of maintaining the Town Green and immediate surrounds as a prime public space within Port Macquarie.
3. Urgently create and display appropriate signage to reflect this resolution.
4. Take steps to remove or mask any existing or future painting on rocks.

CARRIED: 8/0

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

AGAINST: Nil

Item - 12.09 Long Term Energy Strategy - Consideration of Submissions - has been moved to another part of the document.

13 QUESTIONS FOR NEXT MEETING

13.01 POTENTIAL PUMPED HYDRO SITES

Question from Councillor Alley:

The Australian National University as part of their Beyond Zero Emissions project have been mapping Australia looking for potential pumped hydro sites that are not in National Parks and have the potential for a 300+m head and prospective energy storage of 1GWh and above. On the 21 September this year, they published a list of 8,500 possible sites in NSW. I understand that over a hundred of these potential sites fall within the boundaries of the Port Macquarie-Hastings Local Government Area.

Pumped Hydro is a proven technology for energy storage that has been in use in Australia since the Tumut 3 power station was developed in 1973.

Can the General Manager:

1. Confirm how many of these sites are in the Port Macquarie-Hastings Local Government Area?
2. Outline the environmental and regulatory process for a company that wishes to establish a pumped hydro station within our LGA?

Comments by Councillor (if provided):

Nil.

13.02 MANAGEMENT AND MAINTENANCE OF RURAL ROADS

Question from Councillor Griffiths:

Could the General Manager please detail how safety is taken into consideration in the management of rural roads and how maintenance of rural roads is prioritised?

Comments by Councillor (if provided):

Many rural residents across the local government area have raised concern over the safety of our rural roads and bridges. Many of those roads and bridges are one lane or narrow and used by a variety of light and heavy vehicles daily. The safety issues have been raised by business and community members who would like to be advised on how those issues could be addressed.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Levido/Dixon

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

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

Item 14.01 EOI-17-07 Independent Members of the Audit, Risk and Improvement Committee

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

Item 14.02 T-17-30 Provision of Statutory Property Services

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

Item 14.03 T-17-45 Lake Road Duplication - Stage 2 Design

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 14.04 T-17-46 Thrumster Interim Reclaimed Water Supply Main - Stage 1 Barton Crescent to Lake Road

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 14.05 T-17-47 Organisational Wide Customer Interaction Review

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 14.06 T-17-27 Reservoir Cleaning, Inspection and Potable Diving 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.

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: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 8:41pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 8:47pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Turner/Griffiths

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

- Item 14.01 EOI-17-07 Independent Members of the Audit, Risk and Improvement Committee
This item is considered confidential under Section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RECOMMENDATION

That Council:

1. Appoint the following as independent members of the Audit, Risk and Improvement Committee for a four (4) year term:
 - (a) Mr Grahame Marchant
 - (b) Mr Stephen O'Rourke.
2. Note that a future report will be provided to Council with nomination(s) for the Chair of the Audit, Risk and Improvement Committee.
3. Maintain the confidentiality of the documents and considerations in respect of Expression of Interest EOI-17-07.

-
- Item 14.02 T-17-30 Provision of Statutory Property 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. Accept the tender from Ian Russell for the provision of Statutory Property Services for a term of twenty (20) months commencing 1 January 2018 with an option to extend for a further one (1) year, (such option to be for the benefit of the Council and may be exercised only by the Council in its sole discretion).
2. Accept the Schedule of Rates from Ian Russell for the provision of Statutory Property Services.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of tender T-17-30.

- Item 14.03 T-17-45 Lake Road Duplication - Stage 2 Design
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 Opus International Consultants (Australia) Pty Ltd for \$113,600 (exclusive of GST) to undertake the detailed design of Stage 2 of the Lake Road Duplication project.
2. Accept the Schedule of Rates from Opus International Consultants (Australia) Pty Ltd to undertake the Lake Road Duplication – Stage 2 Design for variation to the project.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-45.

- Item 14.04 T-17-46 Thrumster Interim Reclaimed Water Supply Main - Stage 1 Barton Crescent to Lake Road
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 Eire Constructions Pty Ltd for \$521,527 (exclusive of GST) to undertake the supply and

installation of Stage 1 Thrumster Reclaimed Water Supply
Main works.

2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-46.

Item 14.05 T-17-47 Organisational Wide Customer Interaction Review
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-17-47 Organisational Wide Customer Interaction Review.
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-17-47.

Item 14.06 T-17-27 Reservoir Cleaning, Inspection and Potable Diving 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. Accept the tender from Marine Civil Contractors Pty Ltd to undertake the programmed works for Reservoir Cleaning, Inspection and Potable Diving Services for a term of four (4) years with an option to extend for a further one (1) x four (4) year period, (such option to be for the benefit of the Council and may be exercised only by the Council in its sole discretion).
2. Accept the Schedule of Rates from Marine Civil Contractors Pty Ltd to undertake non - programmed Works for Reservoir Cleaning, Inspection and Potable Diving Services.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-17-27.

CARRIED: 8/0
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

The meeting closed at 8:48pm.

.....
Peta Pinson
Mayor

Item: 05
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

Name of Meeting:

Meeting Date:

Item Number:

Subject:
.....

I, declare the following interest:

Pecuniary:

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

Non-Pecuniary - Significant Interest:

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

Non-Pecuniary - Less than Significant Interest:

May participate in consideration and voting.

For the reason that:

.....

Name:

Signed: Date:

(Further explanation is provided on the next page)

Further Explanation

(Local Government Act and Code of Conduct)

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

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

Pecuniary Interest

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

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

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. The Council official must not be present at, or in sight of, the meeting of the Council at any time during which the matter is being considered or discussed, or at any time during which the council is voting on any question in relation to the matter. (section 451)

Non-Pecuniary

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

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

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

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

Non Pecuniary – Significant Interest

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

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

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

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

Non Pecuniary – Less than Significant Interest

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

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

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

Councillor's Name:

Councillor's Signature: **Date:**

Important Information

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

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

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

Item: 06.01

Subject: MAYORAL MINUTE - MAYORAL DISCRETIONARY FUND
ALLOCATIONS

Mayor, Peta Pinson

RECOMMENDATION

That the Mayoral Discretionary Fund allocations for the period 5 October to 1 November 2017 inclusive be noted.

Discussion

Mayoral Discretionary Fund Allocations

The Mayor made the following allocations from the Mayoral Discretionary Fund for the period 5 October to 1 November 2017 inclusive:

Donation of Glasshouse Vouchers to Seaside Scavenge Clean-up	\$200.00
Donation of Glasshouse Vouchers to PMQ RSPCA Christmas Raffle	\$200.00
	<hr/>
	\$400.00

Attachments

Nil

Item: 07

Subject: CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

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

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 attachments have been submitted to the Ordinary Council Meeting:

Item No:	09.08
Subject:	Quarterly Budget Review Statement
Attachment Description:	2017-2018 September Quarterly Budget Review Statement - Consultancy Engagements.
Confidential Reason:	Relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business).

Item: 08**Subject: PUBLIC FORUM**

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

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

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

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

1 Leadership and Governance

What we are trying to achieve

A community that works together in decision making that is defined as ethically, socially and environmentally responsible.

What the result will be

We will have:

- 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 we will get there

- 1.1 Inform and engage with the community about what Council does using varied communication channels
- 1.2 Maintain strong partnerships between all stakeholders - local, state and federal — so that they are affective advocates for the community
- 1.3 Demonstrate leadership
- 1.4 Use innovative, efficient and sustainable practices
- 1.5 Ensure strong corporate and financial management that is transparent and accountable

Item: 09.01

Subject: STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

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

Discussion

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Notice Of Motion - By Election For Popularly Elected Mayor - Section 276 (2) Of The Local Government Act, 1993 - Detriment To Sitting Councillor Candidates – response to letter (Item 09.17 – OC 16/08/17)		GM		Nov 2017
Investment Policy – post exhibition (Item 09.09 – OC 20/09/17)		DGP		Nov 2017
QFPM – Potential Pumped Hydro Sites (Item 13.01 – OC 18/10/17)		DDE		Nov 2017
QFPM – Management and Maintenance of Rural Roads (Item 13.02 – OC 18/10/17)		DI		Nov 2017

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Outstanding Annual Disclose Return (Item 09.03 – OC 18/10/17)		DCP		Nov 2017
Reclassification Of Land For Hastings Regional Sports Complex - post exhibition (Item 13.04 - OC 15/02/17)		DSG		Nov 2017
Property Investment Policy – post exhibition (Item 09.08 – OC 20/09/17)	Moved to December for consideration of submissions.	DSG	Nov 2017	Dec 2017
Coastal Walk Master Plan – post exhibition (Item 10.02 – OC 16/08/17)	Moved to December for more detailed review of submissions.	DDE	Nov 2017	Dec 2017
Water Fluoridation - request for detailed information on studies and programs (Item 10.01 - OC 15/07/15)	Awaiting further information from NSW Health.	DI	Nov 2016 May 2017 Jul 2017 Sept 2017 Nov 2017	Dec 2017
Thrumster Local Orders Policy – post exhibition (Item 12.07 – OC 20/09/17)		DSG		Dec 2017
Impact of Road Openings and Closures on Private Property (Item 12.03 - OC 18/09/13)	To be included in overall review of roads policies. Information still being sought.	DI	Mar 2015 Jun 2017 Jul 2017	Dec 2017
Planning Proposal - Homedale Road Kew - post exhibition (Item 13.07 - OC 14/12/16)	Awaiting noise impact assessment.	DSG	Oct 2017	Dec 2017

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Naming and Renaming of Reserves Policy and Naming and Renaming of Roads Policy – post exhibition (Item 09.06 – OC 18/10/17)		DCP		Dec 2017
Financial Reserves Review - final report (Item 09.05 - OC 19/04/17)		DCP		Dec 2017
Port Macquarie Town Centre Pedestrian Facility Investigations - post community engagement (Item 13.05 - OC 14/12/16)	Aspects of the engagement are outstanding	DI	Aug 2017 Oct 2017	Feb 2018
Future of Committees following establishment of Cultural Steering Group (Item 15.05 - OC 19/04/17)	Item is to be discussed at a future Cultural Steering Group meeting	DSG	Jun 2017 Jul 2017 Sep 2017 Oct 2017	Feb 2018
Urban Growth Management Strategy 2017-2018 – post exhibition (Item 12.06 – OC 18/10/17)		DSG		Feb 2018

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Project Management Policy - implementation, operation and effectiveness to date incorporating the views of the Audit, Risk and Improvement Committee (Item 09.03 - OC 15/02/17)	Project Management Framework training is underway in November. Assessments will be completed before and after the training to identify effectiveness. This will be supported by a plan for continuous improvement of project management capability.	DCP	Nov 2017	Mar 2018
Audit, Risk and Improvement Committee – Chairperson Nomination (Item 14.01 – OC 18/10/17)		DCP		Mar 2018
Site Specific LEP Amendments - Status of all proposed site specific LEP amendments following adoption of the revised PMH UGMS and determine priorities in Council’s strategic land use planning program. (Item 12.04 - OC 15/03/17)	Report proposed after exhibition, review and adoption of Urban Growth Management Strategy.	DSG	Jul 2017 Dec 2017	Mar 2018

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)	Delayed to align with UGMS report.	DSG	Dec 2016 May 2017 Jun 2017 Dec 2017	May 2018
Opportunities for Local Firms to do Business with Council (Item 11.01 – OC 16/08/17)		DGP		Oct 2018
Canal Maintenance (Item 12.04 – OC 18/10/17)		DI		2018/2019 FY
Draft Biodiversity Certification Assessment and Strategy - Port Macquarie Airport and Surrounding Land - viability and implications of the options for securing the required Blackbutt Tallowwood dry grassy open forest and Koala habitat credits, prior to the clearing that creates the demand for those credits. (Item 12.01 - OC 10/08/16)		DDE		TBA

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Classification of Land - Lot 5 DP774400 Stingray Creek Bridge Environmental Offset (Item 12.01 - OC 16/11/16)		DCP		TBA
Tuffins Lane Sporting Fields - Terms of Agreement (Item 06.02 - OC 14/12/16)		GM		TBA
Planning Proposal - Lot 2 DP1091253 Beach St, Bonny Hills (Item 12.02 - OC 19/04/17)		DSG		TBA
Planning Proposal - Lot 14 DP240042, Pioneer Street, North Haven. King And Campbell Pty Ltd For Rd & MI Tate And Tate Developments Pty Ltd - Post Exhibition (Item 13.05 - OC 17/05/17)		DSG		TBA
Tree Management – Proposed Improvements (Item 12.06 – OC 20/09/17)		DDE		TBA
Long Flat Village Sewer Scheme – Acquisition of Land and Easement – Classify as Operational Land (Item 12.03 – OC 18/10/17)		DI		TBA

Cyclic Reports

Report	Reporting Officer	Reporting Cycle
Mayoral Discretionary Fund Allocations	GM	Monthly
Monthly Financial Update	DCP	Monthly
Investments	DCP	Monthly

Report	Reporting Officer	Reporting Cycle
Recommendations by the Mayor's Sporting Fund Sub-Committee	SG	Monthly
Development Activity and Assessment System Performance	DDE	Quarterly (May, Aug, Nov, Feb)
Operational Plan – Quarterly Progress Report	DCP	Quarterly (Nov, Feb, April, Aug)
Glasshouse Strategic Plan Update	DCP	Biannual (Feb, Aug)
Delivery Program – Six Monthly Progress Report	DCP	Biannual (Mar, Sep)
Existing Site Specific Planning Proposals – Progress Report	DSG	Biannual (Mar, Sep)
Long Term Energy Strategy – Progress Report	DDE	Biannual (Apr, Oct)
Economic Development Strategy - Progress Report (Item 10.03 - ORD 20/11/2013)	DSG	Biannual (Jun, Dec)
Mayoral and Councillor Fees (Setting of)	GM	Annually (Jun)
MIDROC Strategic Plan 2013-2017 Outcomes (Item 08.03 - ORD 21/08/2013)	GM	Annually (Jul) (re-list to Sep)
Council Policy - Status Report	DCP	Annually (Jul)
Recreation Action Plan – Status Report	DDE	Annually (Jul)
Annual Report of the Activities of the Mayor's Sporting Fund	DSG	Annually (Sep)
Compliments and Complaints Annual Report	DSG	Annually (Sep)
Council Meeting Dates	GM	Annually (Sep)
Creation of Office - Deputy Mayor	GM	Annually (Sep)
Audit Committee Annual Report	DCP	Annually (Sep)
Annual Report of Disability Discrimination Act Action Plan	DSG	August 2018
Legislative Compliance Register	CP	Annually (Sep)
MIDROC Strategic Plan 2013-2017 Outcomes (Item 08.03 - ORD 21/08/2013)	GM	Annually (Sep)
Annual Disclosure of Interest Returns	GM	Annually (Oct)

Report	Reporting Officer	Reporting Cycle
Council's Annual Report	DCP	Annually (Nov)
Update Report - Impact of cost shifting for the previous financial year including any additional categories of cost-shifting that have been identified (Item 09.04 - OC 21/10/15)	DCP	Annually (Nov)

Attachments

Nil

Item: 09.02

Subject: CORRESPONDENCE RECEIVED RELATING TO THE NOTICE OF MOTION RE BY-ELECTION FOR POPULARLY ELECTED MAYOR

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

1.3.1 Provide effective leadership and equity.

RECOMMENDATION

That Council note the information contained in this report that relates to a Notice of Motion tabled at the 16 August 2017 Council meeting on issues around the operation of Section 276 (2) of the NSW Local Government Act 1993, relating to the by-election for the popularly elected Mayor.

Executive Summary

The purpose of this report is to detail responses received by Council following a resolution of Council from the 16 August 2017 Council meeting relating to a Notice of Motion around the recent by-election for the popularly elected Mayor and how Section 276 (2) of the NSW Local Government Act 1993 acts as a detriment to sitting Councillor candidates.

Discussion

At the 16 August 2017 Council meeting, Councillor Justin Levido proposed a Notice of Motion (NOM) relating to the recent by-election for the popularly elected Mayor and how Section 276 (2) of the NSW Local Government Act 1993 acts as a detriment to sitting Councillor candidates.

For context, following are the comments made by Councillor Levido on this issue at the 16 August 2017 Council meeting:

'Good public policy dictates that in any Local Government election (including a by election for a popularly elected Mayor) the primary goal should be on ensuring that the minds of the electors are focused on who is the best person for the job and the thrust of the Act and resources to be applied so directed.

As currently drafted, the Local Government Act, 1993 has an inbuilt detriment to sitting Councillor candidates who run in a by election for a popularly elected Mayor as opposed to non-Councillor candidates.

The inbuilt detriment is that the election of a sitting Councillor candidate forces the electors back to a further by election for Councillor within the next 3 months.

This inbuilt detriment became a significant issue during the recent Mayoral by election.

I (and other Councillors) have been informed by many electors during and after the campaign that the avoidance of a second by election was a significant consideration to them from both a personal convenience and “cost to Council/the community” point of view.

Council and the community need the best person for Mayor not what some may interpret as the most convenient or cheapest option available.

I believe it is incumbent on Council to point out this inbuilt detriment to the NSW Minister for Local Government and the NSW Office of Local Government based on the practical application of the recent Mayoral By Election and seek the urgent amendment of the Local Government Act, 1993 so that this problem is properly rectified for the future and good public policy enhanced and delivered.

The letter should be copied to the most relevant stakeholders and made publically available through a general Media Release.’

Further to the above, the following was resolved by Council in relation to the above-mentioned NOM at the 16 August 2017 Council meeting:

09.17 NOTICE OF MOTION - BY ELECTION FOR POPULARLY ELECTED MAYOR - SECTION 276 (2) OF THE LOCAL GOVERNMENT ACT, 1993 - DETRIMENT TO SITTING COUNCILLOR CANDIDATES

RESOLVED: *Levido/Cusato*

That Council request the General Manager:

1. Finalise a letter from Council (utilising the draft letter shown below as guidance) and then send the letter to the NSW Minister for Local Government, Gabrielle Upton MP and the Acting Chief Executive of the NSW Office of Local Government, Tim Hurst with a copy of the letter as sent to be copied to:

- a) Premier of NSW, Gladys Berejiklian MP*
- b) Leader of the Opposition, Luke Foley MP*
- c) Shadow Minister for Local Government, Peter Primrose MLC*
- d) Member for Port Macquarie, Leslie Williams MP*
- e) Member for Oxley, Melinda Pavey MP*
- f) Member for Lyne, David Gillespie MP*
- g) Member for Cowper, Luke Hartsuyker MP*
- h) President of Local Government NSW*

2. Issue a general Media Release advising of the dispatch of the letter and providing a copy of the letter as part of the Media Release.

3. Bring back a report to Council at Council’s Meeting of 15 November 2017 as to the response(s) generated by such letter from the Minister, Acting Chief Executive, those to whom it was copied and/or any other party that the General Manager feels is particularly relevant.

CARRIED: 9/0

FOR: *Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner*
AGAINST: *Nil*

In line with Council resolution No.1 above, letters were sent to the above-mentioned people on or around 25 August 2017. An example of the letter sent is attached to this report for information.

In line with Council resolution No. 2 above, a media release was finalised and released on 8 September 2017. A copy of the media release is attached to this report for information.

In line with Council resolution No. 3 above, at the time of writing this report the following responses have been received in relation to the above-mentioned letter sent by the General Manager:

- Leslie Williams MP, Member for Port Macquarie.

Letter dated 30 October 2017 and received on 2 November 2017, noting receipt of the letter to the Minister for Local Government and offering to assist us further in this matter once a response from the Minister is forthcoming.

- The Hon. Dr David Gillespie MP, Federal Member for Lyne.

Letter dated 6 September 2017 and received on 22 September 2017, noting that Dr Gillespie would discuss this issue with local State Government representatives and also noting that State Government legislation is outside of his area of responsibility. A copy of this letter is attached for information.

- The Hon. Ernest Wong MLC, Parliamentary Secretary to Luke Foley MP, on behalf of Luke Foley MP, Leader of the NSW Opposition.

Letter dated on 12 September 2017 and received on 13 September 2017, stating that the matter would be referred to the Shadow Minister for Local Government, the Hon. Peter Primrose MLC. A copy of this letter is attached for information.

- The Hon. Mr Peter Primrose MLC, Shadow Minister for Local Government.

Letter dated 10 October 2017 and received on 16 October 2017, noting that the Shadow Minister has written to the Minister for Local Government seeking advice from the Ministers officers and an offer to work with the Government in Parliament to resolve the issues raised in the letter. A copy of this letter is attached for information.

Options

There are no specific options with this report as it is for noting only.

Community Engagement & Internal Consultation

There has been no community engagement or internal consultation relating to this report.

Planning & Policy Implications

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

Financial & Economic Implications

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

Attachments

- 1 [View](#). Letter - General Manager to Acting CEO of the NSW Office of Local Government
- 2 [View](#). Letter - Dr David Gillespie to General Manager re Section 276 of the LG Act
- 3 [View](#). Letter - Luke Foley to General Manager re Section 276 of the LG Act
- 4 [View](#). Letter - Peter Primrose to General Manager re Section 276 of the LG Act
- 5 [View](#). Media Release - By-election of Popularly Elected Mayor
- 6 [View](#). Letter - Leslie Williams to General Manager re Section 276 of the LG Act

Item: 09.03

Subject: GENERAL MANAGER'S ATTENDANCE - UNITED STATES OF AMERICA STUDY TOUR

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

1.3.5 Build an engaged workforce.

RECOMMENDATION

That Council:

- 1. Note the successful selection of the General Manager by Local Government Professionals Australia, NSW to attend the League of California Cities, City Managers conference in Newport Beach California and related study tour in January / February 2018.**
- 2. Request the General Manager table a report on the City Managers conference and the learnings from the study tour at the 18 April 2018 Council meeting.**

Executive Summary

Local Government Professionals Australia, NSW (LGPro) is the leading association representing the professionals in NSW local government. LGPro are committed to maintaining high professional and ethical standards throughout the local government sector and ensuring that their members are at the forefront of change and innovation.

Open exclusively to LGPro NSW members, their international study tour program offers a program of learning from and networking with, local government leaders in the United States of America (USA). The study tour provides an excellent professional development opportunity to develop skills, competencies and knowledge in a chosen field, whilst making invaluable connections.

Councils General Manager, Craig Swift-McNair has been selected by LGPro to attend the USA study tour for 2018.

Discussion

As detailed above, each year LGPro NSW offer their members an opportunity to participate in an international study tour to the USA in January / February 2018. The process for selection is through a formal application process, whereby LGPro members put forward a proposal on subjects of interest for the study tour, taking into account attendance at the annual League of California Cities, City Managers conference.

Founded in 1898, the League of California Cities is an association of California city officials who work together to enhance their knowledge and skills, exchange

information, and combine resources so that they may influence policy decisions that affect cities. There are ten professional departments that make up the League of California Cities and one of those is the City Managers. For reference, a City Manager in the USA is the equivalent role to a General Manager / Chief Executive Officer of a local government Council in Australia.

The General Manager has been a member of LGPro for several years and as such applied to attend the USA study tour in August 2017. Following a teleconference with the LGPro selection panel, the General Manager was recently notified of his success in being selected by LGPro for the study tour.

Apart from attendance at the League of California Cities, City Managers conference in Newport Beach California, from 31 January 2018 – 2 February 2018 (inclusive), the rest of the itinerary is at the discretion of the General Manager with regard to his chosen field of study.

The objective of this study tour and the chosen field of interest is leadership; specifically the impact of leadership on an organisation and the impact that leadership behaviours and values have on employees. At its core, this is about employee engagement, which is considered a crucial element to an organisations success in delivering outcomes.

Over the past several years, Council has undergone a cultural transformation journey that is continuing to this day and a key component of the work done to date has been around employee engagement. The benefit of this work to the broader community is that as an organisation we are far better at all pulling in the one direction than we have been previously and this is evidenced by the increasing number of outcomes being delivered each year. Information gained from this study tour will continue to assist in our evolving cultural transformation.

At the time of writing this report, the itinerary is still being finalised, however it is likely to include visits to some Californian local government institutions including the City of West Covina and the City of Bakersfield (who are hosting the General Manager throughout parts of this tour), as well as some private sector businesses who are doing leading work in employee engagement. The itinerary is not expected to be finalised until January 2018 and is likely to commence a week or more before or after attendance at the conference, in order to make the most of the opportunity presented by the study tour.

LGPro will fund return flights from Sydney to Los Angeles and transport to the City Managers conference in Newport Beach. The League of California Cities will fund attendance at and accommodation for the City Managers conference taking place from 31 January – 2 February 2018 inclusive. At the time of writing this report, final costs are not known in relation to flights and accommodation as detailed above.

Any additional expenses incurred for the study tour i.e. additional accommodation or travel in and around Los Angeles etc will be at the expense of the General Manager, with the only direct costs to Council being the reimbursement of meals in line with the daily allowance included in the *Attendance at Conferences, Seminars, Workshops & Residential Schools* policy.

Options

Council may choose to resolve in line with the recommendation included in this report or may choose to resolve against the General Manager attending the USA study tour.

Community Engagement & Internal Consultation

There has been no community engagement with regard to this report. Internal consultation has taken place with the Directors to ensure adequate senior management coverage whilst the General Manager attends the study tour.

Planning & Policy Implications

Attendance by the General Manager on the USA Study Tour will be in line with Councils internal policy titled *Attendance at Conferences, Seminars, Workshops & Residential Schools*. Clauses 4.1 (a) & (b) of this policy calls for all overseas travel to be reported to a formal meeting of Council (as per this report) with the report to include details relating to who is taking part in the travel, the objective of the travel and benefit to the community and details of costs expected to be reimbursed to the participant.

Further to the above, Clause 4.3 of the policy states that a report is to be included in the Annual Report in the year in which travel was undertaken and this will be done for the 2017-2018 Annual Report, in addition to the General Manager reporting back to a meeting of Council as detailed in the second recommendation included in this report.

Financial & Economic Implications

As stated earlier in the report, LGPro will fund return flights from Sydney to Los Angeles and transport to the City Managers conference in Newport Beach. The League of California Cities will fund attendance at and accommodation for the City Managers conference taking place from 31 January – 2 February 2018 inclusive. At the time of writing this report, final costs are not known in relation to flights and accommodation as detailed above.

Any additional expenses incurred for the study tour i.e. additional accommodation or travel in and around Los Angeles etc will be at the expense of the General Manager, with the only direct costs to Council being the reimbursement of meals in line with the daily allowance included in the *Attendance at Conferences, Seminars, Workshops & Residential Schools* policy.

Attachments

Nil

Item: 09.04

Subject: NOTICE OF MOTION - MAYORAL MEETINGS

Councillor L Intemann has given notice of her intention to move the following motion:

RECOMMENDATION

That Council request the General Manager advise Councillors at the time of all meetings held, issues raised and outcomes of Mayoral meetings with Ministers and local Members and regular Mayoral meetings with local community groups.

Comments by Councillor Intemann (if provided)

Nil.

Attachments

Nil

Item: 09.05

Subject: DISCLOSURE OF INTEREST RETURN - MAYOR PETA PINSON

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That the Disclosure of Interest return for Mayor Peta Pinson be noted.

Executive Summary

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

Discussion

Section 445 of the *Local Government Act 1993*, requires Councillors to prepare and submit written returns of interests in accordance with section 449.

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 Procurement 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 Return for Mayor Peta Pinson will be tabled at this meeting.

Options

There are no other options. Lodgement of a Return by a Councillor is a requirement under section 445 of the *Local Government Act*.

Community Engagement & Internal Consultation

Internal Consultation

- General Manager.
- Group Manager Governance & Procurement.

AGENDA

ORDINARY COUNCIL
15/11/2017

Planning & Policy Implications

There are no planning or policy implications.

Financial & Economic Implications

There are no financial or economic implications.

Attachments

Nil

Item: 09.06

Subject: DISCLOSURES REGISTER - ANNUAL RETURN 2016-2017 FOR ROAD SAFETY OFFICER

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the Annual Disclosure Return for the Road Safety Officer as detailed in this report.

Executive Summary

The *Local Government Act 1993* requires the General Manager to keep a register of disclosure returns and table the returns at the first Council meeting after 30 September each year.

The Disclosure Register is a public register and can be accessed by members of the public, by appointment.

Discussion

Section 449 of the Local Government Act, requires Councillors and Designated Persons to submit a disclosure return on an annual basis and lodge it with the General Manager by 30 September each year.

Section 450A(1) requires the General Manager to keep a Register of the Returns and section 450A(2) requires the General Manager to table the Returns at the first Council meeting held after 30 September each year.

As reported to the 18 October 2017 Ordinary Council Meeting, one Return was outstanding and Council resolved:

"4. That Council note that a further report will be presented to the November 2017 Ordinary Council Meeting tabling the outstanding Annual Disclosure Return as detailed in this report."

Options

Nil. It is a requirement under the Local Government Act that the disclosure returns be presented to Council.

Community Engagement & Internal Consultation

Internal Consultation

- General Manager
- Acting Director Infrastructure
- Group Manager Governance and Procurement.
- Road Safety Officer.

Planning & Policy Implications

This report meets the Council's legislative requirements with regards to annual disclosure returns for Councillors and designated persons.

Financial & Economic Implications

There are no financial or economic implications.

Attachments

Nil

Item: 09.07

**Subject: ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30
JUNE 2017**

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council adopt the Annual Financial Statements for the year ended 30 June 2017, as submitted, together with the Auditor's Report.

Executive Summary

The Local Government Act, 1993 requires that Council hold a public meeting for the purpose of considering the Annual Financial Statements, together with the Auditor's Report. These are now presented for Council's consideration.

A suite of financial ratios measure Council's financial position and allows for comparisons of results between financial years. These are explained in greater detail in the body of the report.

The Operating Performance ratio is arguably the most important of these ratios. It indicates whether recurrent revenue is covering operating expenses and if Council is adequately funding depreciation. Council met this ratio for the first time in the in a decade during the 2014/2015 financial year. Council has continued to meet and exceed the ratio benchmark of > 0% since that time.

Council is continuing to meet benchmark across other key ratios. This reflects the Councils' good cash liquidity and is ability to pay debts as they fall due. In 2016-2017, Council failed to meet the own source revenue ratio due to \$42m worth of developer provided assets that are included in the capital contributions figure.

Longer term ratios that relate to Council's infrastructure reflect the vast infrastructure network that Council maintains. There has been an improvement in 2016-2017 across these ratios. It should be noted however, that these ratios are affected by the types and quantum of works programs undertaken during the year.

There has been a lot of work undertaken over the past several years that have contributed to these results including but not limited to improved asset management, procurement strategy implementation, service reviews and improved budget processes.

A continued focus will need to be applied to ensure that Council can maintain the benchmarks that it currently meets, and improve against longer term asset related benchmarks into the future.

DiscussionBackground

At a meeting of Council on 16 August 2017 it was resolved:

RESOLVED: Hawkins/Levido

1. *That Council refer to audit the draft Financial Statements as at 30 June 2017.*
2. *That the Statement by Councillors and Management be signed by the Responsible Accounting Officer, the General Manager, the Mayor and one Councillor as required by the Local Government Act 1993.*

CARRIED: 9/0

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

Council resolutions 1 and 2 have now been implemented.

Section 418 to 420 of the Local Government Act, 1993 provides that Council must give public notice of its intention to consider the Annual Financial Statements and the Auditor's Report. This notification has been given by way of advertisements placed in local newspapers including Camden Haven Courier, Hastings Gazette and Port Macquarie News.

Section 420 of the Act allows any person to make a written submission on the content of the Annual Financial Statements or the Auditor's report. At the time of writing this report, no submissions had been received. If any submissions are received, they will be distributed prior to the meeting.

The purpose of this report is to present to Council the 2016-2017 audited Annual Financial Statements, together with the auditor's report. A copy of the 2016-2017 Annual Financial Statements are attached to this report for information.

Results for the year

The Income Statement discloses that Council's activities for the 2016-2017 financial year resulted in a net operating surplus of \$98.571 million. This is an increase of \$23.316 million from the \$75.255 million surplus in the previous 2015-2016 year. The result can be accredited to a number of variations including the following:

1. An increase in capital grants and contributions of \$21.728m. This is due to sizeable developer provided assets and increased S94 and S64 contributions as a result of the buoyant property market. In addition, grants have been received for Indoor Stadium (\$1.1m) and Wauchope Pool (\$0.7m) that have contributed to the increase in capital grants. Grant funding is often one of the main causes of year-on-year variations as it is recognised when it is received and will often not match the timing of the expenditure of those funds.

2. An increase in operational grants and contributions of \$2.943m due the prepayment of the 2017-2018 Financial Assistance Grant of \$4.423m, a reduction of \$684k in the amount of Roads to Recovery grant received in 2016-2017 and a \$691k flood damage grant that was received in 2015-2016.
3. A reduction in other revenues of \$11.4m which is primarily due to the one off receipt of investment recoveries received in 2015-2016. Council has been involved in a class action to recover investment losses incurred when investing in collateralised debt obligations some years ago and received \$12.325m in 2015-2016 and \$211k in 2016-2017 under this action.
4. A reduction in borrowing costs of \$5.318m which is due to the break costs on loans that were re-negotiated under a loan refinancing exercise in 2015-2016 along with a reduction in interest payments in 2016-2017 as a result of the refinancing.
5. Other Expenses has reduced by \$3.774m. The 2015-2016 figure included legal expenses incurred on the investment class action mentioned above.

Statement of Financial Position

Council’s Statement of Financial Position is disclosed in accordance with current accounting standards and reporting requirements of the Local Government Act and its Regulations.

Council’s net asset position has increased by \$162,895 million from the 2015-2016 financial year, primarily due to the increase in infrastructure, property, plant and equipment assets following revaluations. Full asset class revaluations were completed in 2016-2017 for Water, Sewerage and Crown land assets. Indexations were applied to other assets classes including buildings, roads, stormwater, other structures, operational land and open space assets.

TCORP Ratios

Since 2013-2014 Council has been required to include the TCORP ratios in its Annual Financial Statements.

Below are Council’s TCORP ratio results for the last three years for the consolidated Council position.

1. *Operating Performance - Consolidated*

	2016-2017	2015-2016	2014-2015
Benchmark	7.31%	7.44%	3.71%
Greater than 0%			

Commentary:

This ratio measures a Council’s achievement of containing operating expenditure within operating revenue. As it focuses on operating performance, capital grants and contributions, net investment recoveries and the prepayment of the financial assistance grant have been excluded.

This ratio has reduced slightly this year but is still well above benchmark.

2. *Unrestricted Current Ratio*

Benchmark	2016-2017	2015-2016	2014-2015
	2.02:1	2.27:1	2.96:1
Greater than 1.5			

Commentary:

This ratio is designed to represent a Council’s ability to meet short term obligations as they fall due. If below benchmark it may indicate that Council needs to raise additional funds or liquidate assets to have cash available to meet debts as they fall due.

Council’s Unrestricted Current Ratio has reduced from 2015-2016 but is above the benchmark of 1.5:1. This ratio is strongly affected by the terms of Council’s investments. It should be noted that as with all performance ratios, this figure represents a snapshot in time, which is not necessarily representative of the full position.

3. *Own Source Operating Revenue*

Benchmark	2016-2017	2015-2016	2014-2015
	56.19%	63.50%	74.82%
Greater than 60%			

Commentary:

This ratio measures fiscal flexibility which is the degree of reliance on external funding sources such as grants and contributions. A council’s fiscal flexibility improves the higher the level of its own source revenue.

Councils’ own source revenue ratio has reduced since 2014-2015 due to the large amount of developer provided assets and S94/S64 contributions that have been included in Council’s accounts as a result of the buoyant property market that we are experiencing. It should be noted that additional grant and contribution funding has a negative effect on this ratio.

4. *Debt Service Cover*

Benchmark	2016-2017	2015-2016	2014-2015
	4.28	3.27	3.69
Greater than 2			

Commentary:

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments. Council’s result has improved from last year due in part to the loan review undertaken in 2015-2016. Council is well above the benchmark of greater than 2.

5. *Rates and Annual Charges Outstanding percentage*

Benchmark	2016-2017	2015-2016	2014-2015
	4.85%	5.34%	6.42%
Less than 5% for Metro and Coastal Councils. Less than 10% for rural councils			

Commentary:

The purpose of this ratio is to assess the impact of uncollected rates and annual charges on liquidity and the adequacy of debt recovery efforts.

Council’s general fund ratio (including waste management) for 2016-2017 was 4.54%, Sewer Fund was 3.71% with the Water fund recording the highest ratio at 10.75%. This is due to the fact that water accounts are generated constantly and may not be due for payment until the new financial year. Consistent with prescribed methodology, these outstanding amounts must be included in the ratio as they are outstanding at year end. Council will therefore compare unfavourably to councils with no water authority function.

The overall ratio has improved significantly over the last few years. This is considered a very positive result especially considering Councils rates and annual charges revenue has risen by \$3.442m over the previous year.

Recovery action is constantly underway to ensure that Council’s collection rates are as high as possible. Vigilance in this area is also of benefit to the community to assist ratepayers in not accumulating large debts.

6. Cash Expense Cover Ratio

Benchmark	2016-2017	2015-2016	2014-2015
	25.31	21.49	20.63
Greater than 3 months			

Commentary:

This liquidity ratio indicates the number of months that Council can continue paying for its immediate expenses without additional cash inflow. This ratio includes all term deposits and with the majority of Council’s investments being in term deposits along with high reserve levels this ratio should be well above benchmark at all times. It should be noted however, that even though term deposits are included in this ratio, a minimum of 31 days’ notice has to be given to the banks before these deposits can be redeemed.

7. Building and Infrastructure Renewal Ratio

Benchmark	2016-2017	2015-2016	2014-2015
	82.20%	79.41%	36.09%
Greater than 100%			



Commentary:

This is a longer term indicator of the condition and cost to maintain public infrastructure assets. This ratio is measured by the cost of assets renewals for buildings and infrastructure over the depreciation expense of those assets. The definition of renewals used for the ratio is “replacement of existing assets with equivalent capacity or performance as opposed to the acquisition of new assets”. Council often upgrades the capacity of an asset as part of the renewal process. Capacity includes widening a road or bridge, or increasing a load capacity on a bridge. As this capacity work is regarded as an improvement and not renewable these costs are not included within this ratio calculation. Due to the definition of a renewal this ratio may vary significantly up and down over the years. This year’s ratio has been positively impacted by works undertaken on Stingray Creek Bridge and Hastings River Drive along with the large road resealing program undertaken.

Council during the 2016/2017 financial year has continued on its journey of improving its Asset Management Planning processes in line with the State Government’s Integrated Planning & Reporting Framework. These plans provide a strategic framework for assessing and addressing asset management issues (including appropriate Renewals and Maintenance) in future years. Council has placed a priority on the development and upgrade of all Asset Management Plans. Like all Councils, the ability to meet acceptable levels under this benchmark will be limited to the available funding.

This result indicates that in order to improve this ratio, additional funding for the renewal of assets would be required over the construction of new assets.

8. Infrastructure Backlog Ratio




Benchmark	2016-2017	2015-2016	2014-2015
	5.34%	6.89%	7.31%
Less than 2%			

Commentary:

This ratio shows the proportion of infrastructure backlog against the total value of Council’s infrastructure. It is calculated by taking the estimated cost to bring the assets to satisfactory standard over the total value of Infrastructure, building and other structures assets. The estimated cost to bring assets to satisfactory standard (backlog) is the amount of money required to be spent on an asset to ensure it is at a satisfactory standard. This does not include any planned enhancements.

There has been a significant improvement in this ratio for 2016-2017. To ensure further improvement to this ratio council is aligning future works programs to the infrastructure backlog data to ensure that priority is given to projects that are included in the infrastructure backlog figures.

9. Asset Maintenance Ratio

Benchmark	2016-2017	2015-2016	2014-2015
	88%	87%	86%
Greater than 100%			

Commentary:

This ratio compares the actual versus required annual asset maintenance. A ratio of above 1.0 indicates that the Council is investing enough funds within the year to stop the Infrastructure Backlog from increasing.

Whilst Council’s position is improving it is still below benchmark levels. Additional funding will need to be applied to this area for this ratio to improve further.

Options

Not applicable.

Community Engagement & Internal Consultation

Extensive consultation has taken place with Council’s Finance Section and with Council’s Auditors. The public have also been notified by way of advertisement.

Planning & Policy Implications

These Annual Financial Statements are Part C of the Council's Annual Report, legislated under the Integrated Planning and Reporting Framework.

Financial & Economic Implications

As outlined in the body of this report.

Attachments

1 [View](#). 2016-2017 Annual Financial Statements

Item: 09.08

Subject: QUARTERLY BUDGET REVIEW STATEMENT

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

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

Executive Summary

This report will detail the Quarterly Budget Review Statement (QBRS) for the period to the end of the first quarter of the 2017-2018 financial year (July 2017 to September 2017).

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 September 2017 quarter for Council's information, which includes the following components:

1. Statement by the Responsible Accounting Officer on Council's financial position at the end of the year based on the information in the QBRS.
2. Budget review of Income and Expenditure in a consolidated format (including performance indicators).
3. Budget review of the Capital budget.
4. Budget review of the cash and investments position.
5. Budget review of contracts and other expenses.

6. TCorp Ratios in line with the Local Government Code of Accounting Practice.

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:

1. *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.*
2. *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 “2017-2018 September 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).

The year-to-date (YTD) reporting in the QBRS is against the phased budgets, improving the reporting with comparisons to Council’s yearly and quarterly budgets. Actual expenditure amounts exclude commitments.

INCOME & EXPENSES

The YTD operating result excluding capital items is \$68.5m, compared to a YTD budget of \$60.2m. A significant amount of this \$8.3m (favourable) variance is in timing, including \$4.5m across Expenses and is described below.

The YTD operating result including capital items is \$75.1m, compared to a YTD budget of \$63.1m. Most of this \$12.0m (favourable) variance is in timing, including \$5m in Grants & Contributions and \$4.5m across Expenses and is described below.

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

INCOME

YTD Actual \$107.8m; YTD Budget \$100.3m; Variance \$7.5m (favourable)

Income of \$107.8m for the YTD to the end of the first quarter is 107.4% of the YTD budget of \$100.3m, representing 56.7% of the \$189.9m annual income budget.

Key points to note are as follows:

1. Rates & Annual Charges

YTD Actual \$88.3m; YTD Budget \$86.4m; Variance \$1.9m (favourable)

Rates & annual charges of \$88.3m are ahead of the expected YTD budget of \$86.4m, being 102.2% of the YTD budget, and 96.8% of the \$91.2m annual



budget. The majority of rates are levied in July, with the exception of annual charges for water which are levied quarterly on the Water Notice.

The total YTD variance of \$1.9m (favourable) mainly comprises of:

- \$0.6m (favourable) for annual sewer charges.
- \$0.3m (favourable) for annual domestic waste charges.
- \$0.1m (favourable) for annual water charges.
- \$0.9m (favourable) for annual rates.

The favourable variances predominately relate to population growth in the area.

2. User Fees & Charges

YTD Actual \$6.7m; YTD Budget \$6.8m; Variance \$0.1m (adverse)

User fees & charges of \$6.7m represent 97.9% of the YTD budget of \$6.8m, and 20.2% of the \$33.0m annual budget. Note that the annual budget of \$33.0m includes the late categorisation adjustment for FESL (which was previously shown under operating grants) against the published budget statement of \$32.9m.

The total YTD variance of \$0.1m (adverse) is mainly made up of:

- \$0.3m (favourable) fees for Planning, DA's & Building Certification due to the continued increase in building and subdivision activity in the area;
- \$0.1m (favourable) tipping Fees subject to demand;
- \$0.2m (adverse) user charges for water consumption; attributable to the timing of quarterly water billing notices; and
- \$0.3m (adverse) aerodrome user fees mainly due to the timing of receipt of the fees, monthly in arrears.

3. Interest & Investment Revenue

YTD Actual \$2.0m; YTD Budget \$1.3m; Variance \$0.7m (favourable)

Interest & Investment revenue of \$2.0m against the YTD budget of \$1.3m is 156.8% of the YTD budget and 36.1% of the annual budget of \$5.6m. This comprises the Interest on Investments for the YTD of \$2m, with an annual budget of \$5.3m and Interest on Overdue Rates for the YTD of \$0.1m with an annual budget of \$0.3m. The favourable result is primarily due to higher cash levels due to project deferrals and high S94/S64 receipts. Further information on Investments can be found in the Investment report.

4. Other Revenues

YTD Actual \$1.3m; YTD Budget \$1.2m; Variance \$0.1m (favourable)

Other revenues of \$1.3m are 103.8% of the \$1.2m YTD budget, and 24.7% of the \$5.0m annual budget.

The total YTD variance of \$0.1m (favourable) is primarily made up of Carbon credit receipts, ferry income (which includes annual pass sales) and glasshouse income which is subject to demand and timing issues.

5. Operating Grants & Contributions

YTD Actual \$3.0m; YTD Budget \$1.7m; Variance \$1.3m (favourable)

Operating grants & contributions of \$3.0m are ahead of the YTD budget of \$1.7m. The YTD variance is \$1.3m (favourable) or 181.0% of the YTD budget, and the YTD actuals are 16.2% of the annual budget of \$18.5m.

The total YTD variance of \$1.3m (favourable) mainly comprises of the following:

- \$1.1m (favourable) Roads to Recovery, due to timing;
- \$0.1m (favourable) Waste grant for Better Recycling, due to timing; and
- \$0.1m (favourable) Bushfire operating grants, due to timing.

6. Capital Grants & Contributions

YTD Actual \$6.6m; YTD Budget \$2.9m; Variance \$3.7m (favourable)

YTD income from these items is \$6.6m against the YTD budget of \$2.9m, and represents 17.9% of the \$36.7m annual budget. The YTD variance of \$3.7m (favourable) is further dissected into grants and contributions and is discussed below:

- a. \$0.5m (favourable) Capital Grants YTD grant income of \$0.6m is 3.0% of the \$18.5m annual budget, YTD budget of \$0.1m. The main variances are:
 - \$0.4m (favourable) Wauchope Aquatic Pool upgrade, funding received earlier than expected (timing issue);
 - \$0.1m (favourable) Wauchope CBD Pedestrian Design & Construction, timing issue;
- b. \$3.1m (favourable) Capital Contributions comprise two elements, cash and non-cash. The cash element is Section 64 & 94 developer contributions. The second element is non-cash contributions, being developer provided assets.
 - Cash income for the YTD is \$5.6m, against the YTD budget of \$2.9m. This equates to 33.0% of the annual budget of \$18.1m. The variance is due to the continuing increased subdivision and building activity in the area.
 - Non-cash contributions primarily represent dedicated assets from Developers and to date none have been received for capitalisation.

EXPENSES

YTD Actual \$32.7m; YTD Budget \$37.2m; Variance \$4.5m (favourable)

1. Employee costs

YTD Actual \$10.2m; YTD Budget \$11.5m; Variance \$1.3m (favourable)

YTD employee costs are \$10.2m versus the YTD budget of \$11.5m, creating a favourable variance of \$1.3m. As at the end of this quarter, this equates to 89.1% of the YTD budget, and 20.4% of the annual budget of \$50.2m.

Variances are largely due to unfilled positions and timing differences that are contingent upon when employees take their leave and the duration of that leave.

Other variances include:

- \$0.4m (favourable) Workers Compensation. This varies depending on the number of injury claims. 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 premium. PMHC actively works to keep claims as low as possible and this is represented by a low claims history.

2. Borrowing costs

YTD Actual \$0.5m; YTD Budget \$0.5m; Variance \$0.0m

3. Materials & Contracts

YTD Actual \$8.0m; YTD Budget \$9.9m; Variance \$1.9m (favourable)

Expenditure for the first quarter is \$8.0m, which is 80.6% of the YTD budget of \$9.9m, and 19.5% of the annual budget of \$41.0m. The YTD variance of \$1.9m (favourable) is mainly due to timing, unless stated otherwise:

- \$0.4m (favourable) Water: across various maintenance projects;
- \$0.4m (favourable) Sewer: across various maintenance projects;
- \$0.5m (favourable) Waste: across various maintenance projects;
- \$0.2m (favourable) Natural Resources: across various maintenance projects; and
- \$0.2m (favourable) Airport Operations: across various maintenance projects.
- \$0.7m (adverse) Transport & Traffic: \$0.6m (adverse) Block Grant & \$0.2m (adverse) Sealed Roads spending earlier than expected due to a readily available contractor & ideal weather conditions, and \$0.1m (favourable) across various other roads maintenance projects;

4. Other Expenses

YTD Actual \$2.6m; YTD Budget \$3.9m; Variance \$1.3m (favourable)

The amount expended of \$2.56m for Other Expenses totals 66.0% of the YTD budget of \$3.9m, representing 19.8% of the annual budget of \$13.1m. The YTD variance of \$1.3m (favourable) is predominately made up of:

- \$0.7m (favourable) Payments to other levels of Government, due to timing;
- \$0.2m (favourable) Other Insurances, due to timing; and
- \$0.3m (favourable) Electricity & Street Lighting expenses, noting that the payment for these services is made a month in arrears.

5. Net loss from disposal of assets

YTD Actual \$0.0m; YTD Budget \$0.0m; Variance \$0.0m

This section relates to the net profit or loss, which occurs from either the sale of assets, such as plant or land, or following capitalisation when an asset is renewed and the old asset is disposed. There are no losses to report for the quarter as asset processing cannot recommence until the previous year's annual financial statements are signed off.

CAPITAL EXPENDITURE (excluding Loans)

YTD Actual \$10.9m; YTD Budget \$18.3m; Variance \$7.4m (favourable)

This section includes a comparison of the actual result against the phased capital expenditure budget. Note that the total carry-over budget from 2016-2017 is \$19.0m, of which \$16.6m is capital, and the remaining balance of \$2.4m is operating expenditure.

To the end of the first quarter and excluding the Loan repayments, \$10.9m was expended being 59.6% of the YTD budget of \$18.3m, and 8.8% of the annual budget of \$124.1m. The YTD 'under-spend' is \$7.4m. In addition to this expenditure, there are commitments for works in the order of \$7.9m.

As a comparison for the YTD and excluding the Loan repayments, the period to the end of September 2017 is on par with the same time last year. For the first quarter in 2016-2017, a total of \$10.2m was expended being 48.9% of the YTD budget of \$21.0m and 9.7% of the annual budget of \$105.4m.

The key variances are detailed below. Of these, Council anticipates most to be underway or complete at 30 June 2018.

General Fund - YTD Actuals \$9.4m; YTD Budget \$14.2m, YTD underspend \$4.8m

General Fund has expended \$9.4m of the \$14.2m YTD budget, being 66.0%, and is 12.6% of the annual budget of \$74.5m. The YTD 'under-spend' is \$4.8m with main 'under-spends' noted below:

- \$1.2m Capital Computer Projects – This is a multi-year project and is currently on target. Wifi upgrades have commenced at HQ, 60% of network switch upgrades are completed, with the rest of the network project to be completed prior to the end of 2017.
- \$1.2m Developer Provided Assets – No Developer provided assets have been capitalised at this stage as the relevant information has not been received.
- \$0.6m Beechwood Road Reconstruction – Riverbreeze Drive to Rosewood – On target. Project scope increased to include Riverbreeze intersection. Construction commenced September 2017.
- \$0.6m Wauchope Pool Upgrade – on-track, variance due to timing;
- \$0.5m Gordon Street, Horton to Lake Road – On Target, Construction is complete. Scope of work extended to include Hay Street upgrade to Hayward Street.

- \$0.3m Capital Roads Reseals – This is on target and currently programmed to be completed in April 2018. Variance is due to timing.
- \$0.3m Port Macquarie Airport Parallel Taxiway – The tender for the planning and design of the parallel taxiway has been awarded and project is underway.
- \$0.3m Bulli creek Bridge Replacement – This is on target. Construction planning is ongoing. The construction tender was awarded in September with construction to commence later in 2017.
- \$0.2m Town Green Masterplan – This is on target. Practical completion has been achieved. Council is awaiting the removal of construction fencing and “as constructed” plans prior to hand-over. Variance is due to timing of final payments.
- \$0.2m Plant Purchases - plant items are acquired subject to business needs and are currently on target. Plant replacement is progressing as scheduled. Variance is due to timing of payment of invoices.
- \$0.2m Stormwater Renewal Program – Project planning is being finalised with request for quote documentation due for completion mid October. Project to be completed within the financial year.

There are several projects ahead of the YTD budget being:

- \$1.2m High Traffic Resurfacing – a readily available contractor & ideal weather conditions;
- \$0.6m Stingray Creek Bridge – Project has continued from 2016/17. The construction is near completion.
- \$0.6m Town Square Construction – Works continued from June 2017 with construction progressing ahead of schedule.
- \$0.3m Houston Mitchell Drive stages 2 & 3 – This project is nearing completion awaiting suitable weather for final seal and linemarking.
- \$0.2m Wayne Richards Park Development stage 3 – This project will need to be the subject of an over-expenditure review to Executive as the current budget is over-expended.

Waste - YTD Actuals \$0.0m; YTD Budget \$0.1m, YTD underspend \$0.1m

The YTD ‘under-spend’ of \$0.1m mainly relates to:

- \$0.05m Cairncross Upgrade & Expansion – Purchase orders have fully committed this project budget.
- \$0.03m Kingfisher Waste Depot – This project is being monitored, the project scope will be determined pending confirmation.

Water - YTD Actuals \$0.8m; YTD Budget \$2.0m, YTD underspend \$1.2m

The YTD ‘under-spend’ for Water against the YTD budget totals \$1.2m, being 41.6% of the YTD budget, with key ‘under-spends’ noted below:

- \$0.5m Thrumster RW Interim Supply – This will commence following design project
- \$0.2m Beechwood Rosewood Reservoir – This is on target the design is ongoing.

- \$0.1m Developer Provided Water Assets – No Developer provided assets have been capitalised at this stage as the relevant information has not been received.
- \$0.1m Sancrox Reservoir Trunkmain to Area 14 – On Target, design and pre-construction underway.

Sewer - YTD Actuals \$0.6m; YTD Budget \$1.9m, YTD underspend \$1.3m

The Sewer section has a YTD budget 'under-spend' of \$1.3m being 33.6% of the YTD budget. The main 'under-spends' are:

- \$0.3m Area 15 Sewerage Upgrade – On Target, construction complete with finalisation ongoing.
- \$0.2m Developer Provided assets – No Developer provided assets have been capitalised at this stage as the relevant information has not been received.
- \$0.2m Sewer Rehabilitation - works ongoing on an 'as needs basis'.
- \$0.1m Port Macquarie STP Aeration Tank Refurbishment – This is yet to commence. The refurbishment of aeration tank one at PM STP due to commence in the second quarter of 2017/18.

TCorp Ratios

Last year the presentation methodology of all ratios was reviewed to ensure that the reported ratio is a projected year end result. This projection is based on approved full year budget wherever possible, or where this is not possible, it is based on an estimated year end position. The methodology is indicated in the table attached.

Operating Performance Ratio

The Operating Performance ratio is often considered the most important ratio for Council to meet. The projected result as at September 2017 includes all approved adjustments to budgets up to and including the September Council meeting.

There has been a deterioration in this ratio since the original approved budget and Council is closely monitoring budgets to include any savings in future monthly budget reviews. The deterioration is primarily due to the inclusion in the budget of \$2m for energy efficient street lighting. As these are not council's assets any expenditure has a negative effect on Council's operating performance ratio. It should be noted however, that in future years the decrease in electricity costs for this lighting will have a positive effect on this ratio. This deterioration is partly offset by an allowance for future improvements such as, interest on investments (refer to investment report) has been included in the ratio calculation.

This ratio may be impacted by year end accruals.

Rates and Annual Charges Outstanding Ratio

Considerable work has been, and continues to be undertaken to enhance this ratio and the ratio achieved for the 2016-2017 financial year (4.85%) was the best Council has produced since 2006. The current forecast is an estimated 4.61%. It should be noted that with reduced outstanding rates comes reduced income from interest charged on outstanding rates and annual charges which then negatively affects other

ratios such as Operating performance and Own source revenue. The benchmark for this ratio is less than 5% which Council now meets.

Building and Infrastructure Renewals Ratio

The building and infrastructure renewals ratio is a difficult ratio for Council to meet as the definition of a renewal is “Works to replace existing assets or facilities with assets or facilities of equivalent capacity or performance capability”. At this early stage the ratio has been left at the ratio calculated for the original budget.

Council often increases the capacity of an asset whilst undergoing a renewal but this portion of the cost is not considered a renewal.

The ratio does not consider the need for Council to spend on new infrastructure, and is also adversely impacted by gifted assets due to the increase in depreciation as a consequence of these assets.

For a Council to increase its renewal spend to improve this ratio performance may have an impact on the funds available for new assets, such as new footpaths etc.

The Office of Local Government has released a “Special Schedule 7 Appendix B - Examples of Renewal and Rehabilitation Costs and Activities” which specifies that costs previously regarded as new assets can be classified as renewals where they relate to the modern engineering equivalent.

Infrastructure Backlog

This ratio has been estimated based on historical percentages applied to budget spend. Significant reseals were undertaken in 2016/17 and are expected to be continued in this financial year and it is anticipated that this expenditure will address a portion of Council’s infrastructure backlog.

Assets Maintenance Ratio

Significant work was done in prior years to calculate the actual amount of “required” maintenance for purposes of calculating this ratio. This figure is currently forecast at 0.93 for this financial year. At this early stage of the year the ratio has been left at the ratio calculated for the original budget.

The Office of Local Government (OLG) definition of required maintenance are those costs identified in the Asset Management Plans (for the reporting period) of routine activities that should be undertaken to sustain the asset in a functional state, ensuring the assets reach the predicted useful life, excluding rehabilitation or renewal. Therefore, if additional road reseals/renewals continue to occur it is expected that the required maintenance may reduce, improving this ratio.

Furthermore the OLG has released a “Special Schedule 7 Appendix A - Examples of Maintenance and Operating Activities” which will assist Council in ensuring the correct types of expenditure are included in this ratio.

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

[1View](#). Confidential 2017-2018 September Quarterly Budget Review Statement - Consultancy Engagements (Confidential)

[2View](#). September 2017 Quarterly Budget Review Statement

Item: 09.09

Subject: MONTHLY FINANCIAL REVIEW FOR OCTOBER 2017

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

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

Executive Summary

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

The Council adopted budget position as at 1 July 2017 was a shortfall of \$586,858. The approved budget adjustments since that time have reduced this shortfall position to \$354,133. The budget adjustments included in this report will maintain this position.

Discussion

Each month, Council's budgets are reviewed by Managers and Directors with any required adjustments reported. The purpose of this report is to provide Council with an up to date view of the current actual financial position in comparison to the original adopted 2017-2018 budget along with the proposed movement of funds to accommodate any changes.

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.

Monthly Budget Review Summary

Original Budget as at 1 July 2017	Shortfall	(\$586,858)
<u>Plus adjustments:</u>		
July Review	Balanced	\$0
August Review	Surplus	\$267,217
September Review	Shortfall	(\$34,492)
October Review	Balanced	\$0
Forecast budget position for 30 June 2018	Shortfall	(\$354,133)

October 2017 Adjustments

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

Description	Notes	Funding Source	Amount
Grant Funds	1	Grant/Contribution/Env Levy	\$323,570
Dividend Payment	2	Revenue/Reserve	\$966,930
Reserve Transfers	3	Reserve	\$45,000
S94 (VPA Works)	4	S94	\$7,298
Total			\$1,342,798

1. *Grant funding.*

The total **increase** in project value for 2017-2018 is **\$323,570**.

Council project	Grant provider	Amount	Grant / Cont / Levy	Comment
Creating Liveable Communities	NSW Family & Community Services	\$3,040	Grant	Unexpended grant from prior years
CDAT Drug action Week	Australian Drug Foundation	\$3,000	Grant	
Mrs York's Garden – Woodland Walk	NSW Department of Premier & Cabinet	\$5,683	Grant	
Mrs York's Garden – Woodland Walk	Friends of Mrs York's Garden	\$4,693	Contribution	
Illaroo Road Stormwater Redirection project	Office of Environment & Heritage	\$110,000	Grant	
Illaroo Road Stormwater Redirection project		\$110,000	Levy	Environmental levy funding
Crown Road restoration costs	RMS	\$78,154	Grant	Pappinbarra fire event
Bushfire Oct 17	RMS	\$9,000	Grant	
TOTAL		\$323,570		

2. *Dividend Payments*

At a meeting of Council on the 20 September 2017 it was resolved:

RESOLVED: Levido/Hawkins

That Council:

1. *Note the achievement of substantial compliance with each of the six best practice guidelines (NSW Best Practice Management Guidelines for Water Supply and Sewerage, August 2007) of:*
 - (a) *Strategic Business Planning*
 - (b) *Pricing*
 - (c) *Water Conservation*
 - (d) *Performance Reporting*
 - (e) *Integrated Water Cycle Management*
2. *Authorise the application to the NSW Government for approval to pay a dividend of \$966,930 to the General Fund from Water Supply operations in accordance with the NSW Best Practice Management Guidelines for Water Supply and Sewerage, August 2007.*
3. *Determine that if successful in its application that the dividend will be quarantined for stormwater works.*

CARRIED: 9/0

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

AGAINST: Nil

Council has now received approval from Crowns Land and Water to pay a Best Practice Dividend from the Water Supply fund to General Fund.

In line with the resolution above these funds have been quarantined for stormwater works and transferred to the Stormwater Reserve.

3. *Reserve Transfers*

An over-expenditure review was completed and approved by Executive for the Lake Cathie Accessible Fishing Platform project. Following evaluation of submissions received it was confirmed that the project budget would require an additional \$45,000. Funding has been allocated within the Working Capital Reserve to allow this project to be commenced.

Project Name	Original Budget	New funds	Total Budget
Lake Cathie Accessible Fishing Platform	\$160,000	\$45,000	\$205,000

4. S94 Developer Contributions (VPA Works)

Council has received funding for Lakeside Woods through a Voluntary Planning Agreement for DA 2013/218. \$7,298 of this has been set aside for Lakeside Wood Environmental Management.

Options

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

Planning & Policy Implications

There are no planning and policy implications.

Financial & Economic Implications

Attached to the report for information is each individual budget adjustment by Division and Section. The budget movements within this report maintain the current budget shortfall position of \$354,133.

Responsible Accounting Officer Statement

The approved original budget result for 2017-2018 was a shortfall of \$586,858. The budget adjustments in this report maintain the current shortfall position of \$354,133. The shortfall position is considered an un-satisfactory 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](#). October 2017 Budget Review

Item: 09.10

Subject: INVESTMENTS - OCTOBER 2017

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

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

Executive Summary

- Total funds invested as at 31 October 2017 equals \$261,672,218.
- The actual year-to-date investment income of \$2,664,982 represents 49.99% of the total annual investment income budget of \$5,330,600.
- In line with Council's Investment Policy, the total portfolio has performed above benchmark levels.

Discussion

Overview

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

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

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

The Port Macquarie-Hastings area is a high growth centre of the North Coast region and is expected to accommodate a significant proportion of regional growth over the next two decades. The population will grow from 79,114 in 2016 to 102,926 in 2036. As a consequence of this growth, Council must not only provide services to the existing community and maintain existing assets, but Council must also plan for future maintenance and capital expenditure on the infrastructure that will be needed to support the community, business and visitors to the area into the future.

Council holds cash reserves as an alternative to (or to supplement) borrowing. As at June 2017, Council held \$251 million in cash and reserves. Predominantly, these reserves are all allocated for specific purposes, with 70% of these reserves legally only being able to be used for the purpose for which they were collected (for example for water and sewer). The remaining reserves are also predominantly held for specific purposes (for example, for the development of the Airport, or to fund projects which have already commenced). The balances of these reserves are audited annually and published in Council’s financial statements.

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

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

Current Investments

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

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

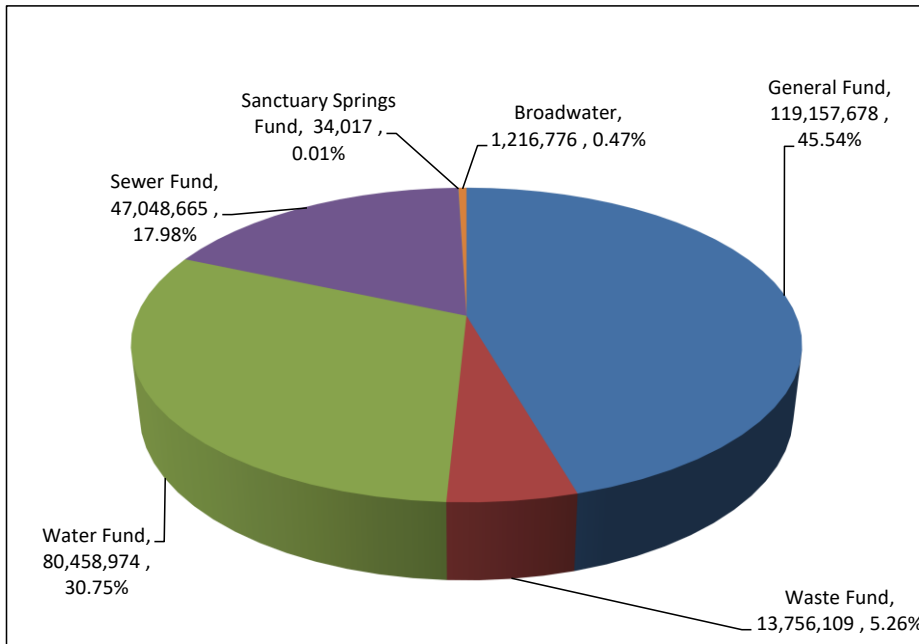
As at 31 October 2017, the investments held by Council totalled \$261,672,218 and were attributed to the following funds:-

General Fund	119,157,678
Waste Fund	13,756,109
Water Fund	80,458,974
Sewer Fund	47,048,665
Sanctuary Springs Fund	34,017
Broadwater	1,216,776
	<u>261,672,218</u>

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

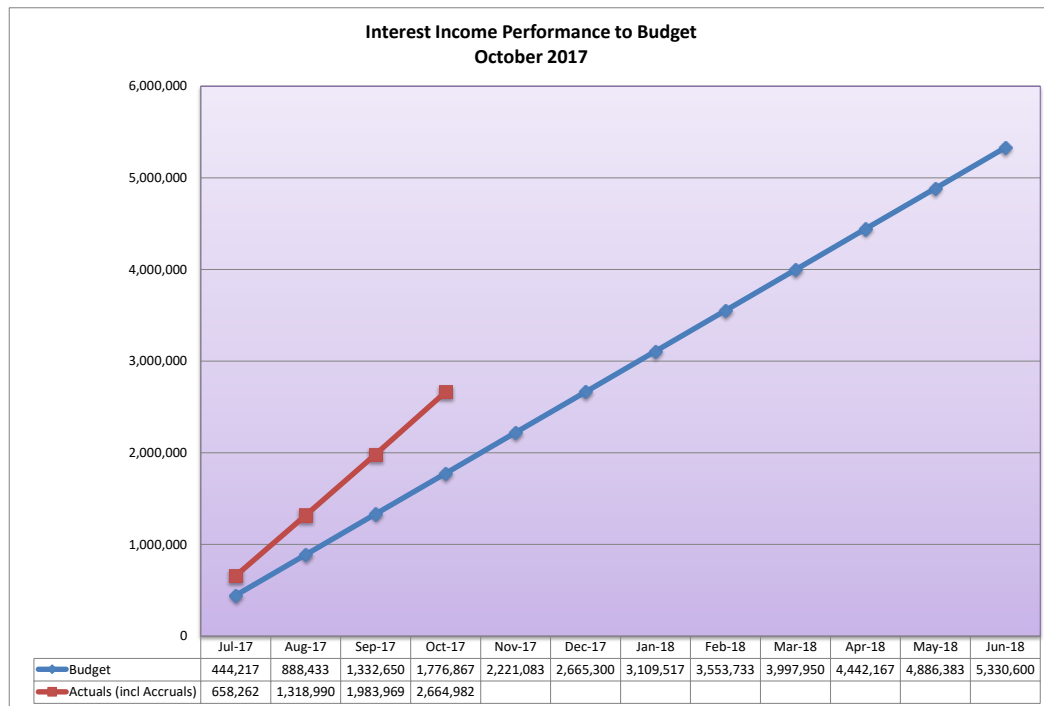
These funds may be spent in the shorter or longer term depending on the required timing of future works. The totals will fluctuate dependent on the status of individual projects.

Investments by Fund – as at 31 October 2017



Portfolio Performance

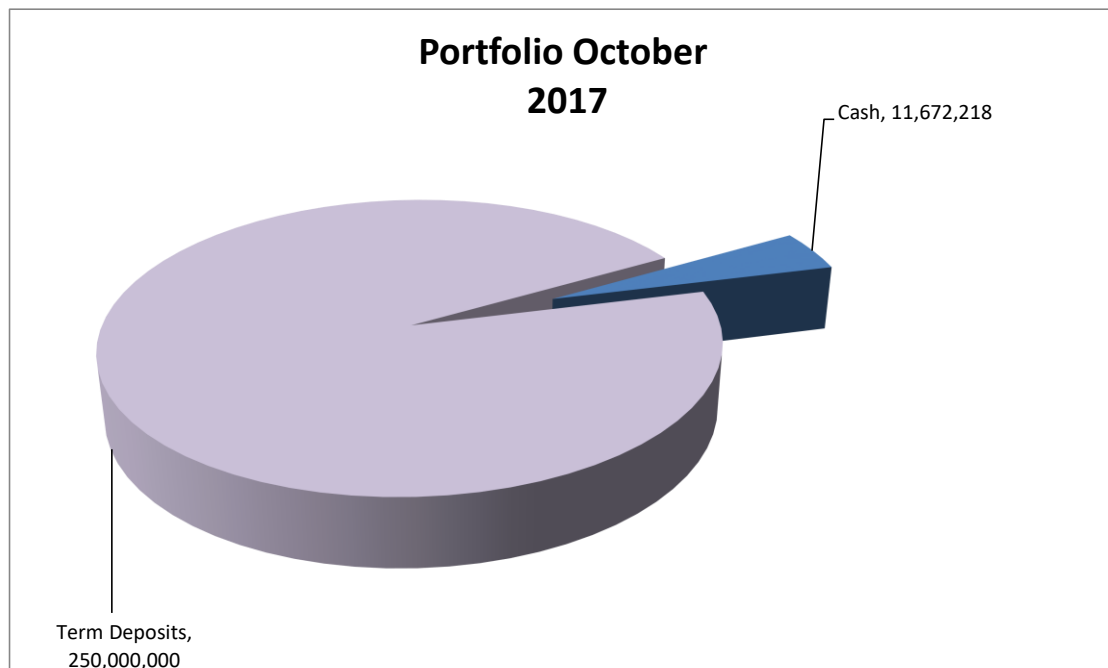
- Council’s total investment portfolio performance as at 31 October 2017 was 1.40% above the benchmark (3.07% against 1.67%). Benchmark being the Bank Bill reference rate as at 30 October 2017 as identified on www.bloombergindeces.com.
- The actual year-to-date investment income of \$2,664,982 represents 49.99% of the total annual investment income budget of \$5,330,600.



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

Investment Portfolio Mix

Council’s current portfolio is made up of cash and term deposits. The total term deposits represent 95.54% of the total investment portfolio. As at 31 October 2017, the total investment portfolio was \$261,672,218 which is down from \$261,944,972 as at the end of September 2017. This consists of term deposits of \$250,000,000 and cash \$11,672,218.



Term Deposits - Current month \$250,000,000 - Prior month \$250,000,000

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

Council’s current term deposit portfolio mix as at 31 October 2017 is as follows:

Term to Maturity

This table as at 31 October 2017 shows the amounts invested by various maturity profiles. These are in accordance with limits established by Council’s Policy.

Table 1:

Term to Maturity	Balance \$	% Held	Policy Min	Policy Max
0 - 12 months	\$122,000,000	48.80%	40.00%	100.00%
1 - 3 years	\$96,000,000	38.40%	0.00%	60.00%
3 - 5 years	\$32,000,000	12.80%	0.00%	30.00%
Grand Total	\$250,000,000	100.00%		

Overall Portfolio Credit Framework

All institutions that Council invests with are rated by acknowledged credit rating agencies, Standard & Poors, Moody’s and Fitch. Council policy specifies limits that can be invested within each rating band. These limits are to help avoid over exposure in any rating category. The tables below group the amounts held with various institutions based on their respective credit ratings, and compares the total to the maximum limit set for each credit rating category.

As advised in the previous report to Council, Standard & Poors and Moody’s downgraded a number of Australian financial institutions which affected the limits held within both the rating and institutional limit frameworks, as required within Council’s Investment Policy.

A review of Council’s Investment Policy, and the approach to the recent rating event was presented at the September council meeting. The recommended changes were on public exhibition throughout October with endorsement of all anticipated changes expected at this November council meeting.

Standard & Poors

As previously identified, as a result of the downgrading by Standard and Poors of Bank of Queensland and Bendigo & Adelaide Bank from the A to the BBB category, the BBB category is in excess of the policy’s maximum limits.

Table 2a:

Rating Framework S&P	Total	% Held	Maximum % Policy	Variance	Comments
A	13,000,000	5.20%	60.00%	54.80%	OK
AA	150,000,000	60.00%	100.00%	40.00%	OK
ADI/Unrated	2,000,000	0.80%	10.00%	9.20%	OK
BBB	85,000,000	34.00%	15.00%	-19.00%	Outside Policy
Grand Total	250,000,000	100%			

Moody's

Whilst Moody's also downgraded a number of institutions, no institution was required to move to a different rating band. Council therefore remains within policy limits.

Table 2b:

Rating Framework	Total	% Held	Maximum % Policy	Variance	Comments
A	78,000,000	31.20%	60.00%	28.80%	OK
AA	150,000,000	60.00%	100.00%	40.00%	OK
ADI/Unrated	2,000,000	0.80%	10.00%	9.20%	OK
BBB	20,000,000	8.00%	15.00%	7.00%	OK
Grand Total	250,000,000	100%			

Cash - Westpac Business Cash Reserve Account

Current month \$11,672,218 - Prior month \$11,944,972

This is not available unrestricted cash.

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

Throughout the full month of October, \$10 million in funds matured with \$10 million in funds reinvested into term deposits.

It should be noted that funds currently within the Westpac Business Cash Reserve Account are attracting an interest rate of 2.2% being the current cash rate plus 0.7% (based on the cash rate drop on 3 August 2016), which performs better than the benchmark (1.67% October 2017).

The largest sector of the portfolio is the term deposit allocation of \$250,000,000 (last month \$250,000,000) or 95.54% of the total.

Investment Portfolio by Maturity Date - as at 31 October 2017

Inv Name	Type	Rating (S&P)	Purchase Date	Maturity Date	Yield	Face Value
ANZ Bank	TD	AA-	13-Nov-12	13-Nov-17	4.87%	2,000,000
Bank of Queensland	TD	BBB+	13-Nov-15	13-Nov-17	3.00%	2,000,000
Westpac Banking Corporation	TD	AA-	23-May-16	23-Nov-17	2.95%	3,000,000
Westpac Banking Corporation	TD	AA-	8-Sep-16	8-Dec-17	3.00%	3,000,000
Newcastle Permanent	TD	BBB	14-Dec-15	14-Dec-17	3.20%	2,000,000
ME Bank	TD	BBB	24-Jan-17	22-Dec-17	2.75%	2,000,000
Bendigo Bank	TD	BBB+	14-Jan-16	15-Jan-18	3.10%	2,000,000
Bank of Queensland	TD	BBB+	16-Nov-16	16-Jan-18	2.85%	2,000,000
Westpac Banking Corporation	TD	AA-	19-Jan-17	19-Jan-18	3.01%	5,000,000
Westpac Banking Corporation	TD	AA-	24-Jan-17	24-Jan-18	3.00%	2,000,000
Police Credit Union SA	TD	ADI/Unrated	12-Feb-16	12-Feb-18	3.15%	2,000,000
Bank of Queensland	TD	BBB+	16-Nov-16	16-Feb-18	2.85%	2,000,000
Bendigo Bank	TD	BBB+	8-Mar-16	8-Mar-18	3.20%	3,000,000
Westpac Banking Corporation	TD	AA-	15-Mar-17	15-Mar-18	2.91%	2,000,000
Westpac Banking Corporation	TD	AA-	27-Mar-17	27-Mar-18	2.87%	1,000,000
Defence Bank	TD	BBB	22-Mar-16	22-Mar-18	3.25%	4,000,000
Westpac Banking Corporation	TD	AA-	11-Apr-17	11-Apr-18	2.83%	3,000,000
Westpac Banking Corporation	TD	AA-	27-Apr-16	27-Apr-18	3.29%	4,000,000
Bendigo Bank	TD	BBB+	16-May-16	16-May-18	3.05%	2,000,000
Newcastle Permanent	TD	BBB	16-May-16	16-May-18	3.10%	2,000,000
ME Bank	TD	BBB	19-May-17	19-May-18	2.70%	3,000,000
Westpac Banking Corporation	TD	AA-	19-May-17	21-May-18	2.77%	4,000,000
Bank of Queensland	TD	BBB+	20-Jun-13	20-Jun-18	5.00%	4,000,000
Commonwealth Bank	TD	AA-	22-Jun-17	22-Jun-18	2.60%	5,000,000
Bendigo Bank	TD	BBB+	7-Jul-16	6-Jul-18	3.05%	2,000,000
Bank of Queensland	TD	BBB+	16-Nov-16	16-Jul-18	2.92%	3,000,000
Westpac Banking Corporation	TD	AA-	24-Jul-17	24-Jul-18	2.79%	4,000,000
Commonwealth Bank	TD	AA-	4-Sep-17	31-Jul-18	2.60%	7,000,000
Westpac Banking Corporation	TD	AA-	15-Aug-16	15-Aug-18	2.96%	3,000,000
Bank of Queensland	TD	BBB+	16-Nov-16	16-Aug-18	2.92%	3,000,000
Westpac Banking Corporation	TD	AA-	22-Aug-17	22-Aug-19	2.90%	3,000,000
ING Bank	TD	A	22-Aug-17	22-Aug-19	2.75%	5,000,000

Inv Name	Type	Rating	Purchase Date	Maturity Date	Yield	Face Value
Westpac Banking Corporation	TD	AA-	4-Sep-17	4-Sep-18	2.80%	3,000,000
Westpac Banking Corporation	TD	AA-	4-Sep-14	4-Sep-18	4.22%	4,000,000
Bendigo Bank	TD	BBB+	7-Sep-15	7-Sep-18	3.00%	5,000,000
St George	TD	AA-	8-Sep-16	8-Sep-18	3.10%	5,000,000
ING Bank	TD	A	24-Jul-17	24-Sep-18	2.70%	3,000,000
St George	TD	AA-	27-Sep-16	27-Sep-18	3.10%	4,000,000
National Australia Bank	TD	AA-	24-Oct-17	23-Oct-18	2.60%	10,000,000
Bendigo Bank	TD	BBB+	10-Nov-16	9-Nov-18	3.00%	4,000,000
Westpac Banking Corporation	TD	AA-	10-Nov-16	10-Nov-18	3.00%	4,000,000
National Australia Bank	TD	AA-	19-May-17	19-Nov-18	2.66%	2,000,000
ING Bank	TD	A	13-Sep-17	13-Dec-18	2.70%	5,000,000
ME Bank	TD	BBB	14-Dec-15	14-Dec-18	3.33%	2,000,000
Westpac Banking Corporation	TD	AA-	19-Jan-17	21-Jan-19	3.17%	5,000,000
Rabobank	TD	Aa2	20-Jan-15	20-Jan-19	3.90%	2,000,000
Westpac Banking Corporation	TD	AA-	24-Jan-17	24-Jan-19	3.15%	2,000,000
Newcastle Permanent	TD	BBB	8-Mar-16	8-Mar-19	3.60%	2,000,000
Bendigo Bank	TD	BBB+	15-Mar-17	15-Mar-19	3.10%	4,000,000
Bendigo Bank	TD	BBB+	27-Mar-17	27-Mar-19	2.95%	2,000,000
Westpac Banking Corporation	TD	AA-	27-Mar-17	27-Mar-19	3.01%	2,000,000
Bendigo Bank	TD	BBB+	11-Apr-17	11-Apr-19	3.00%	3,000,000
ME Bank	TD	BBB	27-Apr-17	27-Apr-19	2.93%	4,000,000
ME Bank	TD	BBB	19-May-17	20-May-19	2.87%	3,000,000
Rabobank	TD	Aa2	23-May-16	23-May-19	3.15%	6,000,000
Bendigo Bank	TD	BBB+	7-Jul-16	8-Jul-19	3.15%	2,000,000
Westpac Banking Corporation	TD	AA-	24-Jul-17	24-Jul-19	2.94%	4,000,000
Westpac Banking Corporation	TD	AA-	15-Aug-16	15-Aug-19	3.10%	3,000,000
Newcastle Permanent	TD	BBB	15-Aug-16	15-Aug-19	3.00%	2,000,000
Commonwealth Bank	TD	AA-	4-Sep-17	29-Aug-19	2.73%	3,000,000
Westpac Banking Corporation	TD	AA-	4-Sep-17	4-Sep-19	2.96%	3,000,000
St George	TD	AA-	8-Sep-16	8-Sep-19	3.20%	5,000,000
St George	TD	AA-	27-Sep-16	27-Sep-19	3.20%	4,000,000
ME Bank	TD	BBB	24-Jan-17	24-Jan-20	3.26%	2,000,000
Newcastle Permanent	TD	BBB	10-Mar-16	10-Mar-20	3.70%	2,000,000
Bank of Queensland	TD	BBB+	19-May-17	19-May-20	3.00%	3,000,000
Westpac Banking Corporation	TD	AA-	13-Sep-17	14-Sep-20	3.17%	3,000,000
Bank of Queensland	TD	BBB+	24-Jan-17	25-Jan-21	3.65%	2,000,000
Westpac Banking Corporation	TD	AA-	21-Feb-17	22-Feb-21	3.39%	2,000,000
Bank of Queensland	TD	BBB+	10-Mar-16	10-Mar-21	3.80%	3,000,000
Westpac Banking Corporation	TD	AA-	21-Feb-17	21-Feb-22	3.61%	2,000,000
National Australia Bank	TD	AA-	21-Feb-17	21-Feb-22	3.46%	5,000,000
Rabobank	TD	Aa2	8-Jun-17	7-Jun-21	3.02%	5,000,000
Bank of Queensland	TD	BBB+	15-Mar-17	15-Mar-22	3.80%	2,000,000
Rabobank	TD	Aa2	8-Jun-17	7-Jun-22	3.22%	5,000,000
Rabobank	TD	Aa3	13-Sep-17	13-Sep-22	3.38%	3,000,000
Westpac Banking Corporation	TD	AA-	13-Sep-17	13-Sep-22	3.41%	3,000,000
Total TD's						250,000,000
Westpac Business Cash Reserve Account	CASH				2.20%	11,672,218
Total Portfolio						\$261,672,218

*The investment highlighted in yellow in the table above is the new investment for October 2017.

Options

This is an information report.

Community Engagement & Internal Consultation

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

Planning & Policy Implications

There are no planning and policy implications.

Financial & Economic Implications

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

Council's total investment portfolio performance for October 2017 is 1.40% above the benchmark (3.07% against 1.67%) and year to-date income is 49.99% 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 to date Council has refunded bonds with an associated interest component of \$16,125.42 which will be monitored and advised monthly.

Certification

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

Rebecca Olsen
Responsible Accounting Officer

Attachments

Nil

Item: 09.11

Subject: FINANCIAL IMPACT OF COST SHIFTING FROM OTHER LEVELS
OF GOVERNMENT

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.5.5 Ensure there is appropriate management of risk for Council and the community.

RECOMMENDATION

That Council note the information on the financial impact of cost shifting from other levels of Government.

Executive Summary

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

RESOLVED: Hawkins/Sargeant

That Council:

- 1. Request the General Manager provide a report to the November 2015 Ordinary Meeting of Council on the impact of cost shifting on Council in the 2014-2015 financial year, updating the draft figures provided to Council in May 2015.*
- 2. Request the General Manager provide an updated report to the November 2016 Ordinary Meeting of Council on the impact of cost shifting for the financial year 2015-2016 and annually, including any additional categories of cost-shifting that have been identified.*
- 3. Request that the General Manager give consideration to collecting additional cost shifting information as part of the service review process.*

CARRIED: 8/0

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

AGAINST: Nil

Resolution 1 was addressed in November 2015. This report addresses the annual update as per resolution 2. It provides information with respect to the estimated financial impact of cost shifting on Port Macquarie-Hastings Council for the 2016-2017 financial year.

Discussion

Cost shifting is defined by Local Government NSW as follows:

“Cost shifting describes a situation where the responsibility for, or merely the costs of, providing a certain service, concession, asset or regulatory function are

'shifted' from a higher level of government on to a lower level of government without providing corresponding funding or the conferral of corresponding and adequate revenue raising capacity."

Local Government NSW coordinates a cost shifting survey of all NSW Councils in order to establish the impact of cost-shifting by the Australian and NSW Governments to NSW Local Government. The last survey was 2015-2016. In that survey, the dollar impact of cost shifting for Port Macquarie-Hastings Council was \$9.7m which included \$1.9m of identified new items including fluoridation of water, maintaining of crown reserves, and cost of maintaining RMS transferred assets. In previous years, these items have not been included in the survey.

The most recently published Council Survey report:

"LGNSW, The Impact of Cost Shifting on Local Government in NSW - A Survey of Councils 2013-2014" (released 2015) highlighted that cost shifting has increased significantly from the first survey. Despite the recognition of cost-shifting and its adverse impacts on NSW Local Government, cost-shifting has increased from 6.26% of total income before capital in 2012 for all councils who responded to 6.96% for 2013-2014. The 2015-16 report has not yet been released.

Port Macquarie-Hastings Council

This Council report utilises the Local Government NSW cost shifting survey methodology as the basis for compiling figures with the following exception:

1. The cost survey records a zero for any net positive amounts. This report records these as a reduction in the impact. That is, all things being equal, this report would show a lower figure than the survey.
2. In prior years, this Council report also identified some additional items not included in the survey. For the 2015-16 year, these are now consistent.

As detailed in the following table, including the addition of all identified items and a reduction for net positives the impact of cost shifting is:

- \$7.8m in 2014-2015
- \$9.2m in 2015-2016
- \$10.8m in 2016-2017.
- \$10.4m budgeted in 2017-18

This is a significant impost on Council.

Cost Shifting Data

	2014/2015	2015/2016	2016/2017	2017/2018
	Actuals	Actuals	Actuals	(Based upon budget figures)
Items as per LGSA Return	\$	\$	\$	\$
Contribution to NSW Fire Brigade	314,202	326,125	332,538	335,000
Contribution to NSW State Emergency Services	111,214	130,609	142,238	145,000
Contribution to Rural Fire Service	296,705	310,296	395,697	375,200
Pensioner Rates Rebates	1,541,201	1,534,104	1,405,330	1,535,900
Public Library Operations	707,105	714,641	692,620	828,117
Onsite Sewerage Facilities	(65,765)	34,376	(97,717)	(142,587)
Administration of the Companion Animals Act	198,869	114,528	258,238	179,821
Functions as Local Control Authority for Noxious Weeds	243,857	272,601	317,791	349,343
Functions under the Rural Fires Act	79,877	67,397	86,385	84,500
Immigration Services & Citizenship Ceremonies	4,052	2,394	2,629	4,000
Administering Food Safety Regulations	13,152	11,676	30,644	35,963
Community Safety	4,092	5,397	9,090	8,000
Flood Mitigation Programme	22,856	28,698	48,871	89,265
Road Safety	38,771	31,405	25,071	53,157
Community & Human Services	465,059	581,977	600,290	739,153
Waste Levy	2,288,103	3,399,834	4,496,378	3,397,357
Sewerage Treatment System Licence Fee	94,455	85,758	69,120	123,000
Waste Management Site License Fee	9,401	9,638	9,381	6,400
Processing of DA Fees	(396,876)	(456,739)	(406,672)	(162,264)
Voluntary Conservation Agreements	5,572	6,526	7,681	7,835
Administration of Contaminated Land Management	4,439	4,981	5,084	5,186
Functions under the Protection of the Environment Operations Act	84,809	114,062	143,510	146,380
Cost of Fluoridation	126,280	103,395	162,296	165,542
Cost of Maintaining Crown Reserves	1,645,958	1,742,192	1,980,156	2,019,759
Cost of RMS Transferred Assets - John Oxley Drive	6,843	26,016	38,844	39,621
Cost of RMS Transferred Assets - John Oxley Drive (Vegetation Management o	4,495	2,383	3,276	3,341
Cost of RMS Transferred Assets - Kew (Nancy Bird Walton Drive)	-	-	680	694
Grand Totals	7,848,727	9,204,269	10,759,449	10,372,682

The 2017/18 budgeted figures are showing a forecasted reduction on the cost shifting figure from 2016/17. This is predominantly due to the Waste Levy. There was an additional payment in 2016/2017, and it is considered that the 2017/2018 forecasted amount may be too conservative noting that this payment has increased considerably (for example, \$298,060 for June 2016 to \$451,052 for June 2017). Hence, the actual results for 2017/2018 are likely to exceed the budgeted figure.

It should be noted that the table above is not exhaustive of the cost shifting impact on Council. Other impacts of cost-shifting that are currently being absorbed by Council or will be absorbed by Council into the future are described as follows:-

Emergency Services Levy (ESL)

ESL was reimbursed using a combination of direct cost reimbursement and also formula driven amounts. As a consequence it has been treated in this report as having a net zero cost impact. There has been some management time and resources not adequately reflected in the formula reimbursement methodology.



Financial Assistance Grant

In addition to cost-shifting, another factor noted as having a financial impact to Council is the impact of the Federal Government's decision to pause indexation to the Local Government Financial Assistance Grants (FAG) Program for three years commencing 1 July 2014. This freeze has now been lifted however as shown below the impact until 16/17 was significant. The table below illustrates the FAG received since 2013-2014:

Year	Total Received \$k
2013/14	\$8,844
2014/15	\$8,842
2015/16	\$8,764
2016/17	\$8,575

Since 2013-2014, the grant has reduced by \$269k despite inflationary pressures. The cumulative effect of this freeze will continue to impact into the future.

Infrastructure works associated with development undertaken by other levels of Government

Other levels of government often construct infrastructure such as hospitals and schools. Whilst there is a significant benefit from this investment, unlike private development, these government developments are exempt from paying development contributions.

The provision of such developments can often also require that Council provide prioritised associated infrastructure such as footpaths without contributing towards the cost of that infrastructure. Some consideration is being given to providing some examples of this for the next report.

Impacts of the Forestry Corporation

With such large areas of State Forest within our LGA, activities conducted by the Forestry Corporation such as timber logging has a significant impact on the wear and tear of Council assets, specifically our rural roads and timber bridges. This activity impacts significantly on maintenance programs and costs of our rural network. State Forests are exempt from Rates, hence the deterioration of Council assets and the associated increase in maintenance costs is borne by the community.

Potential Additional Future Impacts

Council has identified items which may have a potential future impact. These include:

- New Native Vegetation Conservation Act – councils are to be handed responsibility for regulating Rural Residential and E-zoned land by the Department of Environment and Heritage. At this stage the Biodiversity Conservation Bill has passed both houses of the NSW Parliament, but dates for the proclamation are yet to be advised.
- Council environmental staff will assume responsibility for regulating underground fuel storage facilities from the State EPA as from 1 November 2019.

- The State Health Department has foreshadowed that they will be passing responsibility for regulating private water supplies to councils at some undetermined time in the near future.

The quantum of these is yet to be determined.

Financial Impact of cost-shifting on Council's Operational Plan and Long Term Financial Plan

Cost-shifting impacts Council's available funds to deliver quality services and infrastructure, and its operating performance.

The impact of this cost-shifting could improve Council's operating position and/or otherwise be spent on some of the following:

- Additional services to the Community.
- Increasing current service levels to the Community.
- New infrastructure works.
- Increased maintenance expenditure.
- Increased spend on renewal of assets.

Some of these items would lead to a better overall performance against TCorp ratios and Council's sustainability.

Options

This report is for information purposes.

Community Engagement & Internal Consultation

There has been no community engagement.

Planning & Policy Implications

There are no planning & policy implications.

Financial & Economic Implications

This report discusses the impact of cost-shifting imposed on Council from both the Federal and NSW Governments.

This cost-shifting has an effect on Council's financial position and ability to deliver to the community.

Attachments

Nil

Item: 09.12

**Subject: 2017-2018 OPERATIONAL PLAN - QUARTERLY PROGRESS
REPORT AS AT 30 SEPTEMBER 2017**

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.1.4 Provide easy to understand and accessible community reporting.

RECOMMENDATION

That Council note the 2017-2018 Operational Plan - Quarterly Progress Report as at 30 September 2017.

Executive Summary

The 2017-2018 Operational Plan is a sub-plan of the newly adopted 2017-2021 Delivery Program. The Delivery Program is designed as the single point of reference for all key activities to be undertaken during a term of Council. The Operational Plan spells out the detail of the individual actions, projects and activities Council will undertake in the financial year to meet the commitments made in the Delivery Program.

Progress reports to Council and the community provide a central point of information on the progress on delivering the actions set out in the 2017-2018 Operational Plan. This quarterly progress report outlines what Council is delivering against each action, activity or project as well as performance measures in the adopted plan and seeks to provide concise and accurate information in relation to the progress made.

The overview section of the report provides a statistical snapshot of Operational Plan performance measurement data, with analysis of achievements and actions that are behind target detailed in each of the community themes.

The attachment provides the full 2017-2018 Operational Plan Progress Report, which includes a comprehensive listing of each individual action, performance measure, target and commentary on progress.

Meeting the targets and performance measures in the annual Operational Plan contributes to the overall achievement of the objectives outlined in the 2017-2021 four year Delivery Program. The legislated requirement to report against the Delivery Program occurs on a six-monthly basis, that report is next scheduled to be tabled at the Ordinary Meeting of Council in February 2018. This will be the first six monthly report on the adopted 2017-2021 Delivery Program.

Capital works 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. A number of projects may have design and construction

elements and therefore can span across multiple years, these projects are identified as multi-year projects.

Discussion

Overview

2017-2018 Operational Plan - Quarterly Progress Report as at 30 September 2017

The 2017-2018 Operational Plan contains 252 actions with the total number of performance measures being 318.

As at 30 September 2017, being the first quarter of the financial year, 95% of Operational Plan actions are on target for delivery. Currently, 17 Operational Plan actions are reported as behind target, representing 5% of overall actions. The table below provides a summary of the total number of performance measures and the status by Community Theme.

Operational Plan summary of performance measures by theme					
Community Theme	Total	On target	Achieved	Behind	Overall delivery
Leadership and Governance	80	75	2	3	96%
Your Community	69	68	0	1	99%
Your Business and Industry	24	24	0	0	100%
Natural and Built Environment	145	128	4	13	91%
Totals	318	295	6	17	95%

The table below is comparative data of historical Operational Plan performance and provides information outlining year on year progress against the current 2017-2018 Operational Plan.

Comparative Review of Operational Plan Performance Measures												
	Total		On target/Achieved			Behind			Overall delivery Percentage (%)			
	15/16	16/17	17/18	15/16	16/17	17/18	15/16	16/17	17/18	15/16	16/17	17/18
1Q - July - Sept	468	320	318	410	281	301	58	39	17	87%	88%	95%
2Q - Oct - Dec	468	320		391	297		77	23		84%	93%	
3Q - Jan - Mar	468	320		381	280		87	40		81%	88%	
4Q - Apr - Jun	468	320		384	294		84	26		82%	92%	
Total	468	320		384	294		84	26		82%	92%	

Detailed Analysis by Community Theme and Service

Included below is a summary of highlights and information of those actions behind target according to each Community Theme and service within the Operational Plan.

Community Theme: Leadership and Governance				
2017/18	Total	On target	Achieved	Behind
1Q - July – Sept 2017	80	75	2	3

SUMMARY OF HIGHLIGHTS BY SERVICE

Digital Technology

- Renewal of Council’s technology infrastructure to provide secure and responsive information communication technology is ongoing
- Purchase of aerial photography for urban areas and whole local government area for use in Geographical Information System (GIS) has been undertaken

Community Place and Customer Interactions

- The 2016-2017 compliments and complaints annual report was presented to Council in September 2017 as scheduled
- Over 28,384 calls received through the customer call centre, with over 78% of calls answered within the set service standard exceeding the target of 75%
- 92% of initial customer interactions were dealt with at the first point of contact
- Over 29,384 counter enquires were processed and over 7,226 e-mails were handled
- 11 Community Engagement activities held, with over 8,100 people engaging either on-line or face to face on a range of topics, some of which included Lake Cathie Foreshore Master Plan, Coastal Walk Master Plan, the Airport Terminal upgrade and the Town Green and Town Square construction
- Registered users on the “Have Your Say” online portal increased from 3,127 as at 30 June 2017 to 3,192 as at 30 September 2017

Communications

- 220 Media releases, statements, alerts and announcements were issued during July – September
- There were over 181,000 people who visited the corporate website which is an increase from 57,760 for the same period last year
- Facebook likes increased from 6,475 as to 30 June 2017 to 6,997 as at 30 September 2017 extending Council’s reach using digital channels
- A range of communication tools were used to keep the community up to date with council activities including use of consistent media channels such as social media, newspaper advertising, Weekly Mayoral messages and weekly radio interviews
- The Port Macquarie-Hastings Communications Strategy is under development

Governance

- Planning is underway to hold the Ordinary Council Meeting in October in the Camden Haven area as part of the Take the Council to the Community Program

- The Engaging and Communicating with the Community Program is scheduled to be held in October in Bonny Hills
- Implementation of the Procurement Strategy action items is ongoing
- Ongoing conversation with other levels of government included meetings with State and Federal members and participation in Mid North Coast Regional Organisations of Councils (MIDROC)

Financial Services

- Investment reports tabled in accordance with required timelines
- Financial reports tabled in accordance with required timelines
- Development of the annual operational budget and review of the Long Term Financial Plan has commenced

Glasshouse, Airport and Environmental Laboratory

- The operating revenue from Glasshouse Commercial operations, Port Macquarie Airport and the Port Macquarie Environmental Laboratory is up 8% on the corresponding period in 2016-2017
- 12 performing arts events and six visual arts events have been held at the Glasshouse
- The Glasshouse biannual report was presented to the August 2017 Council meeting

Asset Management

- The Draft Property Investment Policy was tabled at the September 2017 Ordinary Council Meeting and placed on public exhibition

Human Resource Management

- Implementation of the Workforce Management Strategy action items are underway
- Review of Work, Health and Safety strategies are underway
- Implementation of staff survey actions from the Employee Engagement Survey are underway
- The review of the Employee Engagement Program is underway Business Improvement
- Business improvement initiatives including Phase 3 of the Service Review Project ongoing

Operational Plan actions behind target – Community Theme: Leadership and Governance

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
1.3.3.4 Implement improvements to the Project Management Framework	Governance and Procurement	Commenced implementation	100%	50%	Behind schedule. Decision made by Project Management Review Group to pilot training for the implementation of the framework. Pilot held 22 and 23 August 2017.
1.3.3.5 Align corporate Risk Management	Governance and Procurement	Complete Risk Management Framework alignment	100%	50%	Behind schedule. More stakeholder engagement has

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
Framework to ISO 3100 standards		in line with project milestones			been completed to support implementation.
1.3.4.5 CW 17/18 Works Depot relocation - preconstruction/ design (multi-year project)	Assets and Property Investment	Deliver project according to approved project plan (Works Depot relocation)	100%	75%	Behind schedule. Project brief and operational requirements currently under review.

Community Theme: Your Community				
2017/18	Total	On target	Achieved	Behind
1Q - July – Sept 2017	69	68	0	1

SUMMARY OF HIGHLIGHTS BY SERVICE

Sports and Recreation

- Lifeguard Services commenced on 23 September at Town, Flynns, Lighthouse, Lake Cathie, Rainbow and North Haven beaches
- Implementation of the identified actions from the Recreation Action Plan is underway
- Regional Master Planning for recreational facilities has commenced, with the community consultation program underway for Lake Cathie Foreshore. Initial concepts for Flynns Beach commenced. Community consultation and concept development is also underway for the Leash Free Dog facility in Port Macquarie. Project planning is underway for a strategic concept plan for PMQ swimming pool
- The maintenance programs for beaches and playgrounds are ongoing
- Management of public aquatic facilities has seen annual off-season maintenance undertaken with structural rectification works continuing on the toddlers pool at Port Macquarie
- The Playground equipment replacement program is underway with community consultation and concept planning ongoing
- The Recreational walkway replacement program has engineering currently underway on Flagstaff Bridge and Binbilla Reserve Bonny Hills currently has pathways under construction.
- Town Green improvements nearing completion
- Town Square construction progressing ahead of schedule
- The Draft Port Macquarie Coastal Walk master plan is on public exhibition
- The Hastings Regional Sporting Facility has pre-construction works progressing to schedule
- Broadwalk construction commenced on Mrs Yorks Garden - Woodland Walk
- Lake Cathie Accessible Fishing Platform has construction planning underway with construction tender awarded

Compliance

- 129 pool inspections have been undertaken for the July to September period

- 246 risk based audit inspections relating to on-site sewage were undertaken for the July to September period
- 60 public health inspections were undertaken for the July to September period
- Nine fire safety inspections were undertaken for the July to September period

Community Place

- Youth focused activities have been undertaken as part of capacity building activities with the Youth Advisory Council involved in Youth Week planning
- Implementation of identified actions from the Aboriginal Awareness and Understanding Strategy is underway
- Delivery of the 2017-2018 Community Grants Program is underway with Round 1 applications closed
- Implementation of the Disability Inclusion Action Plan is underway
- Implementation of the Cultural Plan actions is underway
- Library membership increased from 32,197 as at 30 June 2017 to 33,495 as at 30 September 2017
- Graffiti Blasters Program is being undertaken and is ongoing
- A number of key events have been held across the region including Moonlight Movie events in Bonny Hills and Wauchope, the School Holiday Program at local Libraries, Author Talk at the Library and installation of the Pappinbarra Playground project
- The Volunteer Program has seen key campaigns for recruitment of volunteers for Tastings on Hastings, Coastal warrior beach clean-up and Countdown to Christmas

Operational Plan actions behind target – Community Theme: Your Community

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
2.3.4.06 CW 17/18 Flynn's Beach — upgrade sea wall (multi-year project)	Recreation and Buildings (Infrastructure Delivery)	Deliver project according to approved project plan (Flynn's Beach — upgrade sea wall)	100%	50%	Behind schedule. Project pre planning ongoing. Final scope agreed during Sept. Design and construction tender proposed to be advertised during October.

Community Theme: Your Business and Industry				
2017/18	Total	On target	Achieved	Behind
1Q - July – Sept 2017	24	24	0	0

SUMMARY OF HIGHLIGHTS BY SERVICE

Economic Development

- Implementation of the Economic Development Strategy is ongoing with the six monthly report on implementation scheduled to be presented to the Ordinary Council Meeting in November 2017
- The annual business confidence survey has been undertaken in August with results presented to the Economic Development Steering Group meeting at the end of September 2017

- Implementation of actions within the Major Events Strategic action plan are underway of which, the Event Sponsorship Program provided sponsorship support for five events during July – September
- Implementation of actions within the Destination Management Plan are underway with finalisation of the destination winter campaign culminating into a 67% year on year increase in visits to the destination website
- Building Better Region grant funding support was secured to deliver a Skills Audit project
- Supporting local business networks via Business Hub meetings and support for initiatives such as Combined Networks Function is ongoing
- Implementation of actions from the Digital Strategy are underway

Strategic Land Use Planning

- Preparation of the Local Environmental Plan (LEP) and Development Control Plan (DCP) amendments in relation to a business park near Port Macquarie Airport has a draft report complete, pending biodiversity certification for Council Airport lands

Port Macquarie Airport

- Concept plans for the Port Macquarie Airport Terminal upgrade are on public exhibition with stakeholder engagement in progress
- Over 56,000 passengers have been recorded for the Airport with over 410 aircraft movements recorded

Operational Plan actions behind target - Community Theme: Your Business and Industry

There are no Operational Plan actions behind target for this Community Theme

Community Theme: Natural and Built Environment				
2017/18	Total	On target	Achieved	Behind
1Q - July – Sept 2017	145	128	4	13

SUMMARY OF HIGHLIGHTS BY SERVICE

Water Supply

- Water and sewer trunk mains from North Haven to Laurieton and the Stingray Creek Bridge crossing is complete
- Over 180 new water supply services have been installed to residential and business properties to cater for new development during July to September
- Concept designs for construction of the new Granite Street Reservoir is being finalised and will be ready for tender in early in 2018
- Construction of the reclaimed water trunk main at Area 14 has tender assessment in progress for the initial stage of the project
- Land acquisition and concept designs are currently being finalised for the Thrumster reclaimed water reservoir project
- Designs are ongoing for the Beechwood Rosewood Reservoir project
- Operating and maintaining water treatment plants in accordance with adopted maintenance programs are on target

- Operating the water supply network to ensure public health and safety are on target
- Maintaining and operating storage dams has been undertaken in accordance with Australian National Committee On Large Dam guidelines

Sewerage

- Designs are underway for the Port Macquarie Sewer Pump Station 71
- The upgrade of the Port Macquarie Reclaimed Water Treatment Plant is ongoing
- The sewerage upgrade at Area 15 for Lakewood/Kew has construction complete with project finalisation underway
- New sewer mains - Stingray Creek Bridge has final connections complete
- Dunbogan Sewerage Treatment Plan - sewer rising main extensions have designs underway
- Programmed replacement and maintenance of sewerage assets including, sewer pumps, electrical switchboards, membrane replacement, odour control installations, minor extensions and pipelines are ongoing
- Operating and maintaining sewerage treatment plants in accordance with environmental licences, adopted maintenance programs and safety requirements is on target
- Operating the sewerage network to ensure public health and safety is on target

Stormwater and Drainage

- Designs are underway for stormwater drainage at Lake and Jindalee Road Port Macquarie
- Designs are underway for stormwater drainage at Gordon and Owen Street Port Macquarie
- Stormwater remediation works for Skyline Place Bonny Hills has project planning underway
- Piped drainage – Stage 1 works at Batar Creek Road and Laurel Street Kendall has construction planning ongoing
- Stormwater detention facility at Black Swan Terrace has initial concept plans received with review undertaken and is pending concept plan amendments
- Stormwater remediation works at Calwalla Crescent has project planning underway
- Settlement Shores and Broadwater canal maintenance are ongoing
- Stormwater Renewal Program project planning being finalised with request for quote documentation due in October

Roads, Bridges and Transports

- North South Link Road has design and preconstruction works underway
- Footpath construction has been completed at Sherwood Road and Park Street Port Macquarie and Bain Street Wauchope
- Bulli Creek Bridge replacement on Comboyne Road has the tender awarded and construction planned to commence in late 2017
- Construction to replace the bridge over Hartys Creek on Comboyne Road is expected to commence in April 2018
- Preconstruction works for the duplication of Greenmeadows Drive south to Matthew Flinders Drive has designs complete and contract administration finalisation underway

- Beechwood Road (segments 20,40 and 50) preconstruction planning works ongoing with design planning for stages 5 and 6 reconstruction underway
- Lake Road detailed designs for dual lanes has tender for design of Jindalee Road and Fernhill intersection currently advertised
- Lake Road upgrade to widen the westbound carriageway between Toorak Court and Oxley Highway has construction planning ongoing
- Houston Mitchell Drive construction of Stages 2 and 3 is nearing completion
- Upgrade to Ocean Drive from Mountain View Road to Fairwinds Avenue is nearing completion
- Pedestrian amenity improvements – Kew to Laurieton along Ocean Drive and Bold Street has preconstruction planning underway
- Structural repairs for Kindee Bridge has work planned to commence in October 2017
- Hyndmans Creek Bridge replacement on Comboyne Road is complete
- Albert Street Bridge single lane timber bridge replacement with concrete culvert has construction tender assessment underway with construction planned to commence in late 2017
- O’Neills Bridge - Bater Creek Road replacement with concrete culvert has construction planning underway with tender awarded
- Shared path between Miala Street and Lake Cathie Medical Centre Ocean Drive has construction complete
- Dual carriageway upgrades to Gordon and Horton Street to Lake Road has construction complete. Scope of the project was extended to include upgrades to Hay and Hayward Streets
- Pedestrian crossing at Bold Street Laurieton has detailed investigation and design planning underway
- The broad analysis of priorities for sealing of unsealed roads has discussions ongoing for program development
- The annual unsealed road maintenance program, sealed road maintenance program and bridges and culverts maintenance program are all on target and ongoing
- The Road Safety Action Plan is being delivered in accordance with Transport for NSW and Roads and Maritime Services guidelines
- The Area Wide Traffic Study is ongoing
- The 2017-2018 Road Reseal and Rehabilitation projects have been focused on the following locations with these works dependent on funding, resources and wet weather:

Road rehabilitation

- Glen Haven Drive Lakewood (final seal to be applied),
- Captain Cook Bicentennial Laurieton (final seal to be applied),
- Diamond Head Road Dunbogan (final seal to be applied),
- Ocean Drive Lakewood (final seal to be applied),
- King Creek Road Wauchope (final seal to be applied),
- Sarahs Crescent Wauchope (final seal to be applied),
- Stoney Creek Road Wauchope (final seal to be applied),
- Redbank Road Wauchope (final seal to be applied),
- Pembroke Road Pembroke (final seal to be applied),
- Beechwood Road Beechwood (final seal to be applied),
- Blackbutt Road Port Macquarie (stabilisation underway),

- Hill Street (Lake to Lord), Port Macquarie,
- Pembroke Road (Beechwood Road to Brookhouse Road),
- Pembroke Road (Brookhouse to Rowsells),
- Pembroke Road, Reids to Pacific Hwy) Telegraph Point,
- Wauchope Local Streets (Nelson, Parker, Campbell),
- Bay St (Newport to Ballina) Port Macquarie.

Reseal Programme

- West Haven/Lakewood, Asphalt Rejuvenation,
- Rocks Ferry Area, Wauchope, Bitumen Reseal,
- Riverbreeze Area, Wauchope, Asphalt Rejuvenation,
- Redbank Rd, Wauchope, Bitumen Reseal,
- Stoney Creek Rd, Wauchope, Bitumen Reseal,
- Old King Creek, Wauchope (if funds permit).

Strategic Land Use Planning

- The Urban Growth Management Strategy is scheduled to be placed on public exhibition in November 2017
- Preparation of the Local Environmental Plan and Development Control Plan for amendments for the South Lindfield urban release area ongoing with public exhibition planned for October 2017
- Review of the Port Macquarie-Hastings Local Environmental Plan 2011 ongoing
- Review of the Port Macquarie-Hastings Development Control Plan 2013 ongoing

Natural Resource Management

- Maintenance programs for bushfire mitigation works on Council land is underway and in accordance with the Bushfire Risk Management Plan
- Landfill gas capture trial project at Cairncross Landfill is progressing
- 320ha of land have been treated for invasive weeds and over 450kms of weed dispersal routes treated as part of the Weed Management Program
- Feral animal control has been undertaken on Council-controlled land at Kingfisher Tip, North Shore, Christmas Bells and North Haven
- The Bushland Regeneration Program is ongoing with site works including Googlies southern foreshore, Grants headland, Lake Cathie North Head, Lighthouse beach and gully, Middle Rock and Knobbys Beach
- Ongoing education of residents, industry and community group on Council's tree management requirements with the Port Macquarie-Hastings 2013 tree management Development Control Plan is ongoing. Over 385 customer requests relating to tree matters have been handled during July to September, including those relating to public, private and illegal tree works
- Tree maintenance works have been undertaken, which has included pruning or removal of high-risk trees. Current status of total work is:
870 trees listed for works
Very High Risk (Priority 1) – 39,
High Risk (Priority 2) – 297,
Moderate/Low Risk (Priority 3-6) – 534.
- Delivering Bushfire preparedness and planning programs to the community is ongoing

- The draft Biodiversity Strategy was presented to the September 2017 Ordinary Council Meeting and will be placed on public exhibition in the coming months projects and included in the draft Long Term Energy Strategy, which was placed on public exhibition during August and September 2017
- Feasibility assessment completed for bulk street lighting upgrade to LED. The recommendation to proceed was adopted at the August 2017 Ordinary Council Meeting

Building Maintenance

- Installation of solar energy systems for a number of Council sites is underway with request for quote planned for November
- LED lighting upgrades for the Port Macquarie-Hastings Council office building are underway

Development Assessment

- Over 470 Development Applications, Construction Certificates, Complying Development Certificates were determined within agreed processing times for the July to September 2017 period

Operational Plan actions behind target - Community Theme – Your Natural and Build Environment

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
4.1.3.03 CW 17/18 Small towns sewerage program - provision of centralised sewerage systems for Comboyne (multi-year project)	Water and Sewer	Deliver project according to approved project plan (Small towns sewerage program - provision of centralised sewerage systems for Comboyne)	100%	50%	Behind schedule. Review of environmental factors and tender documentation currently being completed. Feedback from the Environmental Protection Authority on review of environmental factors have resulted in the need for additional design development. Anticipated completion September 2017. Documents for pricing likely to be issued October 2017.
4.1.3.04 CW 17/18 Small towns sewerage program - provision of centralised sewerage systems for Long Flat (multi-year project)	Water and Sewer	Deliver project according to approved project plan (Small towns sewerage program - provision of centralised sewerage systems for Long Flat)	100%	50%	Behind schedule. Review of environmental factors and tender documentation currently being completed. Feedback from the Environmental Protection Authority on review of environmental factors have resulted in the need for additional design development. Anticipated completion September 2017. Documents for pricing likely to be issued October 2017.

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
4.1.3.05 CW 17/18 Small towns sewerage program - provision of centralised sewerage systems for Telegraph Point (multi-year project)	Water and Sewer	Deliver project according to approved project plan (Small towns sewerage program - provision of centralised sewerage systems for Telegraph Point)	100%	50%	Behind schedule. Review of environmental factors and tender documentation currently being completed. Feedback from the Environmental Protection Authority on review of environmental factors have resulted in the need for additional design development. Anticipated completion September 2017. Documents for pricing likely to be issued October 2017.
4.1.3.07 Thrumster (Area 13) Sewerage Treatment Plant - environmental impact and concept study	Water and Sewer	Deliver project according to approved project plan (Thrumster (Area 13) Sewerage Treatment Plant - environmental impact and concept study)	100%	15%	Behind schedule. Project plan currently under development. Concept design and environmental impact statement review proposed to be undertaken as part of the initial works. Final review to be undertaken once complete.
4.1.3.10 Camden Haven upgrade and upsize of mains and pump stations	Water and Sewer	Deliver project according to approved project plan (Camden Haven upgrade and upsize of mains and pump stations)	100%	72%	Behind schedule. Sewer pump station upgrade complete. Mains upgrade ongoing and in accordance with approved budget. Initial design complete. Further design currently being undertaken including Geotech Investigation and review of environmental factors. Geotech investigation extended to allow for acid sulphate assessment. Anticipated completion Dec 17.
4.1.5.03 Continue stormwater remediation - flood remediation Blackbutt Creek, Wauchope	Transport and Stormwater Network	Deliver project according to approved project plan (Continue stormwater remediation -flood remediation Blackbutt Creek, Wauchope)	100%	50%	Behind schedule. Project continued from 2014/15 FY. Detailed design completed. Property acquisition matters are delaying works commencement. Project on hold until acquisition resolved.
4.1.7.2 Deliver a resident, commercial and industrial education program to encourage source	Environmental Services	Deliver the Waste Education program by 30 June	100%	0%	Behind target. Communications program being reviewed.

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
separation of waste					
4.2.1.2 Continue to implement Floodplain Risk Management, Coastal and Estuary Management Plans	Environmental Services	Deliver project according to approved project plan (Implement Floodplain Risk Management, Coastal and Estuary Management Plans)	100%	0%	Behind target. Awaiting Business case review.
4.2.2.2 Update the flood policy to include revised flood levels for the Hastings River as a result of Climate Change methodology	Environmental Services	Flood Policy updated	100%	0%	Behind target. Awaiting councillor briefing on climate change.
4.4.1.21 CW 17/18 Dunbogan Bridge - Reid Street - undertake substructure rehabilitation (multi-year project)	Transport and Stormwater Network, (Infrastructure Delivery)	Deliver project according to approved project plan (Dunbogan Bridge - Reid Street-undertake substructure rehabilitation)	100%	0%	Behind schedule. Project has been delayed due to the resignation of the Bridges and Structures Engineer. Engineering Planning Manager Transport and Stormwater Network working with Director to source external resources.
4.4.1.30 Undertake review of the Parking Strategy	Transport and Stormwater Network	Complete Parking Strategy review	100%	50%	On Hold. Project planning on hold pending resource. Recruitment for Temporary Project Engineer underway.
4.5.1.1 Facilitate development in the Major Innes Road/Charles Sturt University Precinct, including the Port Macquarie Hospital Precinct	Strategic Land Use Planning	Complete project plan by 31 Dec 2017 and commence implementation by 30 June 2018	100%	40%	Behind schedule. Project Plan commenced by Council's Strategic Projects Manager in collaboration with the Strategic Land Use Planning team.
4.6.1.6 Inform and educate residents, industry and community groups about Council's tree management requirements within the Port Macquarie-Hastings 2013 Development Control Plan (DCP)	Recreation and Buildings	Provide advice in accordance with service standards and industry best practice	100%	98%	Behind target. Total Customer Requests were 385 including 304 public tree issues, 69 private tree issues and 12 illegal tree works. Additional information: 152 enquires (70 public and 54 private phone and email enquires). This does not include calls transferred from call centre to staff. In additional there were 36 internal enquiries.

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 Team, Senior Leadership Team, Integrated Planning and Reporting Development Officer and Council 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 Statements are tabled separately and reflects the financial implications against the Operational Plan.

Attachments

1 [View](#). Operational Plan 2017-2018 Quarterly Progress Report as at 30 September 2017

Item: 09.13

Subject: 2016-2017 ANNUAL REPORT

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.1.4 Provide easy to understand and accessible community reporting.

RECOMMENDATION

That Council:

- 1. Adopt the 2016-2017 Annual Report, comprising Parts A and B.**
- 2. Submit the adopted 2016-2017 Annual Report to the Minister for Local Government by the 30 November 2017.**
- 3. Publish the adopted 2016-2017 Annual Report on Council's website and make copies of the report available at all Council Offices and Libraries.**
- 4. Note the distribution proposal for Part A Community Report Card 2016-2017.**

Executive Summary

The Annual Report is the key reporting document for Council to keep the community informed as to what was achieved in the financial year. By reporting on the actions undertaken against the 2016-2017 Operational Plan the community and Council can assess the progress of Council's broader objectives as stated in the 2013-2017 Delivery Program and the Towards 2030 Community Strategic Plan.

Under *Section 428 of the Local Government Act (1993)* Council is required to submit its Annual Report to the Office of Local Government no later than 30 November each year.

Part A Community Report Card – is a summary of the key achievements against Operational Plan actions, Delivery Program objectives supporting the Towards 2030 Community Strategic Plan. This Community Report Card also contains a snapshot of community statistics and the financial position. The document includes highlights of major initiatives and aims to give the community an overview that is both interesting and informative.

Part B Statutory Detail - contains the statutory detail that Council is required to provide under the *Local Government Act (1993)* and *Local Government (General) Regulation (2005)* and the requirements of the New South Wales Integrated Planning and Reporting Framework. This information gives a technical insight into the legislated obligations that Council must meet each year.

Part C Financial Statements consists of the audited financial statements which give the public a very detailed insight into the financial management of the organisation.

Discussion

In accordance with *Section 428 of the Local Government Act (1993)* and *Local Government (General) Regulation (2005)*, Council must, within five months of the end of each financial year, prepare an Annual Report which must include its audited financial statements, a range of statutory requirements and outline achievements in implementing the Delivery Program. This includes the achievements in undertaking the Operational Plan actions, which contribute to the overall Delivery Program objectives.

This report is separated into three parts:

Part A - Community Report Card is a reader friendly summary that provides an overview of the key achievements against Operational Plan actions, Delivery Program objectives supporting the Towards 2030 Community Strategic Plan. The document includes financial detail and highlights of major initiatives conducted throughout 2016-2017 financial year.

The distribution proposal for the Community Report Card will see it made available on Council's website, with reference hard copies available from Council offices and libraries. Printed copies will be available to Councillors for their distribution to community groups and networks, with additional copies used in coming months as a reference tool for community engagement activities.

Part B - Statutory Detail is a compilation of reporting details to meet statutory requirements including:

- Achievements in implementing the 2013-2017 Delivery Program and 2015-2016 Operational Plan;
- Amount of rates and charges written off during the year;
- Total cost during the year of the payment of expenses and the provision of facilities to Councillors, in relation to their civic functions;
- Details of overseas visits by Councillors, Council staff or other persons representing Council;
- Details of contracts awarded for amounts greater than \$150,000
- Summary of the amounts incurred by the Council in relation to legal proceedings;
- Summary of resolutions made under Section 67 of the Local Government Act concerning work carried out on private land;
- Statement of all external bodies that exercised functions delegated by Council
- Statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies in which Council held a controlling interest;
- Statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies in which the Council participated;
- Total amount of grants, financial assistance and contributions made by Council;

- Statement of activities to implement Council's Equal Employment Opportunity management plan;
- Statement of the total remuneration package of the General Manager;
- Statement of the total remuneration packages of all senior staff members;
- A statement detailing the stormwater management services provided;
- A statement detailing the coastal protection services provided;
- Particulars of any environmental upgrade agreement entered into;
- Report on special rate variation expenditure;
- Statement on activities relating to enforcing and ensuring compliance with the Companion Animals Act;

- Summary of Swimming Pool Inspections
- Statement on Public Interest Disclosures;
- Information included on Government Information Public Access (GIPA) activity; and
- Particulars of compliance with, and effect of, planning agreements in force during the year under the Environmental Planning and Assessment Act.

Part C - Financial Statements is made up of Council's audited financial statements. These statements are being presented to Council under separate cover at the November 2017 Ordinary Council Meeting.

Options

Council could seek additional information on the Annual Report.

Community Engagement & Internal Consultation

- General Manager
- Directors
- Group Managers and relevant staff

Planning & Policy Implications

The submission of the Annual Report meets Council's legislative requirements under the *Local Government Act (1993)* and *Local Government (General) Regulation (2005)*.

Financial & Economic Implications

Nil directly to this report, noting Financial Statements are provided as an attachment to a separate agenda item.

Attachments

[1View](#). 2016-2017 Annual Report - PART A - Community Report Card

[2View](#). 2016-2017 Annual Report - PART B - Statutory Detail

Item: 09.14

Subject: CARE EXPENSES REQUEST

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council approve the special consideration request for child care costs to Councillor Peter Alley totalling \$480 that are incurred due to Councillor Peter Alley attending the Local Government NSW Conference on 6-7 December 2017.

Executive Summary

Councillor Peter Alley has requested special consideration of the reimbursement of care expenses incurred whilst Councillor Alley attends the Local Government NSW Annual Conference 4 December - 6 December 2017.

Discussion

The adopted Payment of Expenses & Provision of Facilities to Councillors Policy ("the Policy") provides accountability and transparency in the reimbursement of expenses incurred, or to be incurred by the Mayor and Councillors.

One of the expenses that the Policy provides guidance for is care and other related Expenses. The content of this section of the Policy is below:

Council will reimburse a Councillor's reasonable expenses to cover engagement of a babysitter or carer where required to allow the Councillor to attend any Council, Committee Meeting or Council workshop.

Other than where a carer is required by a Councillor themselves, Council will meet the reasonable expenses for the care of:

- *A child of the Councillor; or*
- *A dependant of the Councillor requiring full-time care, actually and necessarily incurred by a Councillor whilst attending Council and Committee Meetings, and Council workshops.*

Council will not meet the reasonable expenses for the care of a child or a dependant of the Councillor if the care is provided by a relative of the Councillor who ordinarily resides with the Councillor.

A Councillor is entitled to make a submission to the General Manager, in writing, for special consideration regarding care, for which a recommendation will be put to Council.

On 24 October 2017 the General Manager received a request (at attachment 1) for consideration of reimbursement for care expenses from Councillor Peter Alley. The request is to reimburse the cost of care for Councillor Alley's child whilst Councillor Alley attends the Local Government NSW Annual Conference 4 December - 6 December 2017 (totalling \$480).

The General Manager considered this request to be a special consideration from Councillor Peter Alley as the Local Government NSW Annual Conference is not specifically mentioned in the Policy but could be considered as "*Council and Committee Meetings, and Council workshops*", as highlighted in the Policy.

As per the Policy the General Manager is recommending that Council approves the special consideration for child care costs as requested by Councillor Alley.

Options

Not approve the request as submitted by Councillor Alley.

Community Engagement & Internal ConsultationInternal Consultation

- General Manager.
- Group Manager Governance and Procurement.

Planning & Policy Implications

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

Financial & Economic Implications

There financial impact is \$480, which can be absorbed in to the 2017/2018 adopted Council budget.

Attachments

1 [View](#). Email to General Manager_Care Expense request

Item: 09.15

Subject: DRAFT CODE OF CONDUCT SUBMISSION

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council request the General Manager submit feedback relating to the draft Code of Conduct to the Office of Local Government.

Executive Summary

The Office of Local Government (OLG) distributed a Council Circular advising Councils that a draft Model Code of Conduct and associated procedure is available for consultation.

In the development of this report feedback has been sought from the General Manager and Councillors to submit a submission to the OLG.

Discussion

Due to the amendments to the *Local Government Act 1993* (the Act) as a result of the *Local Government Amendment (Governance and Planning) Act 2016*, pecuniary interest provisions of the Act and the Local Government (General) Regulation 2005 are to be incorporated into the Model Code of Conduct for Local Councils in NSW (the Model Code).

On the 3rd of November 2016, the Office of Local Government (OLG) requested feedback in relation to:

- The ethical standards prescribed under the Model Code.
- The operation of the Procedures.
- Requirements for the disclosure of interests by councillors and designated persons in returns of interests currently submitted under section 449 of the Act.

The OLG has considered the feedback from submissions provided as a result of the previous consultation (as noted above) and so on the 23rd of October 2017, the OLG communicated a Council Circular ("the circular") advising Councils (at Attachment 1) that a draft Model Code of Conduct (at Attachment 2) and associated procedure (at Attachment 3) was available for consultation.

These two documents are key documents that Port Macquarie-Hastings Council have historically used in the development of our adopted code and procedure.

As summarised by Lindsay Taylor Lawyers in the following link:

http://www.lindsaytaylorlawyers.com.au/in_focus/index.php/2017/10/alert-consultation-draft-of-revised-model-code-of-conduct-for-local-councils-in-nsw-released-today-for-public-comment/#.WfukZeQUmUk

in addition to the provisions regarding pecuniary interests, among the notable changes proposed in the draft Model Code are:

- clarification that conduct in good faith, whether or not it involves error, will not constitute a breach of fairness and equity obligations (see clause 3.5)
- there are new bullying provisions, but it is made clear that reasonable management action carried out in a reasonable manner does not constitute bullying behaviour (see clauses 3.8- 3.11)
- new standards requiring compliance with work health and safety obligations under the Work Health and Safety Act 2011 (see clause 3.12)
- new standards requiring disclosure of records of meetings and other communications with applicants and objectors to planning applications at the meeting at which the application is determined (see clause 3.15)
- new provisions regarding behaviour of councillors at meetings (see clauses 3.21- 3.24)
- clarification of the types of relationships that might give rise to non-pecuniary conflicts, and reinforcement of the importance of perception (see Part 5)
- a requirement that council officials do not participate in competitions for prizes where eligibility is based on the council being in a customer-supplier relationship with the competition organiser and a prohibition against personally benefiting from reward point programs when purchasing on behalf of council (see clause 6.3)
- banning gifts or benefits greater than \$50 from being accepted and introducing mandatory reporting of all gifts or benefits regardless of value (see clause 6.6)
- clarification that in relation to inappropriate interactions, a public forum includes social media (see clause 7.5)
- banning access to council information when councillors have a pecuniary or a significant non-pecuniary conflict of interest unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act (see clause 8.6)
- new standards regarding internet access and use of social media (see clause 8.20)

The draft Code Procedures have been amended to reflect that pecuniary interest matters are now dealt with under the Model Code. Other noteworthy provisions are:

- clarification on when complaints are not considered “code of conduct complaints” (see clause 4.2)
- clarification that complaints about the General Manager may be made to external agencies (see clause 4.11)
- a discretion for a General Manager or Mayor to delegate functions under Part 5 of the Code Procedures to a member of staff or persons external to council (see clause 5.1)
- clarification on when the Mayor or General Manager may decline to deal with a complaint at the outset (see clause 5.2)

- a new provision providing a procedure for dealing with a complaint about both the General Manager and Mayor (see clause 5.33)
- establishing additional complaints assessment criteria to be considered by a conduct reviewer in the preliminary assessment of a complaint (see clause 6.30)
- establishing additional sanctions which an investigator may recommend be imposed by a council if it is determined that conduct investigated constitutes a breach of the code of conduct (see clause 7.36)
- a prohibition against council inviting submissions from persons other than the person the subject of an investigation when considering a final investigation report and the sanctions to be imposed on that person (see clause 7.52)
- a requirement for a report to OLG to be given if Council does not adopt the sanctions in the investigation report (see clauses 7.60 – 7.62)
- a discretion for the General Manager to refuse to provide further information about a code of conduct complaint (with the consent of the OLG) if a complainant has publicly disclosed information about a code of conduct complaint that they have made or purported to make (see clause 12.2)

Councillors and the General Manager were asked to provide feedback, the feedback thus far is in attachments 4 and 5.

Options

Council has the option not to provide feedback, or to provide additional feedback as to what is included in this report.

Community Engagement & Internal Consultation

Internal Consultation

- General Manager.
- Councillors.
- Group Manager Governance and Procurement.

Planning & Policy Implications

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

Financial & Economic Implications

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

Attachments

- 1 [View](#). Council Circular- 17-30 Consultation on drafts of the new Model Code of Conduct for Local Councils in NSW and associated Procedures
- 2 [View](#). Model Code of Conduct for Local Councils in NSW - Consultation Draft
- 3 [View](#). Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW - Consultation Draft
- 4 [View](#). Draft Code of Conduct Feedback
- 5 [View](#). Draft Code of Conduct Procedure feedback

Item: 09.16

Subject: INVESTMENT POLICY REVIEW - POST EXHIBITION

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

That Council adopt the amended Investment Policy.

Executive Summary

The Investment Policy with proposed amendments was placed on public exhibition for the period 27 September 2017 to 24 October 2017 (28 days).

There were no submissions during the public exhibition process.

Discussion

At the Ordinary Council Meeting on 20 September 2017, Council resolved to place the Investment Policy with recommended amendments on public exhibition from 27 September 2017 to 24 October 2017 (28 days).

The public exhibition period is now complete with no submissions received via mail, email or in person.

Within the exhibition period there were three (3) views and three (3) downloads of the Investment Policy via Council's engagement website page.

Options

Council has the option not to amend the Policy identified within this report.

Community Engagement & Internal Consultation

The Investment Policy was available for public comment from 20 September 2017 to 24 October 2017 (28 days). No submissions were received.

Planning & Policy Implications

This report recommends the amendment of the current Investment Policy.

Financial & Economic Implications

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

Attachments

1 [View](#). Draft Investment Policy

Item: 09.17

Subject: DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM
PERFORMANCE

Presented by: Development and Environment, Daniel Croft

Alignment with Delivery Program

1.4.2 Deliver agreed services at the agreed service level at best value.

RECOMMENDATION

That Council note the Development Activity and Assessment System Performance report for the first quarter of 2017-2018.

Executive Summary

This report provides a summary of development assessment, building certification and subdivision certification activities for the July to September 2017 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 four years.

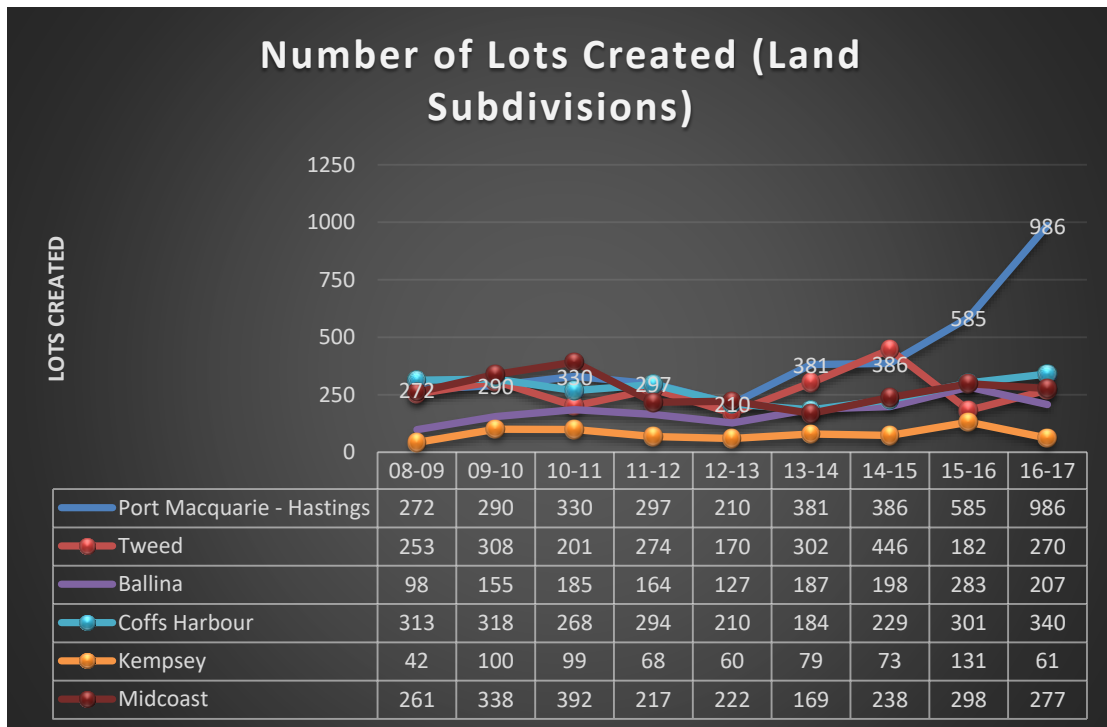
Overall, application volumes are continuing to increase. The monthly average number of development applications (DA) received for the quarter was 95 DAs, which is up from the monthly average of 89 DAs in 2016-2017 and 85 in 2015-2016. A similar trend is evident with plumbing and drainage approvals, with the monthly average for the quarter being 110, up from 87 in 2016-2017 and 72 the previous year. The greater number of plumbing and drainage application compared to development applications can be attributed to small village sewerage scheme connections as well as the increase in the number of complying development certificates being issued by private certifiers. The monthly average building and plumbing inspections for the quarter was 560, significantly greater than the monthly average of 455 in 2106-2017 and 407 the previous year.

Complying development certificates (CDCs) and building Construction Certificates processed by Council have remained relatively steady over the last few years with the private sector taking up the additional work generated by the overall increase in activity. Infrastructure construction certificates and subdivision certificates have also remained steady over the past few years. This can however be deceptive given the large number of lot releases proposed per application compared to previous years.

Noting the continued trend for increased development activity, coupled with recent large land releases in Port Macquarie, Lake Cathie and Wauchope. Additional staff resourcing in development assessment is being pursued by management, with recruitments planned early in the New Year.

Applications Received and Determined									
Applications Type	2013-14 Monthly Average	2014-15 Monthly Average	2015-16 Monthly Average	2016-17 Monthly Average	2017 - 18 Monthly Average	2017 - 18 TOTAL	Jul-17	Aug-17	Sep-17
DAs Received	70	76	85	89	95	284	95	117	72
DAs Determined	65	74	79	80	95	285	73	119	93
DA Modifications Received	11	14	17	15	18	55	19	20	16
DA Modifications Determined	11	14	15	15	13	38	9	16	13
Complying Development Certificates Received by Council	13	10	7	9	10	29	13	2	14
Complying Development Certificates Determined (Private Certifier)	12	10	7	16	9	27	7	6	14
Complying Development Certificates Determined (Private Certifier)	14	15	21	19	42	127	47	44	36
Construction Certificates (Building Work) Received by Council	42	46	41	42	43	129	34	54	41
Construction Certificates (Building Work) Determined by Council	38	45	38	38	44	132	33	57	42
Construction Certificates Building Work Determined (Private Certifier)	17	20	29	23	40	120	34	44	42
Building Inspections Undertaken	371	393	407	455	560	1680	483	597	600
Plumbing & Drainage Applications Determined	52	64	72	87	110	331	94	131	106
Infrastructure Construction Certificates Received	5	8	9	13	12	37	8	14	15
Infrastructure Construction Certificates Determined	4	6	9	8	10	29	10	6	13
Subdivision Certificates Received	8	10	11	12	14	43	11	24	8
Subdivision Certificates Determined	7	9	10	11	10	31	8	9	14
Roads Act Applications Determined	30	38	49	49	66	199	77	73	49

To further highlight the level of activity being experienced in the Port Macquarie-Hastings, the graph below illustrates the number of new lots registered with the Lands Title Office over the past 9 years. Comparisons are provided with Tweed, Ballina, Coffs Harbour, Kempsey and Midcoast Councils. The last 2 years has seen an incredible increase in the number of lots released in the Port Macquaries Hastings compared to nearby Councils, with a total of 986 new land parcels created (excluding strata lots) in the Port Macquarie-Hastings in 2016-2017 alone. This compares to 270 in Tweed and 340 in Coffs Harbour during the same period.



The following table outlines the estimated value of works per development type approved for the quarter. With a total of \$81 million in value for the quarter, it is likely that the 2016-2017 total of \$300million will be equalled or surpassed.

Value of Works DA	Jul-17	Aug-17	Sep-17	Total to date 2017 - 2018	Total 2016 -2017
Ancillary DA	\$294,761	\$977,764	\$1,112,275	\$2,384,800	\$5,416,321
Ancillary CDC	\$367,490	\$654,460	\$444,502	\$1,466,452	\$1,559,611
Commercial DA	\$810,810	\$305,625	\$124,600	\$1,241,035	\$12,710,871
Commercial CDC	\$107,800	\$260,000	\$326,032	\$693,832	\$4,007,057
Community DA	\$1,856,000	\$535,000	\$4,266	\$2,395,266	\$1,851,000
Community CDC	\$0	\$0	\$0	\$0	\$330,000
Industrial DA	\$55,000	\$0	\$120,000	\$175,000	\$7,176,750
Industrial CDC	\$80,000	\$199,261	\$10,000	\$289,261	\$503,000
Residential DA	\$14,027,679	\$19,799,756	\$15,370,108	\$49,197,543	\$190,943,031
Residential CDC	\$7,788,936	\$6,826,987	\$4,568,938	\$19,184,861	\$37,712,396
Rural DA	\$384,000	\$1,433,410	\$1,030,000	\$2,847,410	\$7,635,746
Rural CDC	\$0	\$0	\$390,000	\$390,000	\$1,237,092
Subdivision DA	\$0	\$40,000	\$0	\$40,000	\$26,708,500
Tourist DA	\$755,000	\$0	\$0	\$755,000	\$1,711,860
Tourist CDC	\$0	\$0	\$475,000	\$475,000	\$690,000
Total	\$26,527,476	\$31,032,263	\$23,500,721	\$81,060,460	\$300,193,235

Application processing data and longer term trends for the various application types is provided in the table below. It is noted that gross monthly average DA processing time of 55 days is steady on previous years and is still well below the NSW average of 76 days for a DA.

Gross processing times for infrastructure construction certificates have increased over the quarter from 77 days to 109 days. This figure has been influenced by a number of outliers. One particular application determined during September was on hold, waiting on additional information from the applicant, for more than a year. In this respect, the net monthly average processing days of 52 is considered a more

relevant. This is still up on the 2016-2017 net monthly average of 39 days. The above graph on the number of lots released in recent times provides a good insight into the overall increase in development assessment work generated by such significant growth and is a factor in the increased processing times for construction certificates. Monthly gross average processing days for subdivision certificates over the quarter is 55 days, which is slightly down from 60 days the previous year.

PMHC Application Processing Performance							
	2014-15 Average	2015-16 Average	2016-17 Average	2017 - 2018 Average	Jul-17	Aug-17	Sep-17
DAs Processing - Net Median Days	30	30	31	38	39	41	34
DA Processing - Net Average Days	36	34	26	42	43	42	41
DA Processing - Gross Average Days	56	58	55	55	57	50	58
Complying Development Processing - Net Average Days	13	6	6	7	7	11	3
Complying Development Processing - Gross Average Days	14	7	8	7	7	12	3
Building Construction Certificate Processing - Net Average Days	12	9	9	12	16	12	8
Building Construction Certificate Processing - Gross Average Days	49	51	52	60	65	62	54
Plumbing & Drainage Applications Processing - Net Average Days	17	16	15	31	57	21	16
Plumbing & Drainage Applications - Gross Average Days	61	51	47	39	21	50	46
Infrastructure Construction Certificate Processing - Net Average Days	41	54	39	52	56	65	35
Infrastructure Construction Certificate Processing - Gross Average Days	114	94	77	109	90	93	144
Subdivision Certificates Processing - Net Average Days	33	42	40	42	35	60	31
Subdivision Certificates Processing - Gross Average Days	72	97	60	55	55	73	38
Roads Act Applications Processing - Net Average Days	16	17	19	19	32	12	12
Roads Act Applications Processing - Gross Average Days	41	43	48	43	56	39	34

Options

This is an information report.

Community Engagement & Internal Consultation

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

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.

Engagement on development activity is also undertaken through the Construction Industry Action Group.



Planning & Policy Implications

There are no planning and policy impacts.

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

2 Your Community Life

What we are trying to achieve

A healthy, inclusive and vibrant community.

What the result will be

We will have:

- Community hubs that provide access to services and social connections
- 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 we will get there

- 2.1 Create a community that feels safe
- 2.2 Advocate for social inclusion and fairness
- 2.3 Provide quality programs, community facilities and public spaces, for example, community halls, parks and vibrant town centres
- 2.4 Empower the community through encouraging active involvement in projects, volunteering and events
- 2.5 Promote a creative and culturally rich community

Item: 10.01

Subject: RECOMMENDED ITEM FROM CULTURAL STEERING GROUP - BICENTENARY

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.5.1 Support cultural activities within the community.

RECOMMENDATION

That Council:

- 1. Note the currently proposed Bicentenary activities as reported to the Cultural Steering Group.**
- 2. Support and encourage the active involvement of the Birpai people in the activities and events.**
- 3. Consider a further report at the December Ordinary Council Meeting outlining the options for the level of involvement and resources required of Council in relation to the celebrations.**

Executive Summary

The Cultural Steering Group (CSG) met on 1 November 2017, and reached consensus on Item 06 Bicentenary Program 2018. The report to the CSG is attached for reference.

The Cultural Steering Group resolution:

That the Cultural Steering Group

- 1. Notes the proposed bi-centenary activities.*
- 2. Supports a higher level of overall energy and focus on celebrating this event.*
- 3. Supports and encourages the active involvement of the Birpai people in the event.*
- 4. Recommends to council that a budget be allocated to support the event in both 2017/18 and 2018/19.*

Executive Management Comment

The adopted Cultural Steering Group (CSG) charter highlights that recommendations to Council are to be made through the relevant Director. In this instance, Council's Executive team have reviewed the CSG resolution and provide the following information to support the recommendation presented as part of this report.

The CSG resolution currently lacks specific detail around Council involvement in the activities from either facilitation or support through to managing the celebrations on a holistic level.

There are many options available in regard to this, and there was limited time for staff to have prepared detailed options for consideration as part of this report, following the CSG meeting.

Should Council resolve in line with the recommendation included in this report, appropriate time would be allocated to presenting a developed report back to the December Meeting.

Accordingly, a recommendation to Council based on the CSG resolution is now presented to Council for consideration.

Attachments

1 [View](#). Cultural Steering Group - Bicentenary Program 2018

Item: 10.02

Subject: RECLASSIFICATION OF LAND AT WAUCHOPE FROM OPERATIONAL LAND TO COMMUNITY LAND

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.3.2 Provide a range of inclusive sporting and recreational opportunities and facilities to encourage a healthy and active lifestyle.

RECOMMENDATION

That Council:

- 1. Pursuant to Section 33 of the Local Government Act 1993 reclassify Lot 52 DP1035553, Lots 11 & 12 DP855941 and Lot 2 DP1118155 (land situated on the corner of Oxley Highway and Stoney Creek Road, Wauchope as 'Community land' for regional sports.**
- 2. Request the General Manager take the necessary administrative steps to update Council's land register and GIS mapping systems.**

Executive Summary

Development of a multi-use regional sports precinct on Council owned land at Wauchope, Lot 52 DP1035553, Lots 11 & 12 DP855941 and Lot 2 DP1118155, situated on the corner of Oxley Highway and Stoney Creek Road, has been the subject of several reports to Council in November 2016 and February 2017.

The purpose of this report is to consider the outcome of public notification under Section 34(2) of the Local Government Act of Council's intention to reclassify Council owned land, Lot 52 DP1035553, Lots 11 & 12 DP855941 and Lot 2 DP1118155 on the corner of Oxley Highway and Stoney Creek Road, Wauchope from 'Operational' public land to 'Community' public land for regional sports.

No submissions have been received consequent to the Public Notification of a proposed Council resolution to reclassify the land.

It is recommended that Council resolve to reclassify the land consistent with Section 33 of the Local Government Act 1993.

Note that a parallel report considering the public submissions and government agency responses received in response to community engagement regarding a proposed change to the zoning of the same land at Wauchope is included as a separate agenda item.

Discussion

Under the Local Government Act 1993, all Council-owned public land has to be classified as either 'community' or 'operational'. Reclassification is the process of changing the classification of 'community' land to 'operational' land or vice versa.

As the site of a proposed regional sports facility, Council resolved to reclassify the subject land on the corner of Oxley Highway and Stoney Creek Road, Wauchope to 'Community - Sports ground'.

At the February 2017 Ordinary Meeting, Council resolved as follows:

RESOLVED:
Levido/Cusato

That Council:

- 1. Give public notice of its intention to classify Lot 52 DP1035553, Lots 11 & 12 DP855941 and Lot 2 DP1118155 (land situated on the corner of Oxley Highway and Stoney Creek Road, Wauchope) as "community land", concurrent with the exhibition of the draft planning proposal to permit the land to be used as a multi-use regional sports and recreation precinct.*
- 2. Note that a further report will be presented to Council following the exhibition period, outlining details of any submissions received.*

CARRIED: 9/0

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

In accordance with part 1 of Council's resolution, Public Notice of a proposed resolution to reclassify the land in question was undertaken along with notification of public exhibition of the planning proposal to rezone the land from RU1 Primary Production to RE1 Public recreation under Port Macquarie-Hastings Local Environmental Plan 2011.

No submissions were received in response to the proposed resolution to reclassify.

The rezoning and reclassification processes have been undertaken in parallel, in the interest of ensuring procedural transparency. The public exhibition of the planning proposal to rezone the land has been undertaken in parallel with the public notification of the proposed reclassification.

Councillors should note that the proposed facility is yet to be formally named, however previous reports to Council have referred to the area as the Hastings Regional Sports Fields.

Options

Council's options are:

1. To resolve to reclassify the land as described in the report.
2. Make changes to the proposed resolution to reclassify. Note: The new proposed resolution would need to be re-exhibited for a minimum 28 days.

3. Not resolve to reclassify the land.

Option 1 is recommended.

Community Engagement & Internal Consultation

Section 33 'Reclassification of operational land as community land' clarifies that it is appropriate and acceptable to classify land from 'operational' to community' via a resolution of Council. Section 34 provides that where it is proposed to do so, Council must give public notice of its intention to resolve to classify or reclassify public land. The public notice must:

- include the terms of the proposed resolution and a description of the public land concerned,
- specify a period of not less than 28 days during which submissions may be made to the council.

In accordance with Section 33 and 34, public notification of a proposed resolution was made publicly available on Council's website and at Council's Offices in Port Macquarie, Wauchope and Laurieton for the duration.

A minimum 28 days from 20 September 2017 to 20 October 2017 was provided for submissions to Council.

Public notification included the terms of the proposed resolution, a description of the public land concerned and satisfied the minimum period during which submissions could be made as described above. Notification was provided in parallel with public notification of the commensurate planning proposal to change the zoning of land

No submissions were received as a result of the public notification.

Planning & Policy Implications

A 'community' classification is intended for public land that is intended to be reserved for the longer term in the interests of the community, as is the case for the proposed sporting precinct at Wauchope. Community land cannot be sold or permanently leased, licensed or interest otherwise granted.

Community land is required to be used and managed in accordance with a plan of management developed by Council.

A consequent plan of management will be prepared by Council's Parks staff, indicating how the land is to be used (i.e. natural area, sports ground, park, cultural area or general community use).

Financial & Economic Implications

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

Attachments

Nil

3 Your Business and Industry

What we are trying to achieve

A region that is a successful place that has vibrant, diversified and resilient regional economy that provides opportunities for people to live, learn, work, play and invest.

What the result will be

We will have:

- A strong economy that fosters a culture supportive of business and ensures economic development of the region
- Townships, villages and business precincts that are vibrant commercial, cultural, tourism, recreational and/or community hubs
- A region that attracts investment to create jobs
- Partnerships that maximise economic return and create an efficient and effective business environment

How we will get there

- 3.1 Embrace business and a stronger economy
- 3.2 Create vibrant and desirable places
- 3.3 Embrace opportunity and attract investment to support the wealth and growth of the community
- 3.4 Partner for success with key stakeholders in business, industry, government, education and the community

Item: 11.01

Subject: ECONOMIC DEVELOPMENT STRATEGY 2017-2021: SIX MONTHLY REPORT ON PROGRESS

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the six monthly progress report on implementation of the 2017-2021 Port Macquarie-Hastings Economic Development Strategy.

Executive Summary

The implementation of actions under Council's 2017-2021 Economic Development Strategy continues the work undertaken over the course of the 2013-2016 Strategy to enhance the economic future for our region. Delivery of a diverse range of projects is underway, with positive outcomes is being achieved through collaboration between Council, local business and industry groups. Priorities and progress of the Strategy's implementation continues to be overseen by Council's Economic Development Steering Group (EDSG) which meets monthly.

Discussion

Council adopted the 2017-2021 Economic Development Strategy at its meeting on 17 May 2017, following public exhibition.

In adopting the Strategy, Council resolved to monitor implementation by way of a six monthly report on progress against actions. This report constitutes the first implementation report for the new Strategy.

The Strategy was considered to be a renewal rather than a totally new Strategy and continued with the following five key outcomes:

1. Embracing business and a strong economy.
2. Providing the foundations.
3. Creating vibrant and desirable place.
4. Driving opportunity.
5. Partnering for success.

In the past six months, progress has continued under the above themes. Attachment 1 provides an overview of a range of actions and initiatives which have been completed or progressed in the period May-October 2017.

Some key highlights include:

- On-going investment and planning for infrastructure and recreation projects;
- Advocacy in the form of engagement with state and federal ministers and members of parliament, and submissions to parliamentary inquiries on matters of importance to our regional economy;
- Completion of the draft Urban Growth Management Strategy;
- Council sponsored and supported 16 locally owned and hosted vents;
- Destination marketing and PR delivery in accordance with our Destination Management Plan including the new official visitors guide;
- 2017 Business Confidence Survey (447 responses compared to 303 in 2016);
- Secured NSW Government funding support for various projects including the Live, Work, Invest campaign and the Regional Skills Audit.

At its 25 October 2017 meeting, the Economic Development Steering Group reviewed progress to date and endorsed the approach to reporting as per the attachment to this report.

Options

Council may note the report or choose to ask for further information.

Community Engagement & Internal Consultation

Community Engagement

The Strategy implementation is undertaken by working with local business and industry and with oversight by the Port Macquarie Hastings Economic Development Steering Group.

Internal Consultation

Strategy action implementation has been undertaken by/in collaboration with a wide range of Council staff.

Planning & Policy Implications

Council at its 17 May 2017 meeting resolved to receive a six monthly progress report on the actions within the Strategy.

Financial & Economic Implications

It should be recognised that there is the potential for significant economic benefits to the Local Government Area if the outcomes identified in the adopted Strategy are achieved.

Attachments

1 [View](#). Status Report: 2017-2021 Economic Development Strategy Implementation

4 Your Natural and Built Environment

What we are trying to achieve

A connected, sustainable, accessible community and environment that is protected now and into the future.

What the result will be

We will have:

- Effective management and maintenance of essential water, waste and sewer infrastructure
- A community that is prepared for natural events and climate change
- Sustainable and environmentally sensitive development outcomes that consider the impact on the natural environment
- Accessible transport network for our communities
- Infrastructure provision and maintenance that meets community expectations and needs
- Well planned communities that are linked to encourage and manage growth
- Accessible and protected waterways, foreshores, beaches and bushlands
- An environment that is protected and conserved for future generations
- Renewable energy options that are understood and accessible by the community

How we will get there

- 4.1 Provide (appropriate) infrastructure and services including water cycle management, waste management, and sewer management
- 4.2 Aim to minimise the impact of natural events and climate change, for example, floods, bushfires and coastal erosion
- 4.3 Facilitate development that is compatible with the natural and built environment
- 4.4 Plan for integrated transport systems that help people get around and link our communities
- 4.5 Plan for integrated and connected communities across the Port Macquarie-Hastings area
- 4.6 Restore and protect natural areas
- 4.7 Provide leadership in the development of renewable energy opportunities
- 4.8 Increase awareness of issues affecting our environment, including the preservation of flora and fauna



Item: 12.01

Subject: CAMDEN HAVEN SEWER PUMP STATION 22 - GRANT OF EASEMENT FOR UNDERGROUND ELECTRICITY

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

4.1.3 Plan, investigate, design and construct sewerage assets ensuring health, safety, environmental protection and the future growth of the region.

RECOMMENDATION

That Council, pursuant to Section 377 of the Local Government Act 1993, delegate authority to the General Manager to sign the:

- 1. Land Titles Office Transfer Granting Easement form.**
- 2. Survey plan showing easement to be granted.**

Executive Summary

The upgrade of the Camden Haven Sewer Pump Station 22 requires the laying of underground electrical cables to meet the increased electrical demand arising from the augmentation. Essential Energy has requested that Council grant an easement over the path of the underground electrical cables.

Discussion

The augmentation of the Camden Haven Sewer Pump Station 22 will require the laying of new underground electrical cables to meet the needs of the new pumps.

Council has previously acquired an easement over Crown land that surrounds the pump station. The location of the acquired easement is shown by green shading on the attached design plan.

Essential Energy has recently advised that it also requires an easement over the path of the underground cables where the cables will be buried within the land owned by Council being the sewer pump station. The location of the easement to be granted is shown by the pink shading on the attached design plan.

A plan showing the general locality of Sewer Pump Station 22 is also attached.

A survey of the path of the easement is required to be registered at the Land Titles Office in order for the easement to be registered in favour of Essential Energy.

Options

There are no alternative options as Essential Energy will not agree to the laying of the cables unless easements are provided.

Community Engagement & Internal Consultation

There has been consultation between the Infrastructure Division and the Corporate Performance Division.

Planning & Policy Implications

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

Financial & Economic Implications

Costs incurred in the preparation of the survey showing the easement to be granted and registration of the easement at the Land Titles Office will be \$1,100 (GST exclusive). There is funding in the augmentation budget to meet these costs.

Attachments

- 1 [View](#). General Location of Sewer Pump Station 22
- 2 [View](#). Plan Showing Easement to be Granted

Item: 12.02

Subject: QUESTION FROM PREVIOUS MEETING - POTENTIAL PUMPED HYDRO SITES

Presented by: Development and Environment, Daniel Croft

RECOMMENDATION

That Council note the information contained in the Potential Pumped Hydro Sites report.

Question from Councillor Alley:

The Australian National University as part of their Beyond Zero Emissions project have been mapping Australia looking for potential pumped hydro sites that are not in National Parks and have the potential for a 300+m head and prospective energy storage of 1GWh and above. On the 21 September this year, they published a list of 8,500 possible sites in NSW. I understand that over a hundred of these potential sites fall within the boundaries of the Port Macquarie-Hastings Local Government Area.

Pumped Hydro is a proven technology for energy storage that has been in use in Australia since the Tumut 3 power station was developed in 1973.

Can the General Manager:

1. Confirm how many of these sites are in the Port Macquarie-Hastings Local Government Area?
2. Outline the environmental and regulatory process for a company that wishes to establish a pumped hydro station within our LGA?

Comments by Councillor (if provided):

Nil.

Response

1. The attached map outlines 149 potential sites identified by the Australian National University as suitable for pumped hydro facilities. These sites are located outside of the E1 Environmental Conservation zone under the Port Macquarie-Hastings Local Environmental Plan 2011 (LEP). The sites mapped as being suitable for pumped hydro are either zoned RU1 Primary Production, RU2 Rural Landscape or RU3 Forestry under the LEP.
2. 'Pumped hydro', is a land use defined as 'electricity generating works' under the LEP, which means; 'a building or place used for the purpose of making or generating electricity'.

Under State Environmental Planning Policy (Infrastructure) 2007 (SEPP), The RU1, RU2 and RU3 zones are identified as 'prescribed zones', where electricity generating works are permissible with consent. It should be noted that the SEPP is a higher order planning instrument and prevails over the LEP where there is any inconsistency with permitted land uses.

A development application (DA) would therefore be required to be lodged with Council for pumped hydro facilities. Facilities that are capable of supplying more than 1 megawatt of hydroelectric power would additionally be classed as 'designated development' under the Environmental Planning and Assessment Regulation 2000, requiring the preparation of an Environmental Impact Statement to support any DA. Projects with a capital investment value over \$5 million would ultimately be determined by the Northern Joint Regional Planning Panel.

There would be a variety of site specific issues that would need to be addressed when preparing a DA for a pumped hydro facility. Noting many of the sites are likely to be vegetated, ecological impacts and potential vegetation offsetting would be a key consideration. Other issues such as visual impact, compatibility with adjoining land uses and geotechnical conditions would also be of relevance.

For proponents scoping the suitability of a particular site for a pumped hydro facility, early consultation with Council planning staff through a pre-lodgement meeting is recommended. This will enable the appropriate planning pathway and site specific issues to be identified.

Attachments

1 [View](#). PMHC PHES Sites

Item: 12.03

Subject: DETERMINATION OF DA2017 - 562.1 FOR A 4 LOT TORRENS TITLE SUBDIVISION INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.1 (MINIMUM SUBDIVISION LOT SIZE) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AND FENCE/ESTATE SIGNAGE AT LOT 201 DP 1232146 SEASIDE DRIVE, LAKE CATHIE

Report Author: Daniel Croft

Applicant: Hopkins Consultants Pty Ltd
Owner: Vardanega Pty Ltd
Estimated Cost: Nil
Parcel no: 66856

Alignment with Delivery Program

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

RECOMMENDATION

That the determination of DA2017 – 562.1 for a 4 Lot Torrens Title Subdivision including Clause 4.6 Objection to Clause 4.1 (Minimum Subdivision Lot Size) of the Port Macquarie-Hastings Local Environmental Plan 2011 and Fence/Estate Signage at Lot 201, DP 1232146, Seaside Drive, Lake Cathie, be noted.

Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegation. Granting of the consent involved the use of Clause 4.6 (Exceptions to development standards) of Port Macquarie-Hastings Local Environmental Plan 2011 to vary Clause 4.1 (Minimum subdivision lot size) by not more than 10%.

The proposal was approved under delegation by Council's Group Manager Development Assessment on 17 October 2017. The proposed development resulted in a 6% variation to the 450m² minimum lot size for erection of dwellings in the area.

The variation was considered minor and not expected to result in any significant adverse planning impacts. There was sufficient justification on environmental planning grounds for the development as detailed below:

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



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- 4 lot Torrens title subdivision with shared access to Summer Circuit;
- Construction of fencing and ‘Seaside Estate’ entrance signage.

Refer to attachments at the end of this report.

Attachments

- 1 [View](#). DA2017 - 562.1 Consent
- 2 [View](#). DA2017 - 562.1 Stamped Approved Subdivision Plans

YOUR NATURAL AND BUILT ENVIRONMENT

Item: 12.04

Subject: DETERMINATION OF DA2017 - 669.1 DWELLING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.2A (ERECTION OF DWELLING HOUSES IN RURAL ZONES) UNDER THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 54 DP 754442 BELLANGRY ROAD, MORTONS CREEK

Report Author: Daniel Croft

Applicant: Love Project Management
Owner: P J Rock
Estimated Cost: \$270,000
Parcel no: 15348

Alignment with Delivery Program

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

RECOMMENDATION

That the determination of DA2017 – 669.1 for a Dwelling including Clause 4.6 objection to Clause 4.2A (erection of dwelling houses in rural zones) under the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 54, DP 754442, Bellangry Road, Mortons Creek, be noted.

Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegation. Granting of the consent involved the use of Clause 4.6 (Exceptions to development standards) of Port Macquarie-Hastings Local Environmental Plan 2011 to vary Clause 4.2A (Erection of dwelling houses in rural zones) by not more than 10%.

The proposal was approved under delegation by Council's Group Manager Development Assessment on 12 October 2017. The proposed development resulted in a 5.7% variation to the 40 hectare minimum lot size for erection of dwellings in the area.

The variation was considered minor and not expected to result in any significant adverse planning impacts. There was sufficient justification on environmental planning grounds for the development as detailed below:

- The site is only 2.28 hectares (5.7%) below the 40 hectare minimum lot size that would allow the erection of a dwelling on the land. An additional 2.28 hectares of land is not considered likely to substantially improve the viability of primary production on the land.
- The proposal is consistent with the objectives of the RU1 Primary Production zone and the objectives of the development standard (Clause 4.2A) under the Port Macquarie-Hastings Local Environmental Plan 2011.
- The land has existing services including electricity and access to a sealed public road and is not expected to create an unreasonable demand for the community to fund such infrastructure.
- The proposal has been demonstrated to have no significant adverse impacts on adjoining properties or the environment.

The Department of Planning's circular PS 08-003 provides for Director General's assumed concurrence in this case. The Department's circular PS 08-014 further reminds councils of their assumed concurrence role in relation to SEPP 1 and Clause 4.6 Local Environmental Plan variations. This 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 is a proposed lot in a boundary adjustment and consolidation approved under DA2017 – 192.1. Upon registration of the subdivision plan the site will have an area of 37.72 hectares.

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

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of a rural dwelling, including access, on-site water supply, and on-site wastewater management.

Refer to attachments at the end of this report.

Attachments

1 [View](#). DA2017 - 669.1 Consent

2 [View](#). DA2017 - 669.1 Stamped Approved Plans

Item: 12.05

Subject: HASTINGS REGIONAL SPORTS FIELDS - SUBMISSIONS REVIEW

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.5.2 Plan for infrastructure that supports population growth.

RECOMMENDATION

That Council:

- 1. Take the necessary steps under sections 58 and 59 of the *Environmental Planning and Assessment Act 1979* to finalise *Local Environmental Plan 2011 (Amendment No 44)* as attached.**
- 2. Thank in writing all those who made a submission for their contribution and provide information on Council's decision on the matter.**

Executive Summary

The purpose of this report is to consider the public submissions received in response to community engagement regarding a proposed change to the zoning of Council owned land, Lot 52 DP 1035553, Lot 2 DP 1118155 and Lots 11 & 12 DP 855941 Wauchope, for multi-use regional sports fields.

One public submission and two agency responses were received as a result of the exhibition. The public submission expressed concern in relation to relocating major sporting events out of Port Macquarie. The submission concluded that Wauchope is not an appropriate alternative location for regional sports.

Agency responses were received from the Office of Environment and Heritage and the Department of Primary Industries – Agriculture. Agency comments and requests have been addressed as discussed in this report.

Following assessment of the submissions it is recommended that Council approve the proposal.

Note that a parallel report considering the reclassification of the subject land from Operational to Community land is included as a separate agenda item.

Background

On 16 November 2016 Council considered a report on a planning proposal to rezone Council owned land on the corner of Stoney Creek Road and the Oxley Highway at Wauchope for public recreation. Council resolved as follows:

RESOLVED: Griffiths/Dixon

That Council:

- 1. Prepare a draft planning proposal in relation Council owned land adjacent the Oxley Highway at Wauchope to amend the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, to permit the land to be used as a multi use regional sports and recreation precinct, as described in this report, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979.*
- 2. Forward the draft planning proposal to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to Sections 56 - 58 of the Act.*
- 3. Request that the Director General of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under Section 59 of the Act in respect of the planning proposal.*

The proposal involves an amendment to the Port Macquarie-Hastings Local Environmental Plan (LEP) 2011 Land Zoning (LZN) map series to convert the subject Council owned land at Wauchope from RU1 Primary Production to RE1 Public Recreation. A plan showing the site context and proposed zoning layout is shown below:



The intended outcome of the planning proposal is to permit future development of the land for a multi-use sporting facility. It is also intended that the land remain as a public asset to meet the community’s long term recreational and sporting needs.

In accordance with Council’s October 2016 resolution, a draft planning proposal was prepared by Council’s Strategy and Growth Land Use staff and forwarded to the Department of Planning and Environment requesting a Gateway Determination. A conditional Gateway Determination to proceed with the planning proposal was issued in January 2017. Conditional requirements included:

- Preparation, and inclusion in the planning proposal, of an Aboriginal Cultural Heritage Assessment for the site prior to community engagement.
- Community engagement for a minimum of 28 days
- Consultation with the following public authorities and compliance with the requirements of S117 Directions:
 - NSW Office of Environment and Heritage
 - Birpai Local Aboriginal Land council
 - Department of Primary Industries – Agriculture

- NSW Roads and Maritime Services
- Essential Energy
- Telstra
- Transgrid

In accordance with the Gateway Determination and as a result of the above consultations, Council arranged for the preparation of an Aboriginal Cultural Heritage Assessment, Land Use Conflict Risk Assessment and Traffic Impact Assessment for the Site.

Following completion of the Cultural Heritage and Land Use Conflict Risk Assessments and ongoing work to address NSW Roads and Maritime Services requirements, the planning proposal was updated and placed on public exhibition from 20 September 2017 to 20 October 2017. The planning proposal has been revised and updated following exhibition and is included at **Attachment 1**.

At the close of the exhibition, Council had received one written public submission and agency responses from the Office of Environment and Heritage (OEH) and Department of Primary Industries (DPI) – Agriculture. NSW Roads and Maritime Services raised no further issues in relation to the proposal.

Discussion

A summary of the submissions and a planning response is provided in the *Community Engagement and Internal Consultation* section of this report. The key concerns are discussed below.

Regionally significant farmland

The site is mapped in the North Coast Regional Plan 2036 as containing Regionally Significant Farmland and Biophysical Strategic Agricultural Land. The aim of the state in relation to these lands is to protect them. The plan makes provision for variations to the agricultural land boundary.

Port Macquarie-Hastings Council proposes to vary the agricultural land boundary to facilitate the intended zone change. An assessment in accordance with the important farmland Interim Variation Criteria was prepared and included in the planning proposal for the purpose of community engagement.

The assessment and conclusions have been reviewed and revised in consultation with the Department of Planning and Environment and the DPI – Agriculture during the community engagement process. The revised assessment is included here for reference:

<p>Agricultural Capability</p> <p><input type="checkbox"/> Is the land isolated from other important farmland and is it not capable of supporting sustainable agricultural production</p>
<p>Comment: The DPI do not consider that the site is isolated from other areas of contiguous mapped farmland under production.</p>

However, the site is physically separated from adjoining farmland under production by the road network on the site’s eastern and southern boundary. The northern and western boundaries adjoin the outer boundaries of the Wauchope Town Centre.

There is also a large area in the north eastern sector of the site that is identified in the North Coast Regional Plan as ‘*Investigation Area – Urban Land*’. Mapping of the area for investigation effectively reduces the total area that could be considered *important farmland* under the North Coast Regional Plan to around 10-12 hectares.

Traditional standalone grazing operations are unlikely to be viable on this size plot while more intensive grazing operations are unsuitable in this peri-urban location due to land use conflict risks.

Other small scale agricultural activity such as horticulture, may be plausible on the site. However the flood prone nature of the land would present challenges due to periods of sustained saturation and inundation. Likewise, green house operations would be constrained by the low lying nature of the site.

In summary, it is concluded that the site has low potential for supporting stand-alone sustainable agricultural production.

Land Use Conflict

- The land use does not increase the likelihood of conflict and does not impact on current or future agricultural activities in the locality;

Comment:

A Land Use Conflict Risk Assessment (LUCRA) consistent with the Land Use Conflict Risk Assessment Guide 2011 (NSW Primary Industries) and the recommendations of the Department of Primary Industries has been prepared and included in the community engagement documentation. The evaluation concludes that:

- The proposed change to the use of the land for recreation is unlikely to contribute to the loss of productive agricultural potential in the locality or significantly limit or restrict the agricultural activities of adjoining owners of regionally significant farmland.
- There are a range of factors that make the land more suited to the proposed recreational use, including its public ownership, peri-urban location, proximity to future users, low lying nature and level grade, vacant tenure, absence of native vegetation and physical separation from other rural land uses.

To mitigate potential land use conflict risk, the evaluation recommends a number of management strategies to ensure that the proposed recreational use does not increase the likelihood of conflict with surrounding and adjoining land uses.

Infrastructure

- The provision of infrastructure (utilities, transport, open space, communications, and stormwater) required to service the land is physically and economically feasible at no cost to State and Local Government. Adverse impacts on adjoining farmland must be avoided;

Comment:



Infrastructure required to service the proposed sporting fields is available to adjoining urban land. The network is able to be extended by Council to serve the proposed recreation area, on behalf of the community.

Environment and Heritage

- The proposed land uses do not have an adverse impact on areas of high environmental value, and Aboriginal or historic heritage significance;

Comment:

The site is not identified as containing 'High Environmental value' land as mapped in the North Coast Regional Plan. An Aboriginal Archaeological and Cultural Heritage Assessment has been undertaken on Council's behalf consistent with the requirements of the Office of Environment and Heritage. No identified Aboriginal archaeological remains or artefacts were found on the site. The assessment concludes that due to the low lying nature of the land, level of disturbance and archaeological context of the site, the area is assessed as being of low archaeological sensitivity.

Avoiding Risk

Risks associated with physically constrained land are avoided and identified, including flood prone land, bushfire prone land, highly erodible land, sever slope and acid sulphate soils;

- The site is not mapped as bushfire prone land.
- The site is identified and mapped as subject to flooding and potentially erodible land with low level acid sulphate soil risk. These constraints are consistent with the site's location (170 metres south) on the floodplain of the Hastings River.

Council staff have assessed that these issues will not significantly limit the potential use of the site for public recreation.

The Department of Planning and Environment have confirmed that no further approvals are required in relation to the Interim Variation Criteria for important farmland on the North Coast.

Aboriginal Cultural Heritage

As mentioned above, a survey of the site was undertaken by the Bunyah Local Aboriginal Land Council and Birpai Local Land Council knowledge holders to assess the cultural significance of the planning area. The area is assessed as being of low archaeological sensitivity.

The OEH has reviewed the documentation and findings of the Cultural Heritage Assessment prepared on Council's behalf and conclude that there are no significant Aboriginal cultural values within the planning area that would prompt the need for protection by using zoning mechanisms. The OEH further notes the assessment considered the potential impacts of any subsequent development works in consultation with Aboriginal knowledge holders and has developed recommendations for any future unexpected finds, which they support. The OEH confirm that there are no further Aboriginal cultural heritage issues for this planning proposal.

Traffic and Transport Management

A traffic assessment has been prepared by Cardno NSW Pty Ltd on behalf of Council to consider potential traffic, transport and parking impact for the proposed Regional Sporting Facility. The assessment considers NSW Roads and Maritime Services (RMS) requirements and relevant standards and guidelines, including State Environmental Planning Policy (SEPP) Infrastructure 2007 (ISEPP) and Ausroad Guidelines.

The assessment has been based on a comprehensive review of:

- the existing road hierarchy
- network and traffic flows
- parking demand
- intersection performance
- internal traffic arrangements
- public transport, and
- pedestrian infrastructure.

Based on traffic modelling and intersection options testing for an Oxley Highway driveway and Stoney Creek Road and Oxley highway intersections, and consideration of typical operations and special events, the assessment concludes that roundabout upgrade intersections will provide optimised outcomes for both the Oxley Highway driveway and Stoney Creek Road intersection.

Council's Infrastructure and Design staff are actively working with RMS to finalise development design outcomes to ensure the development is acceptable to NSW RMS at the Development Application (DA) stage.

In this regard, RMS has an overarching strategy to maintain or improve the operational efficiency of the Oxley Highway. They have previously noted that no additional accesses to the highway are permitted however subsequent discussions with the RMS Development Assessment Team (August 2017) in the planning phases of the project indicated that RMS would entertain a direct access to the highway considering the speed zone reduction in the area. Council staff are meeting with RMS in November 2017 to discuss the recommendations provided in the assessment.

NSW Roads and Maritime Services have advised no further issues arising from community engagement that would preclude development of a regional sporting facility in this location.

Options

Council's options are:

1. To accept the planning proposal as exhibited and resolve to make the Local Environmental Plan to rezone the land.
2. Make amendments to the planning proposal. Note: The proposal will need to be re-exhibited if any substantive changes are made. For example, a change to the proposed zone boundaries.
3. Not support the planning proposal.

Option 1 is recommended.

Community Engagement & Internal Consultation

The planning proposal was publicly exhibited for a minimum of 28 days from 20 September 2017 to 20 October 2017.

The proposal and supporting information was made publicly available on Council’s website and at Council’s Offices in Port Macquarie, Wauchope and Laurieton for the duration. All adjoining owners were notified of the public exhibition in writing and invited to make submissions.

As noted elsewhere in this report, one public submission and two agency submissions were received. The key issues identified in these agency submissions have been considered in the Discussion section of this report. A summary of the issues raised in the public submission and a planning response is provided below.

Submission		Issue
1.	John Howarth	“I have lived in Port Macquarie for 38 years & this is one of the dumbest ideas Council has come up with. If you want major sporting events to come to this area then Wauchope is not the answer. People are not going to stay in Port & travel to Wauchope for events & there is very little accommodation in Wauchope. If the future of events like the Touch Football are to be retained then you need to come up with another alternative.”
	Response/ Comment:	<p><u>Wauchope as a location for regional sports</u></p> <p>Port Macquarie-Hastings Council has held an interest in the site at Wauchope since the mid 1960’s, adding adjoining land in February 2000 following identification in 1992 of the need to provide for large multi-function recreation facilities (up to 15-20 hectares) in the Local Government Area and allocation of funding in 1995-96 budget estimates.</p> <p>Investigations into utilisation of the land at Wauchope and its aptness for multi-function sports has been considered and confirmed in various studies including:</p> <ul style="list-style-type: none"> • Parks and Open Space planning 1992 - 1996 • Hastings Council Open Space Management Plan, Report and Appendices, 1996 • Port Macquarie-Hastings Council Recreation Needs Study, 2013 • Port Macquarie-Hastings Recreation Action Plan 2015 – 2025



		<p>In summary, the planning proposal is the result of comprehensive long term planning for recreational and regional sporting facilities for the Port Macquarie-Hastings, including more recently, the need to plan for alternate sport and recreation facilities arising from the tenure of land used for outdoor sporting activities and major regional and state sporting events at Tuffins Lane.</p> <p>While the writer’s concerns are noted, population growth and expansion of development in Wauchope, Lake Cathie, Bonny Hills and the Camden Haven mean that new facilities will be needed to meet the requirements of the area’s new communities for a range of recreational and open space needs.</p> <p>Delivery of a major sporting facility on Council owned land at Wauchope, incorporating multiple sports fields, playground, public amenities, walking and cycling opportunities, off leash dog exercise and connections to Rocks Ferry will have capacity to address the future recreational needs of the broader community and well as assist in active promotion of Port Macquarie-Hastings as a major destination for sporting and tourism.</p>
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Planning & Policy Implications

The planning proposal is consistent with relevant State, Regional and local plans and strategies, including Port Macquarie-Hastings Community Strategic Plan, Port Macquarie-Hastings Urban Growth Management Strategy and Recreation Action Plan. It has been prepared using the Department of Planning and Environment 2016 Guidelines for Preparation of Planning Proposals and Local Environmental Plans.

Council has the option of reserving the land as *Public Reserve*. A Plan of Management must be prepared for the site once the rezoning process has been finalised.

Financial & Economic Implications

Preparation of the Planning Proposal has been undertaken within the context of Council’s Strategic Land Use Planning operational budget and annual work program. There is no significant financial impact resulting from this work.

Funding for local and district open space will be included in a new Open Space Management Plan currently being prepared. A net positive economic impact is expected for Wauchope and the broader Port Macquarie-Hastings community.

Attachments

Nil

Item: 12.06

Subject: PP2016 - 11.1 PLANNING PROPOSAL - MISSION TERRACE,
LAKEWOOD

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development.

RECOMMENDATION

That Council:

1. Prepare a planning proposal pursuant to section 55 of the Environmental Planning and Assessment Act 1979 in relation to part of Lot 2 DP 771931, Mission Terrace, Lakewood for residential and environmental purposes as described in this report.
2. Submit the planning proposal to the NSW Department of Planning and Environment requesting a Gateway Determination pursuant to section 56 of the Environmental Planning and Assessment Act 1979 and the issue of a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.
3. Delegate authority to the Director Strategy and Growth to make any amendments to the planning proposal as a result of the section 56 Gateway Determination, prior to public exhibition of the proposal.
4. Note that a further report will be presented to Council following the public exhibition period to demonstrate compliance with the Gateway Determination and to provide details of any submissions received during public exhibition.

Executive Summary

This report considers a planning proposal from Blueprint Planning consultants for a proposed rezoning of land at Lakewood to permit residential occupation and development of part of the subject site.

It is proposed to rezone the existing cleared and developed part of the site from RU1 Primary Production to R1 General Residential and the RU1 Primary Production portion of the site to E3 Environmental Management.

It is recommended that Council proceed with the preparation of a planning proposal for the site and seek a Gateway Determination from the NSW Department of Planning and Environment.

Background

The site has consent under DA1999/752 as a Mission Training Facility (educational establishment) with on-site accommodation approved for up to 27 dwellings.

The north-western corner of the site is cleared and contains the educational establishment. It currently consists of a main office, meeting/dining/teaching building, a large storage shed and 21 detached dwellings. The dwellings range in size from 2 to 4 bedrooms.

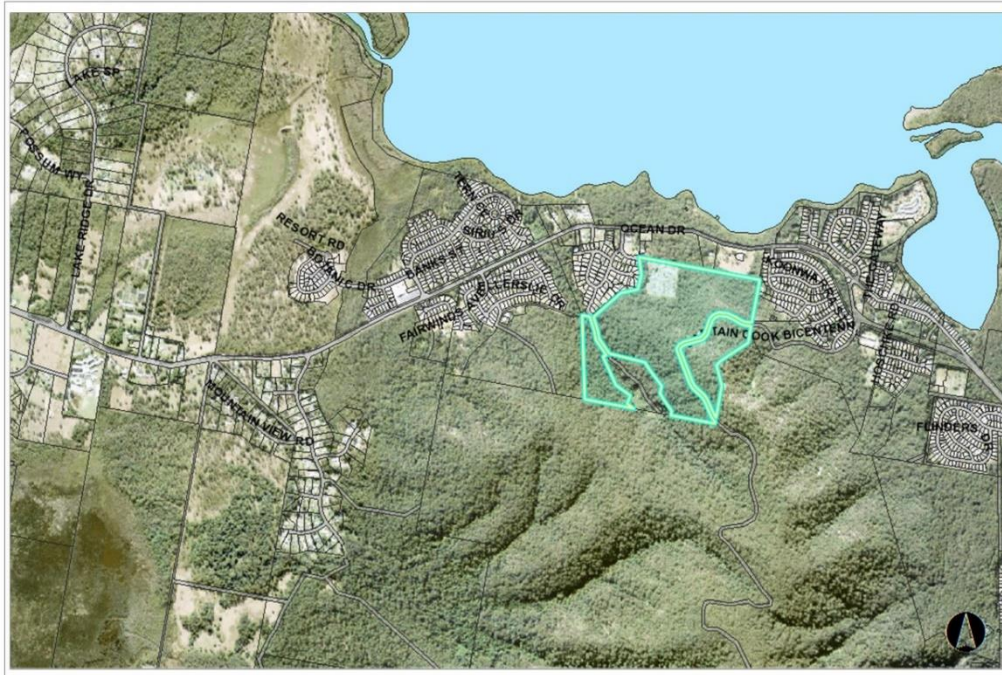
The rezoning proposal is the result of a significant change in the operations of the educational establishment where students no longer are required to attend classes on a live-in basis. Technology today allows classes and learning outcomes to be achieved via electronic means, namely the internet. This means that the existing residences are superfluous to the teaching needs of the establishment and have been vacant for some time.

The site is located on the fringe of an existing urban area and a rezoning of the existing development footprint to permit normal residential use would represent a minor adjustment to the growth area boundary.

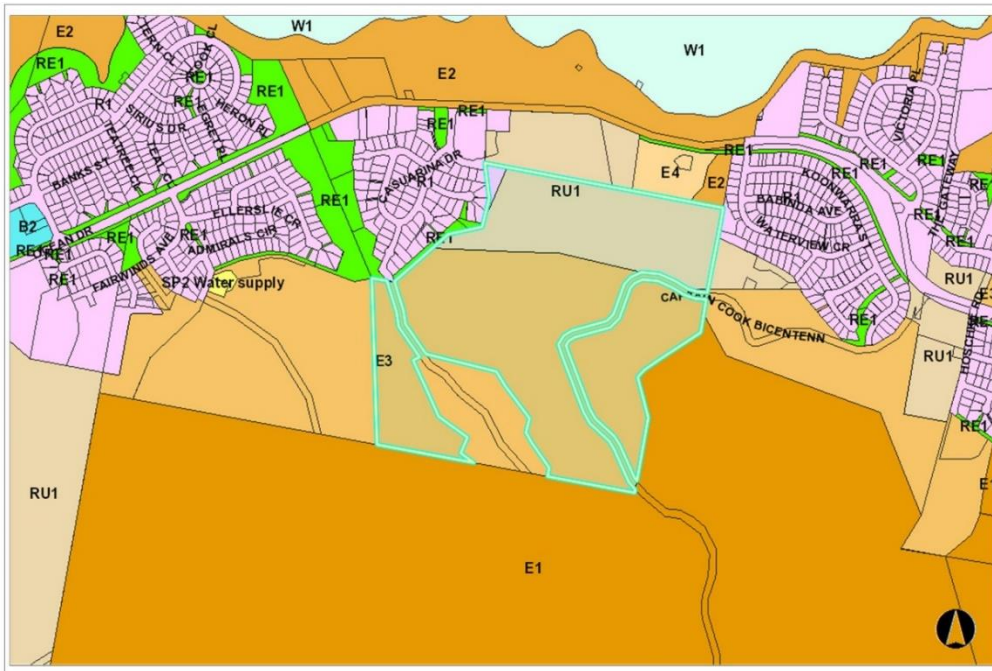
The request for rezoning was considered in a report to Council dated 15 March 2017. Council reviewed the landuse at the time and generally supports the ongoing occupation of site on a permanent basis as the infrastructure investment has been made by the proponent and it has been established that the establishment, including full-time occupation of the dwellings can successfully be serviced over time.

Discussion

The subject site is located between Laurieton and Lakewood on the lower slopes of North Brother Mountain and has a total area of 56.3ha. Captain Cook Bicentennial Drive passes through the south eastern portion of the site and an unformed public road (the extension of Cheesetree Place) passes through the south western portion of the site. The developed portion of the site is accessed from Ocean Drive, via Mission Terrace.



The site is currently zoned partly R1 General Residential, partly RU1 Primary Production and partly E3 Environmental Management.



The cleared and developed area of the site is shown below. Twenty-one (21) of the twenty-seven (27) approved ancillary residential dwellings have been constructed.



A planning proposal has been received from Blueprint Planning consultants seeking to rezone part of the land zoned RU1 Primary Production to R1 General Residential, to permit the permanent residential occupation of the existing dwellings on the land and the construction of the remainder of the approved dwellings under a previous development application.

Due to servicing issues above the 30m contour line, development above that contour is required to be strata titled to enable management of utility services by a Body Corporate. Below the 30m contour line torrens title development is possible with separate services to each lot.

It is also proposed to zone the remaining RU1 Primary Production land to E3 Environmental Conservation. This part of the site is less than 40ha, is heavily vegetated, unsuited to agricultural use and is part of an environmental corridor between Queens Lake and North Brother Mountain.

A copy of the planning proposal is at **Attachment 1** to this report. The planning proposal includes an indicative lot layout showing the intended land use outcomes

together with plans to demonstrate that road, sewer, water and stormwater infrastructure can be provided to service the current and future development. Specialist studies in support of the proposal include engineering and bushfire management assessments.

Options

Council's options are:

1. Submit the planning proposal (as attached) to the NSW Department of Planning and Environment requesting a Gateway Determination pursuant to section 56 of the Environmental Planning and Assessment Act 1979 and the issue of a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.
2. Make amendments to the planning proposal prior to requesting a Gateway Determination.
3. Not support the preparation of a planning proposal for the land.

Option 1 is recommended.

Community Engagement & Internal Consultation

Internal consultation has occurred with staff from Council's transport stormwater, bushfire, environment and infrastructure sections.

Subject to Option 1 being adopted and a Gateway Determination being issued by the NSW Department of Planning and Environment, State agency consultation will occur and the planning proposal will be publicly exhibited in accordance with requirements of the Gateway determination.

Planning & Policy Implications

The site is not specifically identified for urban expansion in the North Coast Regional Plan or in the Port Macquarie-Hastings Urban Growth Management Strategy 2011. An assessment of the proposal against the Urban Growth Area Variation principles in the Regional Plan demonstrates that the site has merit to be considered.

The proposed residential rezoning is a minor amendment to the R1 General Residential zone in this location and relates to existing approved development. The proposed environmental management zoning of the residue land is considered to represent a public benefit and is not expected to unreasonably impact on adjoining residential land uses.

Financial & Economic Implications

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

Attachments

1 [View](#). Mission Terrace Planning Proposal

Item: 12.07

Subject: TOWN SQUARE PORT MACQUARIE PLANNING PROPOSAL

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development.

RECOMMENDATION

That Council:

1. Prepare a planning proposal pursuant to section 55 of the Environmental Planning and Assessment Act 1979 for the amendment of the provisions of *Port Macquarie-Hastings Local Environmental Plan 2011* in respect to the Port Macquarie Town Square, Horton Street Port Macquarie to change the zoning of the land to B3 commercial Core, as described in this report.
2. Forward the planning proposal to the NSW Department of Planning and Environment requesting a gateway determination pursuant to section 56 of the Environmental Planning and Assessment Act 1979.
3. Request that the Secretary of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.
4. Delegate authority to the Director Strategy and Growth to make any minor amendments to the Planning Proposal as a result of the Section 56 Gateway Determination, prior to public exhibition of the proposal.
5. Undertake community consultation in accordance with the Gateway Determination.
6. Receive a report following the public exhibition period to demonstrate compliance with the Gateway Determination and to assess any submissions received.

Executive Summary

The Port Macquarie Town Square has recently been refurbished, and is contained within the public road reserve of Horton Street Port Macquarie, between Clarence Street and the Hastings River. The purpose of this report is to consider a planning proposal to rezone part of the Town Square to Commercial Core, to permit al fresco dining within the Town Square, consistent with the Port Macquarie Town Centre Master Plan.

It is recommended that Council proceed with a planning proposal as described in this report and seek a gateway determination from the NSW Department of Planning and Environment pursuant to section 56 of the Environmental Planning and Assessment Act 1979.

Discussion

The Site

The site is within the public road reserve of Horton Street Port Macquarie, between Clarence Street and the Hastings River. Adjoining land to the east, south and west is zoned B3 Commercial Core and developed for commercial purposes. Land to the north is known as the town Green and is zoned RE1 Public recreation.

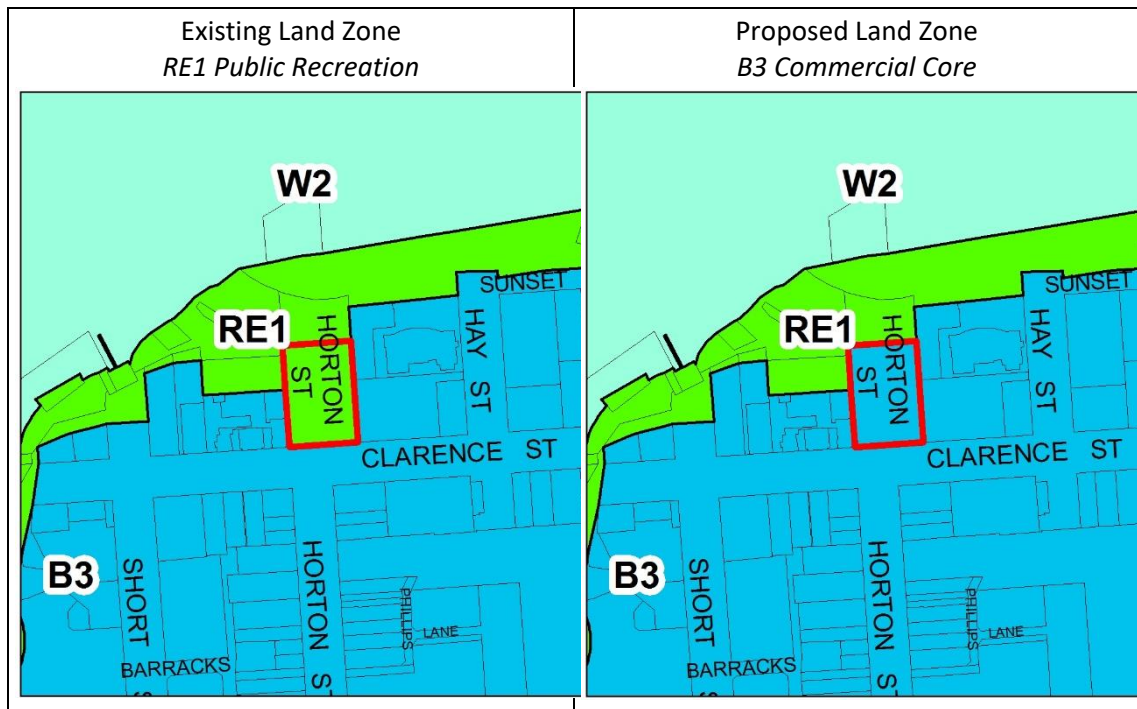
The location of the site in relation to existing zoned land and commercial development in the surrounding locality is shown below.



The Proposal

The proposal involves an amendment to the Port Macquarie-Hastings Local Environmental Plan (PMHLEP) 2011 to rezone part of the road reserve from RE1 Public Recreation to B3 Commercial Core, consistent with the surrounding development.

The existing and proposed zones are shown below.



Assessment

A draft planning proposal (see Attachment 1) has been prepared by Council's Strategic Land Use Planning section. Key consideration is the recent Town Square Redevelopment.

Town Square Redevelopment

Over the last 20 years the streetscape and landscape in the CBD have been upgraded significantly due to the implementation of the Town Centre Master Plan (TCMP) which outlines improvements throughout the town.

The 2013 review of the TCMP identified the northern end of Horton Street as an opportunity to create a Town Square that could enliven the streets, draw people through to the Town Green and waterfront and be a gathering space for visitors and residents.

Key changes included significantly wider footpaths to encourage al fresco dining.

The use of the footpath within the road reserve for outdoor dining is Exempt development where it is associated with a lawful food and drink premises. However, recent development proposals have highlighted that, where the outdoor dining is associated with a pub, the development requires consent. The existing zone of RE1 Public Recreation prohibits pubs, meaning that alfresco dining areas associated with a pub are prohibited within the Town Square.

Having regard to the existing zones adjoining the land, it is considered that the B3 Commercial Core zone should include the area of the Town Square redeveloped to encourage al fresco dining.

Options

Council's options are to:

1. Do nothing (the land would remain as public recreation zone).
2. Resolve to prepare a planning proposal based on the information contained in this report and to send it to the NSW Department of Planning and Environment for a gateway determination.
3. Resolve to prepare a planning proposal differently to that described in this report and send it to the NSW Department of Planning and Environment for a Gateway determination.

Option 2 is the preferred option as it is considered that the land is capable of providing for minor infill residential development as proposed.

Community Engagement & Internal Consultation

Should the proposal be supported, the Department of Planning and Environment's Gateway determination will specify consultation requirements.

Community consultation for planning proposals will normally include notification in a local newspaper, to adjoining landowners and on Council's website for the duration of the exhibition. In addition, the exhibition material will be available at the Port Macquarie Administration building.

Planning & Policy Implications

The Town Square Redevelopment is nearing completion. It is considered a matter of priority to amend the zoning to permit all types of al fresco dining within the Town Square, consistent with the Port Macquarie Town Centre Master Plan.

Financial & Economic Implications

The preparation of the planning proposal is being undertaken as part of the strategic planning program.

Attachments

- 1 [View](#). Port Macquarie Town Square Planning Proposal

Item: 12.08

Subject: QUESTION FROM PREVIOUS MEETING - MANAGEMENT AND MAINTENANCE OF RURAL ROADS

Presented by: Infrastructure, Andrew Doig

RECOMMENDATION

That Council note the information provided in relation to the management of rural roads.

Question from Councillor Griffiths

Could the General Manager please detail how safety is taken into consideration in the management of rural roads and how maintenance of rural roads is prioritised?

Comments by Councillor (if provided):

Many rural residents across the local government area have raised concern over the safety of our rural roads and bridges. Many of those roads and bridges are one lane or narrow and used by a variety of light and heavy vehicles daily. The safety issues have been raised by business and community members who would like to be advised on how those issues could be addressed.

Response

The main legislation that governs Council's road management practices does not give consideration to the location of a road. It does however require that Council manage its entire network and apply the available resources in an appropriate manner. To ensure that Council meets its obligations under the Roads Act 1993 and the Civil Liabilities Act 2002, Council uses a risk based approach to the allocation of available resources.

Council considers all public safety issues by appraising risk, prioritising repairs and managing the entire road, bridge and stormwater network across the Local Government Area. The process is in accordance with advice provided by Council's insurer (State Wide Mutual) and this risk based approach was adopted by Council in May 2012, allowing Council to meet its obligations under the Civil Liability Act 2002.

Risks within the road network are primarily determined by three major factors that include the location of the hazard (i.e. the travel lane), the road hierarchy and the physical description of the hazard (i.e. pothole, rutting, debris, bridge condition).

Bridge risks are also managed through Council's Bridge Management System, developed with assistance from consultants GHD. The system records all of Council's bridge structures and requires regular inspection be undertaken. This then

identifies what works are required and allows Council to prioritise the maintenance, rehabilitation and renewal of bridges within the whole network.

The road hierarchy considers a number of factors such as the road function, traffic volumes, community connectivity, industry value and tourist value. Council has approximately 1,400 roads with currently 145 roads listed within the road hierarchy, of the 145 roads in the hierarchy 75 (more than half) sit outside of the Port Macquarie area and 4 are unsealed roads.

In general terms, risk is related heavily to higher traffic volumes due to the increased interactions and exposure of road users to a potential hazard. The increased interactions increase the likelihood of an accident occurring. An unfortunate set of examples that reinforces this concept are recent serious accidents (some of which resulted in fatalities) on Ocean Dr north of Lake Cathie, Hastings River Dr near Fernbank Creek Rd and two accidents on Ocean Dr, West Haven. Ocean Drive and Hastings River Dr are within the top ten roads in Council's road hierarchy list and can at times carry over 20,000 vehicles per day, greatly increasing the associated level of risk.

Other roads within the hierarchy carry the following traffic volumes

Road	Hierarchy No.	Vehicles per day (approx.)
Houston Mitchell Dr	No. 6	3,600
Beechwood Rd	No. 26	3,500
Pembroke Rd	No. 62	1,000
Rollands Plains Rd	No. 63	700
Comboyne Rd	No. 68	800
Lorne Rd (Unsealed)	No. 67	190
Hérons Creek Rd (Unsealed)	No. 130	170

Council's unsealed roads typically carry between 10 – 160 vehicle movements per day. A risk on a lower trafficked road, whether sealed or unsealed will be rated lower and prioritised lower than a risk on a high trafficked road. Fortunately, Council's grading, slashing and outreach mowing programmes regularly address these lower order risks that are typically located in the rural areas. The six and twelve month grading programmes cover the vast majority of Council's unsealed network; however should a high risk issue be identified, works will be carried out prior to the grading program to make the issue safe until the grading crew arrives.

With a regard to land development and commercial activities in rural areas, where legislation allows, there are options that Council can utilise to have the development undertake improvement works. For example, where a nexus can be demonstrated between a particular land development or commercial activity and there is considered a need to upgrade the road infrastructure, the Development Application will be conditioned as appropriate. Alternatively, a Voluntary Planning Agreement can be entered into to ensure the applicant undertakes improvement works to the road network. This may include intersection upgrades, road widening, turning lanes, footpaths and the like, and may also include road maintenance contributions for heavy haulage, such as for quarry activities.

These measures can only be applied at the time of consent and cannot be applied retrospectively, or to state or federal agencies.

Available resource and the cost and extent of roads maintenance and renewal works required across the local government area often result in customer requests for roads maintenance not being able to be repaired immediately, or in the short to medium term. It is critical that the inspection and prioritisation process for treating customer requests for road repairs is consistent, transparent and primarily serves the overall community interest.

Council has a significant responsibility as the Roads Authority for local roads under the Roads Act 1993 and Civil Liabilities Act 2002, and primarily seeks to manage local roads to minimise potential hazards and deliver as safe network as is possible with respect to the available resources. The adopted roads hierarchy and risk assessment process, provides the guidelines for identifying the location, nature, inspection frequency, treatment options and repair priorities of potential hazards to users of the Road Network. The implementation of this process aims to minimise public liability exposure to the Council and provide a best value service to the community in relation to provision of road infrastructure services.

Attachments

Nil

Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE

RECOMMENDATION

- 1. That Council move into Confidential Committee of the Whole to receive and consider the following items:**
 - Item 14.01 T-17-48 Wauchope Swimming Pool – Shaded Outdoor Children’s Water Play Area**

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 14.02 T-17-37 Technical Project Manager for Dunbogan Bridge Rehabilitation**

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 14.03 Proposed Acquisition of Part Lot 5 DP 211319 from Roads and Maritime 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.**

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

RECOMMENDATION

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

**Item 14.01 T-17-48 Wauchope Swimming Pool – Shaded Outdoor Children’s
Water Play Area**

**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 14.02 T-17-37 Technical Project Manager for Dunbogan Bridge
Rehabilitation**

**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 14.03 Proposed Acquisition of Part Lot 5 DP 211319 from Roads and
Maritime 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