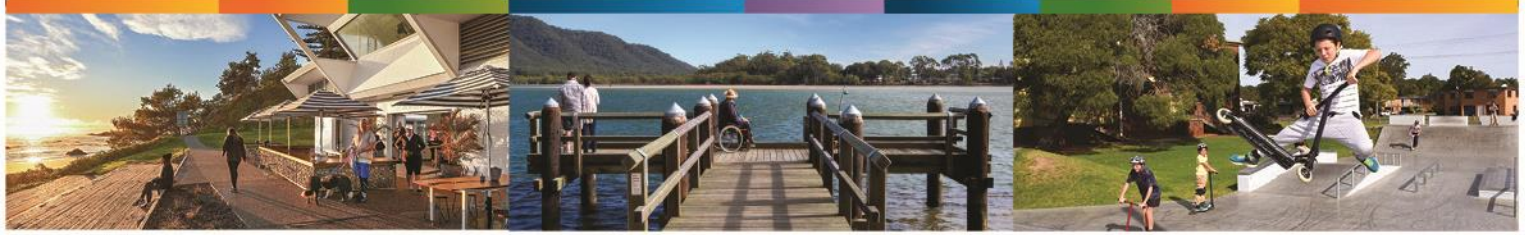




PORT MACQUARIE-HASTINGS
COUNCIL



Ordinary Council

Business Paper

date of meeting: Wednesday 13 December 2017

location: Council Chambers
17 Burrawan Street
Port Macquarie

time: 5.30pm

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

Community Vision

A sustainable high quality of life for all

Community Mission

Building the future together
People Place Health Education Technology

Council's Corporate Values

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

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 13 December 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 15 November 2017 be confirmed.

PRESENT

Members:

Councillor Peta Pinson (Mayor)
Councillor Lisa Intemann (Deputy Mayor)
Councillor Rob Turner
Councillor Michael Cusato
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)
Acting Director of Development and Environment (Dan Croft)
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.

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

Major Kevin Unicomb from the Salvation Army Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Alley/Dixon

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

CARRIED: 9/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Alley declared a Pecuniary Interest in Item 09.14 - Care Expenses Request, the reason being that the subject matter of this item involves reimbursement of costs to his family for childcare related costs.

Councillor Alley declared a Pecuniary Interest in Item 12.06 - PP2016 - 11.1 Planning Proposal - Mission Terrace, Lakewood, the reason being that the subject matter of this item includes property near to property that is owned by the Anglican Church Property Trust, Diocese of Newcastle which holds that property for the benefit of the Anglican Parish of the Camden Haven, of which I serve as the Treasurer on the Parish Council. These changes may result in a financial loss or gain to nearby property owners and hence to the Property Trust.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.04 - 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, the reason being that Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for the owner of the property being the subject of the report.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Pinson

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

CARRIED: 9/0

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

AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Intemann/Turner

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.

CARRIED: 9/0

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

AGAINST: Nil

08 PUBLIC FORUM

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

1. Ms Susan East regarding the Lake Cathie Foreshore Master Plan.
2. Ms Janette Jones, representing the Rollands Plains Community Group, regarding rural roads in Rollands Plains.
3. Ms Ellen Brown regarding Port Macquarie Base Hospital roundabout – beautify and memorial to doctors, nurses and medics who served in WWI, WWII and all conflicts.
4. Ms Colleen Carmody, representing Ms Margaret Halfpenny, regarding the provision of low cost housing for women over 65 years.

RESOLVED: Griffiths/Turner

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

CARRIED: 9/0

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

AGAINST: Nil

08.01 LAKE CATHIE FORESHORE MASTER PLAN

Ms Susan East addressed Council in regard to the Lake Cathie Foreshore Master Plan and answered questions from Councillors.

08.02 RURAL ROADS IN ROLLANDS PLAINS

Ms Janette Jones, representing the Rollands Plains Community Group, addressed Council and displayed a presentation in regard to rural roads in Rollands Plains and answered questions from Councillors.

08.03 PORT MACQUARIE BASE HOSPITAL ROUNDABOUT - BEAUTIFY AND MEMORIAL TO DOCTORS, NURSES AND MEDICS WHO SERVED IN WWI AND WWII AND ALL CONFLICTS

Ms Ellen Brown addressed Council and displayed a presentation in regard to the Port Macquarie Base Hospital roundabout – beautify and memorial to doctors, nurses and medics who served in WWI, WWII and all conflicts and answered questions from Councillors.

08.04 PROVISION OF LOW COST HOUSING FOR WOMEN OVER 65 YEARS

Ms Colleen Carmody, on behalf of Ms Margaret Halfpenny, addressed Council in regard to the provision of low cost housing for women over 65 years and answered questions from Councillors.

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Hawkins

That Standing Orders be suspended to allow Item 12.08 to be brought forward and considered next.

CARRIED: 9/0

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

AGAINST: Nil

12.08 QUESTION FROM PREVIOUS MEETING - MANAGEMENT AND MAINTENANCE OF RURAL ROADS

RESOLVED: Griffiths/Intemann

That Council:

1. Note the information provided in relation to the management of rural roads.
2. Request the General Manager provide a briefing to Councillors in early 2018 on the management of rural roads including any opportunity to seal unsealed rural roads.
3. Consider the inclusion of funding for increased works on rural roads in the development of the 2018-2019 Operational Plan.

CARRIED: 9/0

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

AGAINST: Nil

09.01 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Intemann/Alley

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

CARRIED: 9/0

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

AGAINST: Nil

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

RESOLVED: Levido/Griffiths

That Council:

1. 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.
2. Request the General Manager bring a report to Council's April 2018 Meeting with a further update as to the responses generated.

CARRIED: 9/0

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

AGAINST: Nil

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

RESOLVED: Hawkins/Pinson

That Council:

1. Note and congratulate the General Manager on his successful selection 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.

CARRIED: 9/0

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

AGAINST: Nil

09.04 NOTICE OF MOTION - MAYORAL MEETINGS

RESOLVED: Intemann/Alley

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.

CARRIED: 8/1

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

AGAINST: Griffiths

09.05 DISCLOSURE OF INTEREST RETURN - MAYOR PETA PINSON

RESOLVED: Pinson/Intemann

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

CARRIED: 9/0

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

AGAINST: Nil

09.06 DISCLOSURES REGISTER - ANNUAL RETURN 2016-2017 FOR ROAD SAFETY OFFICER

RESOLVED: Hawkins/Alley

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

CARRIED: 9/0

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

AGAINST: Nil

09.07 ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017

RESOLVED: Hawkins/Intemann

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

CARRIED: 9/0

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

AGAINST: Nil

09.08 QUARTERLY BUDGET REVIEW STATEMENT

RESOLVED: Hawkins/Griffiths

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

CARRIED: 9/0

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

AGAINST: Nil

09.09 MONTHLY FINANCIAL REVIEW FOR OCTOBER 2017

RESOLVED: Griffiths/Hawkins

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

CARRIED: 9/0

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

09.10 INVESTMENTS - OCTOBER 2017

RESOLVED: Hawkins/Griffiths

That Council:

1. Note the Investment Report for the month of October 2017.
2. Request the General Manager submit a report to a future Council Meeting (before June 2018) after review by the Audit, Risk & Improvement Committee that examines alternative investment options that are likely to give Council a higher return on its investments whilst remaining within approved risk parameters.
3. Request the General Manager to submit a report to the February 2018 meeting of Council that reviews the investment income budget for the 2017/2018 Financial Year.

CARRIED: 9/0
*FOR: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and
Turner*
AGAINST: Nil

09.11 FINANCIAL IMPACT OF COST SHIFTING FROM OTHER LEVELS OF GOVERNMENT

RESOLVED: Alley/Intemann

That Council:

1. Note the information in this report on the financial impact of cost shifting from other levels of Government.
2. Request the General Manager provides a revised "Waste Levy" figure for 2017/18 in an updated table of cost shifting at the February, 2018 Council Meeting.
3. Request the General Manager provide future reports in a format that separate "Federal Government" cost shifting impacts from "NSW State Government" impacts.
4. Request the General Manager provide in the next *Financial Impact of Cost Shifting from Other Levels of Government* report in November 2018, at least one detailed example of a cost shifting exercise involving council funded infrastructure that relates to government schools, hospitals, public housing or universities.
5. Request the General Manager write to:
 - a) the Member for Port Macquarie the Hon. Leslie Williams MP;
 - b) the Member for Oxley the Hon. Melinda Pavey MP;
 - c) the Member for Cowper the Hon. Luke Hartsuyker MP;

-
- d) the Member for Lyne the Hon. Dr. David Gillespie MP;
 - e) The Honourable Courtney Housos, Labor duty MLC for Port Macquarie;
 - f) The Honourable Lynda Voltz, Labor duty MLC for Oxley;
 - g) Senator Sam Dastyari, Labor duty Senator for Lyne;
 - h) Senator Jennifer McAllister, Labor duty Senator for Cowper;
 - i) Local Government NSW;
- enclosing a full copy of this Financial Impact of Cost Shifting report and request their active assistance in removing this financial burden on our community.

CARRIED: 9/0

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

AGAINST: Nil

09.12 2017-2018 OPERATIONAL PLAN - QUARTERLY PROGRESS REPORT AS AT 30 SEPTEMBER 2017

RESOLVED: Hawkins/Griffiths

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

CARRIED: 9/0

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

AGAINST: Nil

09.13 2016-2017 ANNUAL REPORT

RESOLVED: Turner/Griffiths

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.

CARRIED: 9/0

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

AGAINST: Nil

09.14 CARE EXPENSES REQUEST

Councillor Alley declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:23pm.

RESOLVED: Intemann/Pinson

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 4-6 December 2017.

CARRIED: 7/1

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

AGAINST: Cusato

Councillor Alley returned to the meeting, the time being 07:25pm.

09.15 DRAFT CODE OF CONDUCT SUBMISSION

RESOLVED: Intemann/Turner

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

CARRIED: 9/0

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

AGAINST: Nil

09.16 INVESTMENT POLICY REVIEW - POST EXHIBITION

RESOLVED: Hawkins/Turner

That Council adopt the amended Investment Policy.

CARRIED: 9/0

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

AGAINST: Nil

09.17 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

RESOLVED: Intemann/Pinson

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

CARRIED: 9/0

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

AGAINST: Nil

10.01 RECOMMENDED ITEM FROM CULTURAL STEERING GROUP - BICENTENARY

RESOLVED: Turner/Hawkins

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.

CARRIED: 9/0

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

AGAINST: Nil

10.02 RECLASSIFICATION OF LAND AT WAUCHOPE FROM OPERATIONAL LAND TO COMMUNITY LAND

RESOLVED: Intemann/Dixon

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.

CARRIED: 9/0

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

AGAINST: Nil

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

RESOLVED: Turner/Alley

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

CARRIED: 9/0

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

AGAINST: Nil

**12.01 CAMDEN HAVEN SEWER PUMP STATION 22 - GRANT OF EASEMENT
FOR UNDERGROUND ELECTRICITY**

RESOLVED: Hawkins/Dixon

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.

CARRIED: 9/0

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

AGAINST: Nil

**12.02 QUESTION FROM PREVIOUS MEETING - POTENTIAL PUMPED
HYDRO SITES**

RESOLVED: Alley/Intemann

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

CARRIED: 9/0

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

AGAINST: Nil

12.03 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

RESOLVED: Intemann/Griffiths

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.

CARRIED: 9/0

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

AGAINST: Nil

12.04 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

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:38pm.

RESOLVED: Griffiths/Turner

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.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 07:39pm.

12.05 HASTINGS REGIONAL SPORTS FIELDS - SUBMISSIONS REVIEW

The Director Strategy and Growth tabled an omitted attachment 1 for this item.

RESOLVED: Turner/Dixon

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.

CARRIED: 9/0

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

AGAINST: Nil

**12.06 PP2016 - 11.1 PLANNING PROPOSAL - MISSION TERRACE,
LAKEWOOD**

Councillor Alley declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:42pm.

RESOLVED: Griffiths/Pinson

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.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Alley returned to the meeting, the time being 7:42pm.

12.07 TOWN SQUARE PORT MACQUARIE PLANNING PROPOSAL

RESOLVED: Hawkins/Turner

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.

CARRIED: 9/0

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

AGAINST: Nil

Item - 12.08 Question From Previous Meeting - Management and Maintenance of Rural Roads - has been moved to another part of the document.

13 QUESTIONS FOR NEXT MEETING

13.01 WALL RESERVE CAR PARK, NORTH HAVEN

Question from Mayor Pinson:

Could the General Manager please provide an estimate on what the cost to Council would be to seal the car park at Wall Reserve, North Haven and suggest how Council

might be able to fund this work during the current financial year, noting competing priorities?

Comments by Mayor Pinson (if provided):

The management of Wall Reserve is Council's responsibility as the Trust Manager of the Crown Reserve.

Wall Reserve, along with every other Council asset or entrusted asset, has to be managed in line with available resourcing to meet Council's statutory responsibilities.

Councillors have received requests from members of the community in the past to seal Wall Reserve, North Haven.

Wall Reserve is a popular area used by visitors and locals of the North Haven area. The parking area creates excessive amounts of dust which is airborne during times of strong winds and is a constant frustration for residents living in close proximity to Wall Reserve.

Sealing the car park will improve the asset of Council and demonstrate Council's commitment to improving areas such as these throughout the Port Macquarie Hastings region.

13.02 COMMUNITY PROJECTS

Question from Councillor Griffiths:

Could the General Manager please advise how Council assists community and sporting groups to undertake projects, including those requiring specialist or technical advice?

Comments by Councillor (if provided):

Nil.

13.03 FERAL DEER

Question from Councillor Cusato:

1. Does Council have an estimate of feral deer numbers within our Local Government Area?
2. Is Council investigating and addressing the growing problem of feral deer populations within our Local Government Area?

Comments by Councillor (if provided):

Nil.

13.04 OLD PACIFIC HIGHWAY, DENNIS BRIDGE, WILSON RIVER BRIDGE

Question from Councillor Cusato:

After the opening of the new Pacific Highway this month from Sancroix to Kundabung:

1. When does Council take ownership and responsibility for the Old Pacific Highway?
2. Does Council also take ownership and responsibility for the maintenance and upkeep of the Dennis Bridge and the Wilson River Bridge?

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Turner/Alley

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 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.

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: 9/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 7:48pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 7:53pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Intemann/Griffiths

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

That Council:

1. Accept the tender from Aquatics Unit Trust ATF Swimplex Aquatics Pty Ltd for \$399,906 (exclusive of GST) to design and construct the Wauchope Swimming Pool – Shaded outdoor children's water play area.
2. Accept the Schedule of Rates from Aquatics Unit Trust ATF Swimplex Aquatics Pty Ltd to design and construct the Wauchope Swimming Pool – Shaded outdoor children's water play area 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-17-48.

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

That Council:

1. In accordance with Section 55(3)(i) of the Local Government Act, 1993, due to the extenuating circumstances, as described in this report, resolves not to call public tenders for technical project management services for the Dunbogan Bridge Rehabilitation project.
2. Accept the quotation from Focus Bridge Engineering Pty Ltd to undertake the technical project management of the Dunbogan Bridge Rehabilitation project on an hourly fee plus disbursements engagement at an estimated cost of \$540,500.
3. Accept the Schedule of Rates from Focus Bridge Engineering Pty Ltd.
4. Maintain the confidentiality of the documents and consideration in respect to the quotation.

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

That Council delegate authority to the General Manager to commence negotiations with the Roads and Maritime Services for the Compulsory Acquisition by Agreement for Part Lot 5 DP 211319, 7909 Pacific Highway, Pembroke.

CARRIED: 9/0

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

AGAINST: Nil

The meeting closed at 7:54pm.

.....
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 2 November to 29 November 2017 inclusive be noted.

Discussion

Mayoral Discretionary Fund Allocations

The Mayor made the following allocations from the Mayoral Discretionary Fund for the period 2 November to 29 November 2017 inclusive:

Remembrance Day Wreaths	\$130.00
Floral Bouquets – Pat Warren and Rosa Belcher	\$45.00
2018 Hastings Education Foundation Sponsorship	1,000.00
Donation of Glasshouse Vouchers to PMQ Chamber of Commerce – Fundraiser for Mid Coast Education and Life Education	\$200.00
	<hr/> \$1,375.00

Attachments

Nil

Item: 07

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

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

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

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

Item: 08**Subject: PUBLIC FORUM**

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

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

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

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

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 effective 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: 2017 A.R. BLUETT AWARD

Presented by: General Manager, Craig Swift-McNair

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 with pride that Port Macquarie-Hastings Council has been awarded the 2017 A.R. Bluett Award for Local Government as the most progressive Council in New South Wales.

Executive Summary

The A.R. Bluett Memorial Award (the Bluett Award) is contested each year by Councils in NSW who would like to be recognised as being the most progressive in the State and looks at all aspects of Councils operation. Entry is open to all NSW Councils irrespective of size or resources. There are two categories of the award, being city, metropolitan, major regional rural Councils in one category, with rural & county Councils in another category.

In 2016 Port Macquarie-Hastings Council (Council) applied for the Bluett Award and was a finalist in that year. In 2017, Council once again applied for the Bluett Award and was recently declared the winner of the 2017 Bluett Award at the Local Government NSW Annual Conference held in Sydney from 4 to 6 December 2017.

Discussion

Albert Robert Bluett (A.R. Bluett) was an outstanding figure in Local Government, serving as the Secretary and Solicitor to the Local Government and Shires Associations of NSW for 30 years. He was the authority on Local Government law, and his opinion was respected by the legal profession and ministers of the crown. He helped to write the *Local Government Act of 1919*.

Following Bluett's death in April 1944, the Councils of NSW subscribed to a fund as a permanent memorial to his work. This money funds the bronze plaques, awarded to the winning Councils of the Bluett Award each year.

As stated above, the Bluett Award is contested each year by Councils in NSW who would like to be recognised as being the most progressive in the State and looks at all aspects of Councils operation. Entry is open to all NSW councils irrespective of size or resources. This Council falls into the category of city, metropolitan and major regional rural Councils.

Council previously won the Bluett Award in 1992 and in 2016 Council made another application for achievements during the 2015-2016 financial year. In 2016, Council was shortlisted as a finalist for the award, however the award went to Albury City Council for the city, metropolitan and major regional rural Council category and Parkes Shire Council was the winner for the rural and county Councils category.

The Bluett Award looks at progress across a range of principal organisational activities to understand how Council is performing and progressing across this broad spectrum. The principal activity categories are as follows:

- Capital Works & Services;
- Cultural & Heritage;
- Sport & Recreation;
- Economic & Social Development;
- Built & Natural Environment;
- Environmental Initiatives;
- Health & Community Services;
- Corporate & Governance.

In 2016, the judges were particularly impressed with Council's progress over the past several years, since the years of Council being under Administration. In early 2017, the General Manager made the decision to once again apply for the Bluett Award based on the achievements made in the 2016-2017 financial year. During the first half of 2017, a range of Council officers contributed to the Bluett Award application & submission and the final award submission was lodged by the deadline of 11 September 2017.

In early October 2017, the three Bluett Award Trustees (judges) visited Port Macquarie to hear directly from members of the management team on the achievements and gains made in the 2016-2017 financial year. The 2017 application flowed on from the 2016 application to highlight Council's progress in key areas such as financial management, asset management, project delivery and people management amongst other things. A copy of the 2017 Bluett Award submission is attached to this report for interest.

The annual Local Government NSW Conference was held from 4-6 December 2017 in Sydney. This conference sees Councils from across the State come together to consider issues facing local government and is a forum for discussion on the challenges facing Councils and an opportunity to identify solutions which benefit the communities we serve.

On Wednesday 6 December at the above-mentioned conference, Council was announced as the winner of the 2017 A.R. Bluett Award for the city, metropolitan and major regional rural Council category.

This is without question a remarkable result for Port Macquarie-Hastings Council and is recognition of our commitment to innovation, strategic planning, continuous improvement and engaging with the community to understand and deliver on its aspirations and expectations.

The 2017 application showed how Council is working with the community to progress our region as a leading region in Australia to ensure it is a place where people want to live, learn, work, play and invest.

This award is testament to the dedication of the Council staff and the Councillors to the task of continuing to strive to do better each and every year, noting that this achievement did not just happen overnight; it is the culmination of lots of hard work and of many decisions taken over recent years.

Whilst winning the Bluett Award is a landmark achievement for Council, it is important to note that there is still plenty of hard work to be done to continue to secure our future financial sustainability. This will be critical in order for us to be able to continue to deliver a wide range of outcomes for our community.

Winning the 2017 Bluett Award provides Council with considerable recognition that we are on the right path across the many facets of our business and with a future focus on continuous improvement and improved efficiency and effectiveness, we should be able to continue to meet future challenges head on.

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 in the development of this report or through the development of the 2017 Bluett Award submission.

Internal consultation took place throughout the development of the 2017 Bluett Award submission with all Directors, Group Managers, selected Council Officers and the Communications team.

Planning & Policy Implications

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

Financial & Economic Implications

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

Attachments

1 [View](#). A.R. Bluett Memorial Award 2016-2017 PMHC Submission

Item: 09.02

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
Property Investment Policy – post exhibition (Item 09.08 – OC 20/09/17)		DSG	Nov 2017	Dec 2017
Coastal Walk Master Plan – post exhibition (Item 10.02 – OC 16/08/17)		DDE	Nov 2017	Dec 2017
Thrumster Local Orders Policy – post exhibition (Item 12.07 – OC 20/09/17)		DSG		Dec 2017
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
QFPM – Wall Reserve Car Park, North Haven (Item 13.01 – OC 15/11/17)		DI		Dec 2017

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
QFPM – Community Projects – OC 15/11/17)		DDE		Dec 2017
QFPM – Feral Deer – OC 15/11/17)		DDE		Dec 2017
QFPM – Old Pacific Highway, Dennis Bridge, Wilson River Bridge – OC 15/11/17)		DI		Dec 2017
Bicentenary Activities - options for involvement and resources (Item 10.01 – OC 15/11/17)		DSG		Dec 2017
Financial Reserves Review - final report (Item 09.05 - OC 19/04/17)	Currently finalising communications document with UTS.	DCP	Dec 2017	Feb 2018
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
Review of investment income budget for 2017/2018 FY. (Item 09.10 – OC 15/11/17)	Refer to Investments Report – November 2017 and Monthly Financial Review November 2017.	DCP		Feb 2018

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
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	Mar 2018
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	Mar 2018
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

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
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
By-election for Popularly Elected Mayor – Correspondence Responses (Item 09.02 – OC 15/11/17)		GM		Apr 2018
City Managers Conference – post attendance report (Item 09.03 – OC 15/11/17)		GM		Apr 2018
Planning Proposal - Homedale Road Kew - post exhibition (Item 13.07 - OC 14/12/16)	Awaiting further response from proponent prior to public exhibition based on state agency consultation.	DSG	Oct 2017 Dec 2017	May 2018
Draft Structure Plan for the Greater Sancroix 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 Sancroix 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

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Alternative Investment Options for higher returns Item 09.10 – OC 15/11/17)		DCP		May 2018
Opportunities for Local Firms to do Business with Council (Item 11.01 – OC 16/08/17)		DCP		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
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

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
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
Planning Proposal PP2016 – 11.1 Mission Terrace Lakewood – post exhibition (Item 12.06 – OC 15/11/17)		DDE		TBA
Planning Proposal Town Square Port Macquarie – post exhibition (Item 12.07 – OC 15/11/17)		DDE		TBA

Cyclic Reports

Report	Reporting Officer	Reporting Cycle
Mayoral Discretionary Fund Allocations	GM	Monthly
Monthly Financial Update	DCP	Monthly
Investments	DCP	Monthly
Recommendations by the Mayor's Sporting Fund Sub-Committee	SG	Monthly
Development Activity and Assessment System Performance	DDE	Quarterly (May, Aug, Nov, Feb)

Report	Reporting Officer	Reporting Cycle
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	Annually (Sep)
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)
Council's Annual Report	DCP	Annually (Nov)

Report	Reporting Officer	Reporting Cycle
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: 09.03

Subject: DISCLOSURE OF INTEREST RETURN

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 Disclosure of Interest returns for:

- 1. New member of the Town Centre Master Plan Sub-Committee.**
- 2. Group Manager Environmental Services.**

Executive Summary

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

Discussion

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

1. Member of the Town Centre Master Plan Sub-Committee.
2. Group Manager Environmental Services.

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 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 the following position will be tabled at this meeting:

1. Member of the Town Centre Master Plan Sub-Committee.
2. Group Manager Environmental Services.

Options

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

Community Engagement & Internal Consultation

Internal Consultation

- Group Manager Governance and Procurement.
- General Manager.
- Director Strategy and Growth.
- Director Development and Environment.

Planning & Policy Implications

There are no planning or policy implications.

Financial & Economic Implications

There are no financial or economic implications.

Attachments

Nil

Item: 09.04

Subject: COUNCIL POLICY - POLICY REVIEW - POST EXHIBITION - NAMING AND RENAMING OF ROADS AND RESERVES

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:

- 1. Naming and Renaming of Reserves Policy.**
- 2. Naming and Renaming of Roads Policy.**

Executive Summary

At the Ordinary Council meeting held on 18 October 2017, Council resolved to place the following revised Policies on public exhibition:

- Naming and Renaming of Reserves Policy; and
- Naming and Renaming of Roads Policy.

The Policies were subsequently placed on public exhibition from 25 October 2017 to 21 November 2017. During the exhibition period, one (1) submission was received in support of the proposed Policy amendments.

Discussion

At the Ordinary Council meeting held on 18 October 2017, Council resolved as follows:

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

Naming and Renaming of Reserves Policy

This Policy ensures consistency with regard to the requirements for the naming and renaming of Council owned reserves (either a public reserve or a drainage reserve), or Crown reserve over which Council has been appointed Crown Land Manager, consistent with the policies and guidelines of the Geographic Names Board of NSW (GNB).

Naming and Renaming of Roads Policy

This Policy ensures consistency with regard to the naming and renaming of roads for the purposes of service delivery and public safety, particularly regarding the operation of emergency services and emergency response times, consistent with the policies and guidelines of the Geographic Names Board of NSW (GNB).

Permitted Sources of Reserve and Road Names

The key change made in the revised Policies relates to the permitted sources of reserve and road names.

In general practice, the Policies as amended would work to exclude commemorative naming proposals (that is, the use of names of people either living or deceased) unless in exceptional circumstances where a naming proposal for a deceased person who had contributed significantly to the area was put forward by formal resolution of Council.

Where reserve and road naming proposals are made consistent with the revised Policies and the guidelines of the Geographic Names Board of NSW (GNB), and no objection(s) is received from either the public or statutory authorities, the name is taken as being adopted by Council subject to finalisation of the associated administrative and NSW Government gazettal processes.

Reserve and road naming proposals will only be referred to Council for consideration via an Ordinary Council meeting where an objection(s) to the naming proposal has been received, noting that the GNB requires such submissions to be formally considered by Council.

Public Exhibition

The public exhibition period is now complete with the outcomes of the exhibition process discussed below.

There were a total of forty-four (44) visits to Council's engagement website page during the exhibition period. Two (2) documents were downloaded or viewed. One (1) submission was received, in support of the proposed Policy amendments (see attached).

An analysis of activity by document is provided in the table below.

Document Name	Downloads and Views	Submissions
Naming and Renaming of Reserves Policy	-	1
Naming and Renaming of Roads Policy	-	1
Total	44*	2

* Note: The draft Policies were posted on the same webpage.

It is recommended that Council now adopt the amended:

- Naming and Renaming of Reserves Policy; and
- Naming and Renaming of Roads Policy.

Options

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

Community Engagement & Internal Consultation

The Policies that are the subject of this report were available for public comment from 25 October 2017 to 21 November 2017 (28 days). During this period, one (1) submission was received.

Submission		Issue
1.	Julie Priest	Proposed amendment to both Policies to exclude commemorative naming proposals (that is, the use of names of people either living or deceased) unless in exceptional circumstances.
	Response/ Comment:	Comments were supportive of the proposed changes in both draft Policies regarding the naming and renaming of reserves and roads.

Planning & Policy Implications

This report recommends the amendment of two (2) current Council Policies.

Financial & Economic Implications

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

Attachments

1[View](#). Policy - Naming and Renaming of Reserves

2[View](#). Policy - Naming and Renaming of Roads

3[View](#). Submission - Naming and Renaming of Roads and Reserves

Item: 09.05

Subject: MONTHLY FINANCIAL REVIEW FOR NOVEMBER 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 November 2017.

Executive Summary

This report will detail the monthly budget adjustments to 30 November 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 improve the budget position to a shortfall of \$64,023.

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.

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
November Review	Surplus	\$290,110
Forecast budget position for 30 June 2018	Shortfall	(\$64,023)

November 2017 Adjustments

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

Item	Surplus/ Shortfall	Amount	Comment
Interest on Investments – General Fund	Surplus	\$462,200	The forecast revenue for interest on investments for the year has been increased. This is due primarily to higher levels of cash than initially predicted.
Transfer to Restricted Asset – Interest on S94	Shortfall	(\$20,000)	Any additional interest accrued on S94 contributions has to be transferred to the S94 restricted asset.
Consultancies – Council Wide	Shortfall	(\$60,000)	This adjustment is to cover financial consultancy work undertaken.
Financial Services	Shortfall	(\$92,090)	This is to cover one permanent full time position and one temporary part time position. This is the net amount after overhead distributions.
Total	Surplus	\$290,110	

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	\$304,677
Reserve Transfers	2	Reserve	\$852,799
Transfer between projects	3	S94/Revenue	\$880,000
S64 Funding	4	S64	\$389,286
Total			\$2,426,762

1. *Grant funding.*

The total **increase** in project value for 2017-2018 is **\$304,677**.

Council project	Grant provider	Amount	Funding	Comment
Glasshouse Theatre LED Lighting Upgrade	NSW Department of Industry	\$135,777	Grant	
Bushfire Risk Mitigation Works – 2017/18	NSW Rural Fire Service	\$68,900	Grant	
Hastings Public School – Yarrabee Road Crossing Upgrade	Roads and Maritime Services	\$50,000	Grant	
St Agnes Primary School – Boronia Street Pedestrian Refuge	Roads and Maritime Services	\$50,000	Grant	
TOTAL		\$304,677		

2. *Reserve Transfers*

There has been adjustments this month that increase the level of some reserves and reduce the level of others.

Project Name	Reserve	T/f from (reduction) T/f To (increase)	Amount	Comments
Bago Telemetry Tower	Water	T/f from	\$63,999	This project has been deferred to 2018/19 due to resourcing constraints
Purchase of 2 x Explosive Trace Detection (RTD) Units	Airport	T/f From	(\$64,000)	Council has been advised that as of 1 January 2018 the current Explosive Trace Detection (ETD) units at the PM Airport will no longer be supported and as such quotations are being sought for the replacement of these items.
Sale of Part of Bonser Lane	Roads Renewal	T/f To	\$315,000	Council has sold part of Bonser Lane in Laurieton. The Roads Act 1993 stipulates that monies received from the sale of closed roads are to be expended on road maintenance or on the

				acquisition of land for road purposes. Accordingly to proceeds have been transferred to the road renewal reserve.
Interest on Investments – Waste Fund	Waste	T/f to	\$54,500	Additional income from interest on investments within the waste fund must be transferred to the waste fund reserves.
Interest on Investments – Water Fund	Water	T/f to	\$301,700	Additional income from interest on investments within the water fund must be transferred to the water fund reserves.
Interest on Investments – Sewer Fund	Sewer	T/f to	\$176,500	Additional income from interest on investments within the sewer fund must be transferred to the sewer fund reserves.
Interest on Investments - Broadwater	Broadwater	T/f to	\$5,000	Additional income from interest on investments within the Broadwater fund must be transferred to the Broadwater fund reserves
Interest on Investments – Sanctuary Springs	Sanctuary Springs	T/f to	\$100	Additional income from interest on investments within the Sanctuary Springs fund must be transferred to the Sanctuary Springs fund reserves
Net Transfer to reserves			\$852,799	

3. *Transfer between projects*

Project Name	Budget	Funding	Comments
Campbell Street – Nelson to Waugh Street, Rehabilitation Works	\$150,000	\$51,330 S94 \$98,670 Revenue (T/f from Road Reseals)	To better manage the S94 funding available for this project a separate project has been

			created and funding transferred from Road Reseals and S94.
Beechwood Road – Oxley to Cowdery Road, Rehabilitation Works	\$150,000	\$60,150 S94 \$89,850 Revenue (T/f from Road Reseals)	To better manage the S94 funding available for this project a separate project has been created and funding transferred from Road Reseals and S94.
Rollands Plains Road Rehabilitation – Doyles Road to Herberts Road	\$580,000	\$580,000 Revenue	This project is being funded from within the roads maintenance budget. To allow the project to be correctly capitalised the funds have been transferred to a capital works project.
Total	\$880,000		

4. S64 Funding

Water Main Construction – Pacific Highway to John Oxley Drive, North Oxley Town Centre – Council has signed a deed of agreement with a developer to have this work undertaken at a cost of \$389,286. The cost of the project will be fully funded from S64 contributions.

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 improve the current budget position to a shortfall of \$64,203.

Responsible Accounting Officer Statement

The approved original budget result for 2017-2018 was a shortfall of \$586,858. The budget adjustments in this report improve the current budget position to a shortfall of \$64,023. The shortfall position is considered an un-satisfactory result for the year, and accordingly budgets will be closely monitored during the remainder of the year.

Attachments

1 [View](#). November 2017 Budget Review

Item: 09.06**Subject: INVESTMENTS - NOVEMBER 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 November 2017.

Executive Summary

- Total funds invested as at 27 November 2017 equals \$263,672,218.
- The actual year-to-date investment income of \$3,292,381 represents 52.01% of the total annual investment income budget of \$6,330,600.
- The total annual investment income budget has been increased to \$6,330,600 with this budget increase incorporated in the monthly November Financial review council paper.
- In line with Council's Investment Policy, the total portfolio has performed above benchmark levels.

DiscussionOverview

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 Councils provide different services. Not all Councils provide Water and Sewer services for example which require significant capital investment.

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

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 27 November 2017, comply with this Act.

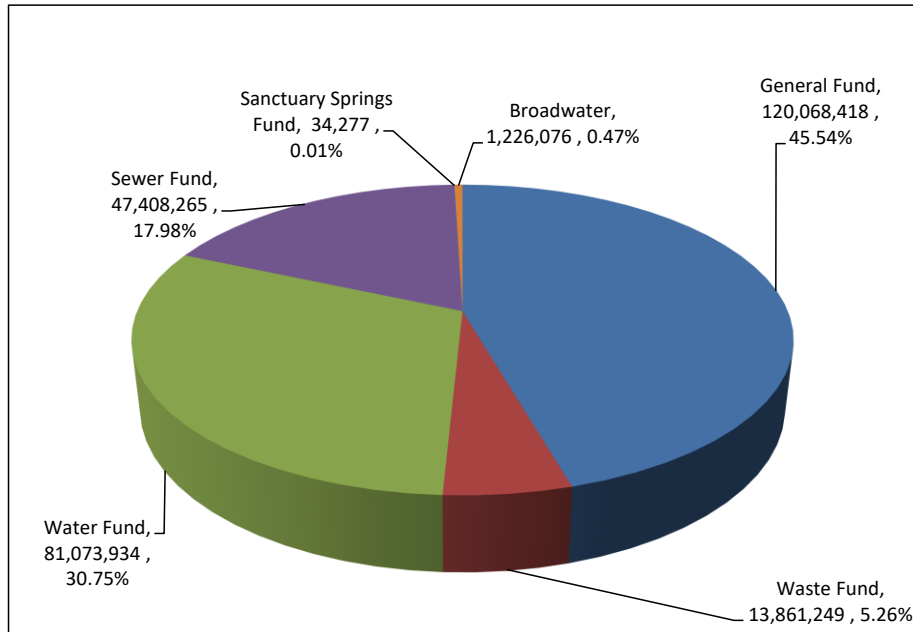
All investments have been made in accordance with the Act and Regulations, and Council's Investment Policy.

As at 27 November 2017, the investments held by Council totalled \$263,672,218 and were attributed to the following funds:

General Fund	120,068,418
Waste Fund	13,861,249
Water Fund	81,073,934
Sewer Fund	47,408,265
Sanctuary Springs Fund	34,277
Broadwater	1,226,076
	<hr/>
	263,672,218

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 27 November 2017Portfolio Performance

At the Ordinary Council meeting held on 15 November 2017, Council resolved as follows:

09.10 INVESTMENTS - OCTOBER 2017

RESOLVED: Hawkins/Griffiths

That Council:

1. Note the Investment Report for the month of October 2017.
2. Request the General Manager submit a report to a future Council Meeting (before June 2018) after review by the Audit, Risk & Improvement Committee that examines alternative investment options that are likely to give Council a higher return on its investments whilst remaining within approved risk parameters.
3. Request the General Manager to submit a report to the February 2018 meeting of Council that reviews the investment income budget for the 2017/2018 Financial Year.

CARRIED: 9/0

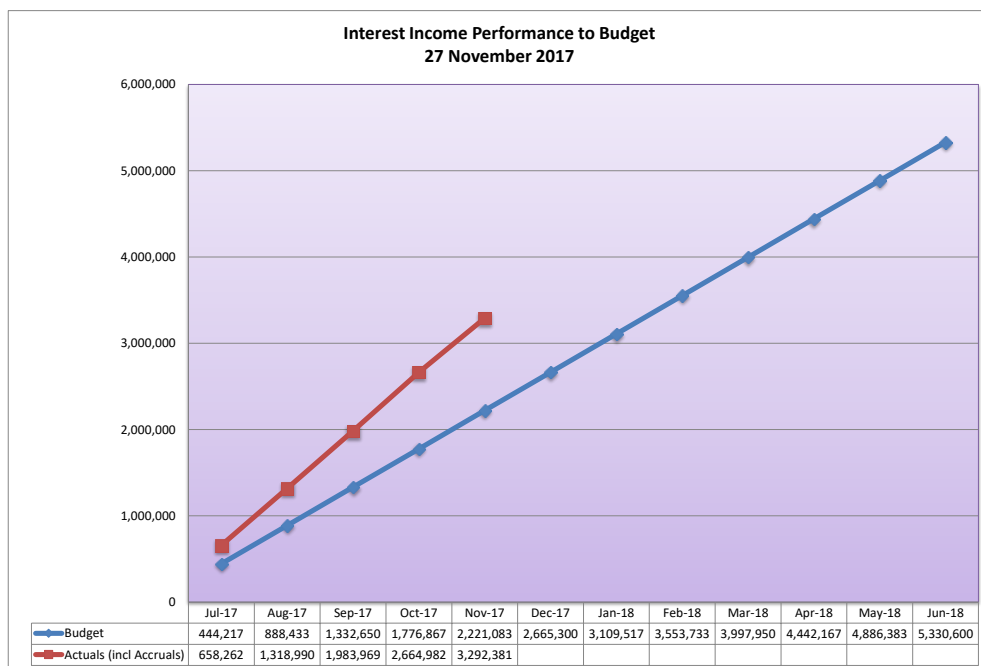
FOR: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and

Turner

AGAINST: Nil

In reference to Resolution #3 above, a revised budget has now been calculated and estimated at an additional \$1,000,000. This adjustment is incorporated in the monthly November Financial review council paper. The estimated budget will continue to be revised for the remainder of the year and adjusted as necessary.

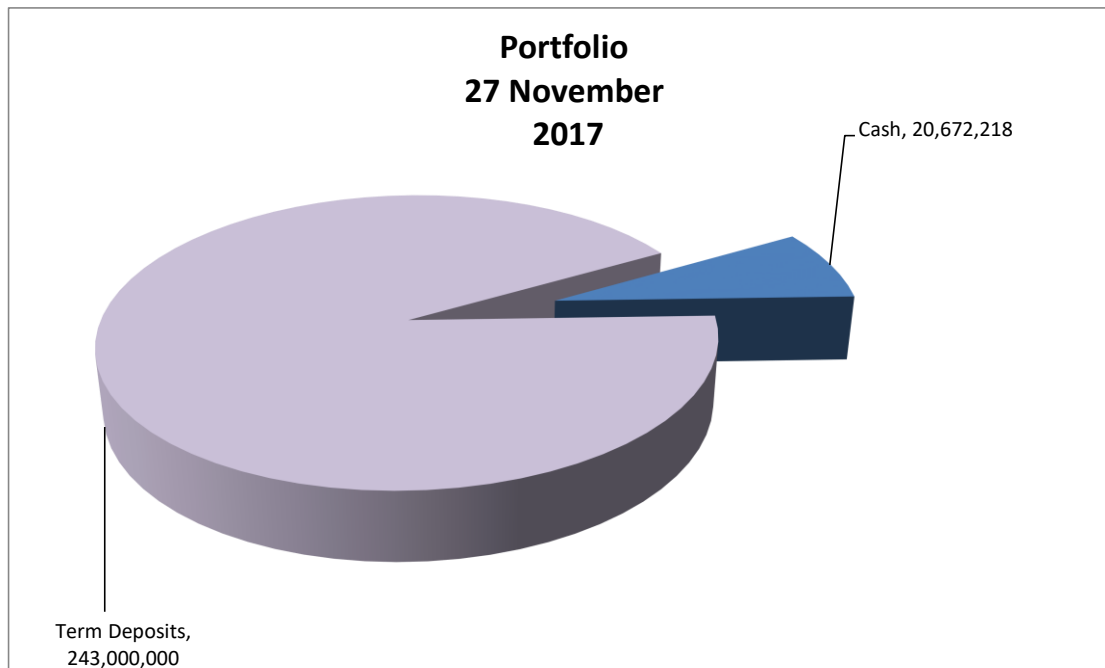
- Council's total investment portfolio performance as at 27 November 2017 was 1.53% above the benchmark (3.23% against 1.70%). Benchmark being the Bank Bill reference rate as at 27 November 2017 as identified on www.bloombergindices.com.
- The actual year-to-date investment income of \$3,292,381 represents 52.01% of the revised total annual investment income budget of \$6,330,600.



The year-to-date actual reflects total earning including both cash and accruals. *(Until adopted by Council, the above graph reflects the existing budget).*

Investment Portfolio Mix

Council's current portfolio is made up of cash and term deposits. The total term deposits represent 92.16% of the total investment portfolio. As at 27 November 2017, the total investment portfolio was \$263,672,218 which is up from \$261,672,218 as at the end of October 2017. This consists of term deposits of \$243,000,000 and cash \$20,672,218.



Term Deposits - Current month \$243,000,000 - 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 27 November 2017 is as follows:

Term to Maturity

This table as at 27 November 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		\$125,000,000	51.44%	40.00%	100.00%
1 - 3 years		\$86,000,000	35.39%	0.00%	60.00%
3 - 5 years		\$32,000,000	13.17%	0.00%	30.00%
Grand Total		\$243,000,000	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 previously advised, 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. The Investment Policy has now been altered to accommodate such an event in the future.

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	5.35%	60.00%	54.65%	OK
AA	145,000,000	59.67%	100.00%	40.33%	OK
AD/Unrated	2,000,000	0.82%	10.00%	9.18%	OK
BBB	83,000,000	34.16%	15.00%	-19.16%	Outside Policy
Grand Total	243,000,000	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	76,000,000	31.28%	60.00%	28.72%	OK
AA	145,000,000	59.67%	100.00%	40.33%	OK
AD/Unrated	2,000,000	0.82%	10.00%	9.18%	OK
BBB	20,000,000	8.23%	15.00%	6.77%	OK
Grand Total	243,000,000	100%			

Cash - Westpac Business Cash Reserve Account

Current month \$20,672,218 - Prior month \$11,672,218

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.

Summary of Net Investment Movements – November 2017

Financial Institution	Fund Rating	Invest/ (Recall) Amount \$	Commentary
<u>Call Accounts</u>			
Westpac Business Cash Reserve Act	AA-	8,000,000.00	Q2 rate income placed in call account for future operational use and meet council's liquidity requirements. Surplus funds to be invested.
<u>Term Deposits (TDs)</u>			
ANZ	AA-	2,000,000.00	Redemption of matured investments proportionately used to fund council's operational and capital expenditures. Surplus funds will be used to invest in higher yield investments early December 2017
Bank of Queensland	BBB+	2,000,000.00	
Westpac Banking Corporation	AA-	3,000,000.00	

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 (1.70% 27 November 2017).

The largest sector of the portfolio is the term deposit allocation of \$243,000,000 (last month \$250,000,000) or 92.16% of the total.

Investment Portfolio by Maturity Date - as at 27 November 2017

Inv Name	Type	Rating (S&P)	Purchase Date	Maturity Date	Yield	Face Value
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

AGENDA

ORDINARY COUNCIL 13/12/2017

Inv Name	Type	Rating	Purchase Date	Maturity Date	Yield	Face Value
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
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						243,000,000
Westpac Business Cash						
Reserve Account	CASH				2.20%	20,672,218
Total Portfolio						\$263,672,218

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 27 November 2017 is 1.53% above the benchmark (3.23% against 1.70%) and year to-date income is 52.01% 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 \$21,074.62 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.

Karen Rowe
Responsible Accounting Officer

Attachments

Nil

Item: 09.07

Subject: PAYMENT OF WATER FUND AND SEWER FUND DIVIDEND FOR THE YEAR 2016-2017

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:

- 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 \$896,454 to the General Fund from the surplus in Water Supply operations for the 2016-2017 financial year.**
- 3. Authorise the payment of \$99,606 for tax equivalents to the general fund from the Water Supply operations for the 2016-2017 financial year.**
- 4. Authorise the application to the NSW Government for approval to pay a dividend of \$836,433 to the General Fund from the surplus in the Sewerage Fund for the 2016-2017 financial year.**
- 5. Authorise the payment of \$92,937 for tax equivalents to the general fund from the Sewerage Fund for the 2016-2017 financial year.**
- 6. Determine that if successful in its application that the dividend will be quarantined for stormwater related works.**

Executive Summary

This report provides Council with information on Council's compliance with NSW Best Practice Management Guidelines for Water Supply and Sewerage.

Additionally the recommendation will allow Council to apply for payment of a dividend from the Water Supply and Sewerage Funds to General Fund for the year ended 30 June 2017.

Discussion

Where a Council Water or Sewerage operation has:

- an operating surplus for the year in question, and
- a sufficient cumulative operational surplus over the last three years

it may be eligible to make a dividend payment from the surplus if it meets the following requirements:

1. Demonstrates best-practice management compliance through an independent compliance audit report: and
2. Obtains an unqualified financial audit report for its water supply/and or sewerage business(es).
3. Resolves in a council meeting open to the public that it has achieved “substantial compliance” with each criterion of the Best Practice Management Guidelines. The criterion are set out in table 1 of the guidelines which is attached.

Any dividend is able to be transferred to the General Fund and is unrestricted. It is recommended that if payment of the dividend is approved, that it not be used for recurring operational expenditure but instead be quarantined for stormwater works.

For the 2016-2017 financial year, Council meets the surplus requirements for both the Water Supply operations and for the Sewerage operations.

Requirement 1 – Best Practice Criteria

In August 2007, the NSW Department of Water & Energy issued the final guidelines for the Best Practice Management of Water Supply and Sewerage Operations. The intent of the Best Practice Guidelines is to ensure compliance with six Best Practice Management criteria.

The six Best Practice criteria are:

1. Strategic Business Planning
2. Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals)
3. Water Conservation
4. Drought Management
5. Performance Reporting
6. Integrated Water Cycle Management

Within each of the above six criteria there is a required outcome that needs to be met and indicators that demonstrate the achievement of the outcome. In accordance with the guidelines, Council has endeavoured to meet all criteria as addressed in the guidelines and to demonstrate the achievement of the criteria.

The achievement of the criteria is required to be audited by an independent external Auditor. Council undertook a compliance audit for the 2015-2016 financial year that was completed in June 2017 by NSW Public Works Advisory. Advice from The Department of Industries has stated that if the compliance audit has been undertaken recently then another one will not be required. A copy of the audit report is attached.

The audit concluded that “Port Macquarie-Hastings Council has demonstrated “substantial compliance” with Best Practice Management of Water Supply and Sewerage in line with the DPI water Guidelines.

Requirement 2- unqualified financial audit report

The independent Audit Report on the Special Purpose Financial Reports for Water and Sewerage was included in Council's Annual Statements for the 2016-2017 financial year. The audit report was unqualified and therefore meets the criteria in the guidelines. A copy of the audit report is attached.

Requirement 3- council resolution

It is recommended that Council resolve that it has achieved "substantial compliance" with each criterion of the Best Practice Management Guidelines.

Application

Once Council complies with the abovementioned criteria, Council is able to apply for permission to pay a dividend from the Water Supply and Sewerage operations. The dividend totals \$896,454 for water supply and \$836,433 for sewerage services for the financial year 2016-2017. The payment of this dividend is subject to approval by the NSW Government and approval may or may not be granted. The payment of tax equivalents is not subject to approval from the NSW Government.

Options

Council has the option of applying for approval to take a dividend of \$966,930 from the water fund or it can choose not to apply. If Council chooses to apply it must resolve that it has achieved "substantial compliance" with each of the criterion in the Best Practice Guidelines.

Council may choose to resolve that if successful that this dividend be used for certain purposes, or it may choose not to limit the application of the funds.

Community Engagement & Internal Consultation

Consultation has occurred with the Water and Sewerage sections and independent auditors.

Planning & Policy Implications

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

Financial & Economic Implications

A total dividend from surplus of \$1,732,887 is payable by the Water Supply and Sewerage operations. In addition, tax equivalents of \$192,543 are also payable. These funds are unrestricted and therefore can be spent on any General Fund activity that Council sees fit.

It is proposed to place these funds into an internally restricted reserve pending allocation to suitable stormwater related projects.

Attachments

1 [View](#). Best Practice Guidelines - Table 1

2 [View](#). Best Practice Audit Report

3 [View](#). 2016-17 Special Purpose Audit Report

Item: 09.08

**Subject: REQUEST TO ATTEND CLIMATE LEADERSHIP CONFERENCE -
MARCH 2018 - COUNCILLOR PETER ALLEY**

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

1.3.1 Provide effective leadership and equity.

RECOMMENDATION

That Council approve the attendance of Councillor Peter Alley at the Climate Leadership Conference to be held in Sydney from 15 to 16 March 2018.

Executive Summary

The Climate Leadership Conference will be held in Sydney from 15 to 16 March 2018.

Councillor Peter Alley has expressed an interest in attending the conference as the Chairperson of the Planning, Environment & Sustainability Portfolio.

As per Council's "Payment of Expenses and Provision of Facilities to Councillors Policy", a Council resolution is required for Councillor attendance at conferences.

Discussion

The Climate Leadership Conference will cover the latest developments surrounding the Paris Agreement and their implications at a local level. The Conference will feature:

- Latest best practice case studies in achieving net-zero emissions.
- New approaches to management of climate risk.
- Key strategies for mobility and urban planning.
- The role of Local Governments in responding to climate change.
- Adaptive communities – how Councils are collaborating, learning about and responding to climate change.
- Understanding and planning for the impacts of climate change on coasts and infrastructure.

There will also be case studies from Australia's leading councils on their approaches to mitigation, adaptation and carbon neutrality, with over 20 of Australia's leading climate experts presenting the latest best-practice climate strategies.

Options

Council has the option of approving or declining the attendance of Councillor Alley at the Climate Leadership Conference.

Community Engagement & Internal Consultation

Internal consultation has occurred with:

- General Manager;
- Councillor Alley

Planning & Policy Implications

There are no planning and policy implications. This report satisfies the requirements of Council's Payment of Expenses and Provision of Facilities to Councillors Policy.

Financial & Economic Implications

The 2017-2018 budget contains an allocation for expenses relating to conferences and out of pocket expenses for Councillors. The attendance of Councillor Alley at the Conference can be funded from within this budget allocation.

Early Bird Conference registration prior to 15 December 2017 is \$1,195.00.

In addition to Conference registration, accommodation, travel and any out of pocket expenses, as allowed for under the Policy, will be at the expense of Council.

Attachments

Nil

Item: 09.09

Subject: PROPERTY INVESTMENT POLICY - CONSIDERATION OF SUBMISSIONS

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

1.5.3 Develop, manage and maintain Council Business Units through effective commercial management.

RECOMMENDATION

That Council:

- 1. Note the submissions to the Draft Property Investment Policy as discussed in this report.**
- 2. Adopt the Property Investment Policy based on the comments received during the exhibition period.**

Executive Summary

Council has developed a draft Property Investment Policy to establish a structured and prudent approach to property investment. The Policy formalises the use of property investment by Council, to contribute to financial sustainability, and to improve long term outcomes for the community.

Under the Policy, Council will utilise property investment to establish a recurring income stream that supplements the traditional income base of rates, charges, and government grants; and to invest in property assets to meet future community, operational and growth needs.

At the Ordinary Council meeting on 20 September 2017 Council resolved to publicly exhibit the draft Property Investment Policy for a period of 28 days.

Discussion

The public exhibition period is now complete with the outcomes of the exhibition process discussed below. There were 46 visitors to Council's engagement website to view the Policy during the exhibition period, with the Policy document downloaded 13 times. From that interest, 2 submissions were received.

It is recommended that Council now formally adopt the Property Investment Policy based on the comments received during the exhibition period.

Options

Council may either choose to adopt the Property Investment Policy or adopt a modified policy or proceed without a policy.

Community Engagement & Internal Consultation

The draft Property Investment Policy was available for public comment from 25 September 2017 to 24 October 2017. The 2 submissions received are detailed below.

Submission Author		Submission
1.	Bill Watson	Having read the draft policy, I assume that it will include a commitment to adhere to the broader provisions of the Investment Policy Guidelines May 2010 as published by NSW Department of Premier & Cabinet.
	Council Response:	Yes, the Policy will adhere to the broader provisions of the Investment Policy Guidelines May 2010 as published by NSW Department of Premier & Cabinet. The Policy has been updated to reflect this reference.
2a.	Michael Mowle, Hastings Construction Industry Association	<p>Conflict of Interest</p> <p>This intended policy is untenable in a society where Government is required to be both transparent and accountable to the community. Government's role is the approval and regulation under relevant legislation, and the provision of services to the public, which must be delivered in a way that there can be no conflict of interest with the community it serves.</p> <p>As the Regulator dealing with rezoning proposals all the way through the development processes to final Subdivision and Occupation Certificates, they must not only be transparent and independent, they must also be "seen to be so". There are current examples of council land being assessed where there is potential for conflict of interest, and in some instance reports prepared appear to favour the interests of Council or are significantly less onerous than similar requirements imposed on private developers.</p> <p>To be actively in competition with not only developers and the public who submit applications to Council for approval, but also to compete with businesses in relation to leasing and the management of commercial or other property, will leave Council to be continually open to accusations of a conflict of interest. Should Council undertake developments there will be an expectation that they will maximise returns from the developments. In order to maximise returns Council will have the opportunity to delay other projects, fast track their own projects, refuse competing projects and operate in such a way that they disadvantage other developments. Whilst this may or may not occur, the perception that it could occur, cannot be allowed by a Government authority.</p> <p>There is huge potential for Council to distort the development market in Port Macquarie and to detrimentally affect the economy of the area by being actively involved in the</p>

		<p>development industry. The effect of any distortion in the market from Council's development activities also has significant potential to detrimentally damage local businesses. The following is directly from the ICAC website:</p> <p>"The improper conduct of commercial activities can constitute corrupt conduct as defined by the Independent Commission Against Corruption Act 1988."</p> <p>Council will be placing itself potentially in serious jeopardy, in ensuring that no improper conduct occurs on any development they are involved in. This is a very large management risk for Council.</p>
	Council Response:	<p>The Property Investment Policy formalises the existing activities currently being undertaken by Council.</p> <p>Council is involved in elements of property development activity on a regular basis, through its existing portfolio of property and land assets that are regularly leased, refurbished, developed, acquired and sold.</p> <p>In undertaking each of these activities, Council is required to adhere to the same process as a private developers and other third parties, with Council regularly utilising the services of a range of local professional firms to deliver these outcomes.</p>
2b.	Michael Mowle, Hastings Construction Industry Association	<p>Council to become a Developer</p> <p>The proposed policy clearly details that Council proposes to become a Developer. Land and property development is a high risk industry which requires significant skill and expertise to be successful. Whilst every other aspect of Councils', and other Governments, activities have moved significantly to adopt a risk averse position, it is totally inconsistent and incomprehensible that they would proceed to enter such a high risk area of operations using public money.</p> <p>Whilst it may be believed that Developers make huge amounts of profits, and that this is something Council will be able to achieve for the benefit of the community, such an approach clearly ignores the reality that many developers go broke and are unsuccessful. Markets regularly change and the recent history of the global financial crisis should still be a very strong warning to Council about committing public money in this area. There is also a significant issue around the management of these proposed developments, which requires people with a long history of expertise and experience in land and property development.</p>
	Council Response:	<p>Council has historically undertaken large scale developments in the local area, such as the Lake Road Industrial Area in Port Macquarie, and the Wauchope Industrial Area.</p> <p>Where prudent and appropriate, Council may undertake similar activities in the future, accessing external skills and expertise as required.</p>
2c.	Michael Mowle,	Realisation of Assets

	Hastings Construction Industry Association	<p>Council should actively review its extensive list of properties they own, with a view to divesting themselves of any of these that are not required to meet their operational or future needs. As the current market is very buoyant, the realisation of these assets now, or over a period of years, would provide significant funds at no risk.</p> <p>For Council to develop their assets as proposed they will need to expend significant additional funds, or dilute their asset value by way of joint ventures or other means. Funding for development projects in regional areas is extremely difficult, and regardless of whether Council utilises internal revenue, this will significantly increase the risk in relation to these funds, when compared to the straight forward sale of these assets.</p>
	Council Response:	Council is currently reviewing its existing land and property holdings against current and future requirements. Property assets that are surplus to Council requirements are disposed of when favourable market conditions exist.
2d.	Michael Mowle, Hastings Construction Industry Association	<p>The Policy does not indicate how Council intends to finance the developments they propose to undertake. This is a major issue tied directly to the high risk nature of the policy, and needs to be clearly incorporated in the Policy so that this can be reviewed prior to any consideration.</p> <p>All funds required to develop the properties will be additional to the funds Council would receive by simply selling the asset. As such the development funds are at risk and subject to market trends and competition, with the potential that these funds could be lost entirely. This is an unacceptable risk for Public money.</p>
	Council Response:	<p>The manner in which individual development projects are funded by Council is dependent on a number of factors, including project type and duration, risk profile, tenure, staging, and market factors.</p> <p>As a result, funding is assessed on a project by project basis, noting that no decision to buy, develop or dispose of a property is made without a Council Report provided to Councillors for approval.</p>

Planning & Policy Implications

The adoption of this Policy will create a formal framework to enable Council to invest in property assets and to maintain a property investment portfolio.

Financial & Economic Implications

In the initial years of establishing a property investment portfolio (expected to be the first 3 to 5 years), revenues generated from property investment activities will be allocated back to Council's property reserve.

Upon establishing a stabilised revenue stream within this portfolio, (expected to be within 5 years), Council will look to implement a mechanism whereby a portion of revenue from property investment activities is paid as a dividend back to Council.

Attachments

1 [View](#). Draft Property Investment Policy

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: CLOSURE OF PART OF AN UNNAMED ROAD AT SETTLEMENT POINT

Presented by: Corporate Performance, Rebecca Olsen

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. Make application to the Department of Industry – Lands for the closure of an area of 17 metres x 20 metres of the unformed and unnamed Council road that bisects the Settlement Point Reserve.**
- 2. Request the Department of Industry – Lands vest the closed road in Council as “operational” land.**
- 3. Pursuant to Section 377 of the Local Government Act 1993, delegate authority to the General Manager to sign the:**
 - a) Road closing application to be lodged with the Department of Industry – Lands;**
 - b) Survey plan of road closure/first title creation;**
 - c) Land Registry Services Request Form for issue of certificate of title for the closed road.**

Executive Summary

At the Ordinary Council meeting held on 19 July 2017, Council noted the revised Recreation Action Plan 2017 – 2025 (see extract attached), which identified a “short term priority project” to provide a water craft storage facility at the Settlement Point Reserve.

The Flamin’ Dragons Dragon Boat Club has selected part of an unnamed and unformed road within the Settlement Point Reserve as shown on the attached plan as a suitable location for the future construction of the water craft storage facility. An application for the closure of the road required to enable construction of the storage facility has been lodged by the Flamin’ Dragons Club.

This report details the consultation that has occurred in accordance with the *Roads Act 1993* as part of the road closure process and recommends that further actions now be taken to apply to the Department of Industry – Lands for the permanent closure of the required part of the road reserve.

Discussion

At the Ordinary Council meeting held on 19 July 2017, Council resolved as follows:

10.02 RECREATION ACTION PLAN UPDATE

Mrs Diane Gilbert, representing the Wauchope Heated Indoor Pool Association, addressed Council in support of the recommendation.

RESOLVED: Turner/Griffiths

That Council:

- 1. Note progress achieved to date in implementing the Recreation Action Plan.*
- 2. Note the revised Recreation Action Plan as presented in the report.*
- 3. Receive an annual report outlining the status of Plan implementation and review outcomes and recommendations.*

CARRIED: 7/0

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

AGAINST: Nil

The Recreation Action Plan 2017 – 2025 sets out a number of short, medium and longer term priorities for the completion of various projects. Among the short term priority projects (2018/19 – 2019/20) is the provision of a water craft storage facility at Settlement Point Reserve. An extract from the Recreation Action Plan is attached. Council has previously provided grant funding for the establishment of the storage facility.

The Flamin' Dragons Dragon Boat Club has selected an area of an unnamed and unformed road that bisects the Settlement Point Reserve as their preferred site for the storage facility. The general location of approximately 17 metres x 20 metres is shown on the attached plan. The area has been selected to minimise impact on vegetation as well as providing proximity to a new toilet block to be constructed in the Settlement Point Reserve. Council is the appointed Reserve Trust Manager for the Settlement Point Reserve, a Crown Reserve set aside for public recreation.

The road closure is required prior to proceeding with the construction of the storage shed and subsequent lease to future users. The Flamin' Dragons have made application to close the approximately 17 metres x 20 metres of road and consultation as required under the provisions of the *Roads Act 1993* has now concluded.

Options

There is the option to:

1. Make application to the Department of Industry – Lands for the closure of the road; or
2. Not make application to the Department of Industry – Lands for the closure of the road.

As noted above, construction of the proposed facility consistent with the Recreation Action Plan 2017 – 2025 is dependent on the road closure.

Community Engagement & Internal Consultation

The *Roads Act 1993* and the Department of Industry – Lands as the road closing approval Authority, require consultation to be conducted whenever a road closure is proposed.

The proposed road closure was notified to the public in the “Community Now” Notices published in the local print media. At the conclusion of the consultation period, no objections were received.

The proposed road closure was also notified to the requisite Statutory Authorities. At the conclusion of the consultation period, no objections were received.

There has been ongoing consultation with the Flamin’ Dragons Club.

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

Planning & Policy Implications

There are no planning and policy implications in relation to this report. The proposal is consistent with the Recreation Action Plan 2017 – 2025.

Financial & Economic Implications

Costs in lodging and processing the road closing application are being met by the Flamin’ Dragons Dragon Boat Club.

Should the Department of Industry – Lands support the road closing application and vest the closed road in Council, it will then be possible for the Club to lodge a Development Application for the construction of a water craft storage facility.

Attachments

- 1[View](#). Extract from Recreation Action Plan 2017 - 2025
- 2[View](#). Approximate Location of Proposed Road Closure

Item: 10.02

Subject: THRUMSTER SPORTS FIELDS DEVELOPMENT

Presented by: Development and Environment, Daniel Croft

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. Provide in-principle support for the development of a high performance football centre as part of the Thrumster Sports Fields facility.**
- 2. Develop detailed designs for the Thrumster Sports Field facility which meets the needs of Football Mid North Coast as well as cricket and community football use.**

Executive Summary

Council plans to develop outdoor sports fields in Thrumster in future. Planning for this facility has commenced with the site being determined and detailed design and approvals for the facility are prioritised within the 2017/18 Operational Plan (refer to Action 2.3.3.12).

Football Mid North Coast (FMNC) have put a proposal to Council which could see the establishment of a high performance football centre at the Thrumster sports facility. In addition to high performance football, it is proposed to accommodate cricket during the summer months and community club football during the winter season.

The proposal has the support of the current landowner of the sports field site, Lewis Land Group, who have developed a concept.

Discussion

Council plans to develop outdoor sporting fields in Thrumster. The facility will be approximately 6.7 hectares in size and will be located on the northern side of St. Josephs Regional College.

FMNC is the peak body for football in the region which extends from Stuarts Point in the north to Buladelah in the south and Gloucester in the west. The football region included 31 clubs in 2017 with 6 clubs existing within the Port Macquarie – Hastings local government area:

- Camden Haven Redbacks – Vince Inmon Sporting Complex, Laurieton

- Lake Cathie Raiders Football Club – Lake Cathie Sporting Complex
- Port Macquarie Football Club – Tuffins Lane & Macquarie Park, Port Macquarie
- Port Macquarie United – Dixie Park, Wayne Richards Park & Tuffins Lane, Port Macquarie
- Port Saints Football Club – Findlay Park, Port Macquarie
- Wauchope Soccer Club – Fairmont Gardens, Blackbutt Park and Landrigan Park, Wauchope.

FMNC has added 2 new Port Macquarie – Hastings based clubs to the competition for the 2018 season:

- Iona Football Club – St Columba Anglican School, Port Macquarie
- Western Phoenix Football Club – Charlie Watt Reserve, Telegraph Point.

FMNC currently runs some high performance football programs out of Wayne Richards Park, Port Macquarie. Limitations associated with the Wayne Richards Park facilities are preventing opportunities for expansion of the high performance football program within the region.

The Case for Thrumster

FMNC have prepared a presentation regarding the proposal to establish a high performance football facility at Thrumster (refer to attachment – *Football Mid North Coast – Case for Thrumster Submission*).

The submission identifies the following:

FMNC propose a facility that provides a main field suitable for matches up to and including A League standard. Multiple training fields at the rear of the complex would be used year round by our 400 strong High Performance Programs, Cricket over the Summer and Community Football over the winter seasons. FMNC would seek to relocate our Administration office to the site to provide the benefits of onsite security. 5 a side courts could be constructed to provide a long term source of income to fund the facility.

The submission identifies that there were 6,550 registered players in the FMNC region in season 2017, up 4.12% from the previous season. The submission also identifies that 2,599 registered players were based within the Port Macquarie – Hastings.

Research undertaken by the Australian Sports Commission for the period October 2015 to September 2016 shows that the number 1 club sport activity for adults and children combined is football at 4.5% of the total population and 18.8% of club sport population (refer to attachment - *Australian Sports Commission - Participation data for the sport*).

Club sport (Adults & Children combined) Top activities (nationally)	Population estimate	Per cent of population	Per cent of club sport population
Football	1,086,986	4.5%	18.8%
Golf	685,732	2.8%	11.9%
Australian football	635,627	2.6%	11.0%

Netball	625,721	2.6%	10.8%
Tennis	585,751	2.4%	10.1%
Cricket	562,669	2.3%	9.7%
Basketball	532,311	2.2%	9.2%
Touch Football	271,628	1.1%	4.7%
Swimming	267,890	1.1%	4.6%
Rugby League	247,883	1.0%	4.3%
Athletics, track & field	238,084	1.0%	4.1%

The proposal for this facility is supported by the Newcastle Jets Football Club. The club has written to Council in regard to this facility and has suggested that, in addition to being a high performance centre for FMNC, the facility could also be used as a regional training hub for the Jets. This would assist a number of local families who travel to Newcastle several times per week for training purposes. The regional training hub would allow for some training to occur locally reducing the travel burden currently being experienced by these families.

The Jets already have strong ties to the Port Macquarie – Hastings area having played A-league pre-season and competition fixtures at Port Macquarie Regional Stadium. Most recently the A-league team played a mid-week friendly against Mid North Coast representative sides on 15 August 2017 which attracted 4,000 spectators, highlighting local support for this sporting code.

The submission from FMNC identifies potential for:

- State carnivals and titles, trial matches and state-wide gala weekends to be held at the Thrumster facility.
- The facility to be used as a team base for future major International Football tournament hosted by Australia, such as the Asian Cup or the FIFA Women's World Cup.
- The Newcastle Jets to use the facility for pre-season matches, including televised FFA Cup matches, and possibly W-league and A-league competition fixtures (they host one fixture per season at a regional venue).

FMNC also has plans to extend the high performance football program to higher level competition including the National Premier League (NPL). The NPL is the national second tier competition in Australia which underpins the A-league and W-league. This would present local footballers with an improved opportunity to progress their skills while remaining based here in the Port Macquarie – Hastings, rather than having to relocate to gain such experience.

NPL facilities are required to meet established standards. There are only two facilities in the Port Macquarie – Hastings that go close to meeting these required standards, namely Port Macquarie Regional Stadium and Lank Bain Sports Complex in Wauchope. Both facilities have been historically used for seasonal rugby league fixtures with both facilities accommodating numerous clubs from week to week. While there is potential to allow for increased use of one or both of these facilities by high performance football, this would require relocation of existing users to other suitable venues for training and competition purposes.

Further, football and rugby league have different needs in regard to a playing surface. A high quality playing surface is very important for high performance football given the amount of time the ball spends on the ground.

The existing FMNC establishment at Wayne Richards Park cannot be upgraded for use as an NPL venue. NPL facilities require a player's race which directly connects changerooms and playing fields. At Wayne Richards Park there is an access road and car park between changerooms and the fields. Should Council support the proposal to allow for FMNC to be based at Thrumster, facilities at Wayne Richards Park will be freed up for use by other sporting user groups.

Options

Council can support the proposal to allow for the Thrumster sports fields to be developed as a base for high performance football training and competition with facility use by other community sporting users.

Or Council can proceed to design the Thrumster sports fields for general multi-purpose use. FMNC are committed to the establishment of a high performance centre. Should Council not support the proposal they will look to establish the centre within another Local Government Area within this region. This outcome would still provide some benefit for the local community through reduced travel times for some representative players who may be able to train more 'locally' at Taree, Forster or Kempsey.

Community Engagement & Internal Consultation

FMNC has discussed this proposal with a number of staff and selected Councillors in recent times. Further, FMNC have presented the proposal to Councillors in the Public Forum at Council Meetings.

Most recently, FMNC representatives met with the Mayor, General Manager, Acting Director Development & Environment and Group Manager Recreation & Buildings on 16 November 2017 where the 'Football Mid North Coast - Case for Thrumster Submission' was presented.

FMNC representatives have discussed with Council staff potential economic impacts that could be derived from development of a high performance football facility as part of the Thrumster Sports Fields.

Planning & Policy Implications

Development of detailed designs and statutory approvals for a new sporting facility at Thrumster is a current project within the 2017/18 Operational Plan (refer to Action 2.3.3.12). The project is identified as a multi-year project and design and approval work will continue into the 2018/19 financial year.

Construction of the Thrumster Sports Fields is identified as a Medium Term Priority within the Council adopted Recreation Action Plan 2017 – 2025 with timing of works currently scheduled for some time in the period 2020/21 to 2024/25.

The site for the sports fields is currently in private ownership. The developer of this area, Lewis Land Group, have discussed with Council staff the potential for bringing

forward the development of the site to a pre-agreed fill level. This would allow for facility development once detailed design and approvals have been granted and funding sources identified.

Financial & Economic Implications

A budget of \$300,000 is allocated to the detailed design of Thrumster Sports Fields in the 2017/18 Operational Plan.

Likely construction costs associated with facility development are not known at this time but will be estimated at the back end of the detailed design phase of this project.

The incorporation of a high performance football centre within the Thrumster Sports Fields may increase the likelihood of leveraging funds from other levels of government in development of this facility.

FMNC representatives have held discussions with Council staff to identify potential economic benefits that could be realised from development of the high performance football facility. As identified in the FMNC submission, the facility could realise *‘...a potential benefit of \$2,000,000 per year in Sports Tourism to this area – just by basing our National Premier League and Women’s Premier League teams out of Thrumster.’*

Attachments

- 1[View](#). Football Mid North Coast - Case for Thrumster Submission
- 2[View](#). Thrumster Sports Fields - Developer Concept Plan
- 3[View](#). Letter of support - Thumster Sports Fields Newcastle Jets
- 4[View](#). Australian Sports Commission - Participation data for the sport sector
October 2015 - September 2016

Item: 10.03**Subject: WAUCHOPE SPORTS FIELDS - PROJECT UPDATE****Presented by: Development and Environment, Daniel Croft**

Alignment with Delivery Program

2.3.4 Plan, investigate, design and construct open spaces, recreational and community facilities.

RECOMMENDATION

That Council note the information contained within the Wauchope Sports Fields – Project Update Report.

Executive Summary

Detailed design of a new sports facility in Wauchope is a current year project identified as Action 2.3.4.8 in Council's Operational Plan.

The design process has progressed in recent months following the engagement of consultants Cardno to develop detailed designs and required project approvals.

The purpose of this report is to present the developed Concept Plan to Council prior to commencement of public exhibition of the plan during December 2017 and January 2018.

Reports regarding rezoning/reclassification of the site to allow for development as a sports facility were considered at the November 2017 Ordinary council Meeting.

Discussion

The Project aims to provide a high-end sporting facility with potential to host regional and state sporting events, as well as local weekend sport (cricket, rugby league, soccer etc.) and has been designed with consideration of a potential location for a Cricket Centre for Excellence for Cricket NSW.

Cardno, in conjunction with Council staff, have developed a preferred concept layout option for the proposed Sporting Complex. This concept takes into consideration the region's sporting requirements and relevant sporting code design guidelines as well as the various site constraints such as available area, traffic and access, servicing, flooding and ancillary requirements.

A number of site investigations have been undertaken to date to inform the layout of the site including:

- Detailed survey

- Geotechnical investigations
- Traffic and utility investigations

Consultation with various stakeholders including Roads & Maritime Services, Australian Rail & Track Corporation, internal Council departments and project staff has also commenced.

Further investigations associated with additional requirements for the site including water and sewer and irrigation requirements, lighting, utility relocations, drainage and intersection upgrades are underway following Council staff endorsement of the proposed concept layout.

The proposed concept layout (refer to attachment Wauchope Sports Fields – Concept Plan) is based on the strategic plan adopted at the October 2016 Ordinary Council Meeting.

As can be seen in the concept plan, there has been some divergence from the adopted strategic plan as a result of a range of factors including (but not limited to):

- Provision of larger boundaries for cricket events
- Establishment of larger buffers around playing fields
- Location of sports field lighting around playing fields
- On-site stormwater management requirements
- An increase in number of car parks within the site
- Internal road connections
- Potential for additional built structures including a small amenity building and the potential NSW Cricket Centre of Excellence.

The most significant impact is on the number of playing fields that can be accommodated within the facility now that facility requirements and site constraints are better understood:

Concept Plan	Strategic Plan
Cricket – 5 fields	Cricket – 6 fields
Football/Rugby League/Rugby Union – 6 fields	Football/Rugby League/Rugby Union – 12 fields
Touch Football – 19 fields	Touch Football – 25 fields

The concept plan is currently being refined for public exhibition purposes and will include layers that relate to specific sports. i.e. layers for cricket, touch football and football (soccer)/rugby league/rugby union will be developed highlighting field layouts within the broader sports facility.

Outstanding project milestones are as follows:

- Decision on irrigation technique to be installed at facility i.e. groundwater, reclaimed water or potable supply (noting the intent is to reduce reliance on potable supply) – December 2017
- Roads & Maritime Services endorsement of Traffic Impact Assessment – December 2017
- Final Concept Design Submission – December 2017
- Community Update – January 2018

- Detail Design – January to May 2018
- Utility relocation approvals – January to July 2018
- Environmental Assessment (fields only) – January to April 2018
- Tender process/ for grandstand and building/s (Centre of Excellence) – January to April 2018.
- Detailed design for facility grandstand and other building/s – April to September 2018

Options

Council can opt to note the information contained in this report.

Council could request further information from staff regarding project progress.

Community Engagement & Internal Consultation

As identified above, public exhibition of the Concept Plan is currently scheduled for January 2018. A community engagement plan is currently being developed by Council staff.

Key stakeholders to be targeted through the community engagement process includes:

- Residents/property owners adjacent to the facility
- Wauchope sporting clubs
- Wauchope Chamber of Commerce
- Relevant sports associations
- General community

Planning & Policy Implications

The sports fields will be assessed under Part 5 of the Environmental Planning & Assessment Act 1979. The required Review of Environmental Factors will be prepared by Cardno.

The grandstand and other major building included within the concept plan will be subject to Development Application & Construction Certificate approvals.

Financial & Economic Implications

Project expenditure is proceeding as per the adopted Project Plan and in accordance with the relevant Tender: T-17-01 Design Services for Hastings Regional Sporting Complex - Stoney Creek Road, Wauchope.

Attachments

1 [View](#). Wauchope Sports Fields - Strategic Concept

2 [View](#). Wauchope Sports Fields - Concept Plan

Item: 10.04

Subject: OXLEY OVAL - SPORTING INFRASTRUCTURE UPGRADES

Presented by: Development and Environment, Daniel Croft

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. Note the information contained in the Oxley Oval – Sporting Infrastructure Upgrades Report**
- 2. Allocate a budget of \$300,000 toward provision of new sports amenities and upgrade of the incoming power supply.**

Executive Summary

Oxley Oval has been established as a sporting facility for many decades. While the playing field supports a range of sporting activities, the existing amenities are considered to be in very poor condition.

For some time the two key seasonal users of Oxley Oval, namely the Hastings Valley Vikings Rugby Union Club (Vikings) and Hastings River District Cricket Association (HRDCA) have been working on plans to provide new amenities for this site.

The incoming power supply requires upgrading to support development of the new amenities. This power upgrade will additionally provide capacity for upgrading of the lights at Oxley Oval to 300 lux should funding become available for this purpose.

These sporting stakeholders have secured significant funding and works in-kind contributions toward facility development. Contributions from Council toward these improvements will deliver long term benefits for the community and will enhance sports tourism opportunities at this location.

Discussion

The Vikings secured a grant of \$100,000 through the Federal Government's Community Development Grant program to allow for provision of improved facilities at Oxley Oval. This outcome has been a priority for the Vikings for some time and is supported by the cricket community as a current priority within the Hastings District Cricket Infrastructure Plan 2016/17 – 2020/21.

These groups engaged a local consultancy to develop detailed designs for the facility. Through the design phase engagement with Council staff occurred and the

opportunity to incorporate public amenities, including accessible facilities, was discussed and ultimately included within the final design (refer to attachment).

Through the design phase other sites around Oxley Oval were considered. These sites included adjacent to the existing amenities building and in the north-western corner of the site. In concept, these sites presented opportunity for reduced cost associated with construction. However, these sites were discounted for a range of reasons including infrastructure impacts, access issues and visual impacts.

Constructing the facility in the south-western corner, as per Council staff recommendation, adds construction cost largely associated with ground levels in that part of the site. However, this location provides a superior outcome from a spectator viewing perspective.

Key benefits associated with the facility include:

- The introduction of accessible facilities to Oxley Oval.
- Provision of improved spectator facilities.
- Provision of improved change facilities for players and referees/umpires.
- Onsite canteen and bar facilities for user groups.

Vikings have proposed the following project controls to address risk issues raised by staff:

1. Work will be managed and undertaken by Licenced builders.
2. Milestones will apply to both grant and council cash contribution.
3. Project management plan and risk management plan will be provided before commencing of project.
4. Communication plan will be provided and established with fortnightly meetings during the construction period.
5. Council Staff to complete inspections of building as required under the Building Code of Australia.

Through investigations associated with the proposed facility and delivery of the recent floodlighting installation, staff have become aware of the need to upgrade the incoming power supply to a 315 kVA substation. This facility will meet the needs of the new facility as well as providing future capacity for the upgrading of sports field lighting to 300 lux to allow for night cricket fixtures to be accommodated.

Options

Council can opt to support the request for additional funding as outlined in this report.

Council may opt not to support the request for allocation of additional funds for improvements outlined in this report. This would impact on the availability of other funding sources as outlined in the Financial & Economic Implications section of this report.

Community Engagement & Internal Consultation

There has been engagement with the following parties in relation to these proposed upgrades:

- Essential Energy
- Crown Lands & Water
- Vikings
- HRDCA

Planning & Policy Implications

A Development Application has been lodged with Council and is currently being assessed by staff.

The amenities plan identifies removal of two mature Norfolk Island Pines in the south-western corner of Oxley Oval. Provision of offset plantings within the Oxley Oval site may be required if Development Consent is granted.

Council staff have commenced the easement process with Crown Lands & Water and Essential Energy to allow for the incoming electrical supply to be upgraded.

The provision of accessible facilities at this sporting facility supports the objectives of Council's Disability Inclusion Action Plan.

Whilst this project is not identified as a current priority within the Recreation Action Plan 2017 – 2025, it is considered to have merit given the funding grants obtained by the sporting stakeholders. Supporting the project will maximise the useability of Oxley Oval facility for the foreseeable future.

Financial & Economic Implications

Vikings \$25,000 + GST

NSW Cricket and HRDCA \$25,000 + GST

Community Development Grant (Federal Government) \$100,000 + GST

Port Macquarie - Hastings Council \$150,000 + GST

In-kind labour and materials at cost savings are estimated at \$84,000.

Total project value - \$384,000 (ex. GST)

An allocation of \$150,000 is required for the upgrade of the incoming electrical supply.

The proposed funding source for Council's contribution to the project is as follows:

- \$280,000 from the Working Capital Reserve. This amount of funding was allocated to the reserve from previously unallocated Sports Development Funding programs, and
- \$20,000 from unallocated pre-1993 S94 Open Space Development Contributions Plan.

Attachments

1 [View](#). Oxley Oval - Proposed Sports Building

Item: 10.05

Subject: CULTURAL PLAN 2016-2019: PROGRESS REPORT

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the:

- 1. Information in the Port Macquarie-Hastings Council Cultural Plan 2016-2019 progress report.**
- 2. Progress to date of the review of the 2016-2019 Cultural Plan by the Cultural Steering Group.**

Executive Summary

The implementation of actions under Council's 2016-2019 Cultural Plan continues to enhance and support the cultural development of our community and region. Positive outcomes are being achieved as a result of ongoing delivery of a diverse range of projects in collaboration with community and industry groups.

The Cultural Steering Group are currently engaging in a review of the 2016-2019 Cultural, the first stage of which has been a series of 3 workshops facilitated externally to review and renew the vision, key strategies, objectives and actions which will shape the cultural planning of the region through to 2019.

Discussion

- 1. Progress against actions in the 2016-2019 Cultural Plan**

The following table summarises progress against the 73 actions outlined in the Cultural plan:

Priority Area	No of Actions	Yet to Commence	On Target	Achieved
Leadership, Excellence and Capacity Building	19	3	12	4
Access, Participation and Engagement	13	1	7	5
Celebrating History and Heritage	10	0	10	0

Facilities, Places and Open Spaces	12	3	8	1
Community Events and Festivals	13	0	12	1
Creative Industries and Innovation and Partnerships	6	1	4	1

Attachment 1 provides an overview of a range of actions and initiatives which have been completed or progressed in the period August 2016 - November 2017.

Highlights across the five priority areas over the past 6 months (April – November 2017) include:

PRIORITY AREA ONE: Leadership, Excellence and Capacity Building

- The commencement on November 27th of a pilot program aimed to develop business skills within our local arts Community. The program titled ArtSmarts is designed to work with local creatives to develop and commercial their creative pursuits, providing key information and valuable insight in particular to the local market. PMHC has engaged a local creative practitioner to develop this training program facilitate the workshops. The program received an overwhelming response with over 50 applicants. A group of 15 participants have been selected to participate in this 5-month program. This program will culminate in the attendees participating and exhibiting in the 2018 Artwalk event.
- In July, the Glasshouse Regional Gallery curated the “Our Culture, Our connections, our stories” exhibition in partnership with TAFE NSW (Wauchope campus) resulting in 3,744 visitors to the exhibition.
- In April, a successful ArtWalk event was delivered which saw the involvement of over 69 artists and 33 businesses. The event encouraged the community to explore, experience and participate in our local arts and culture in the centre of Port Macquarie.
- PMHC has recently released the latest “Eat See Do” tourism campaign. Arts and Culture are represented strongly in the booklet, with a focus focusing on Festivals, events and creative businesses. The Destination Marketing Campaign is also spotlighting creative businesses in their video storytelling campaigns.
- The commencement of a trial Heritage Activation Grant program for local community groups and museums. Prospective grant projects include:
 - Kendall Historical Society heritage mural
 - Herons Creek Interpretative Signage
 - Laurieton Museum brochure

PRIORITY AREA TWO: Access, Participation and Engagement

- Successful National Sorry Day, National Reconciliation Week and NAIDOC week programs have been implemented with significant consultation and collaboration with the Birpai and Bunyah Local Aboriginal Land Councils.

- Council's recent submission to the International Festival & Events Association saw Port Macquarie awarded 2017 'World Event & Festival City' status - presented in USA in October. We were one of only a small number of cities around the world to receive this recognition.

PRIORITY AREA THREE: Celebrating History and Heritage

- Significant work has been undertaken in this priority area with Council working with a number of community groups to support their local heritage projects which include:
 - Hurrell House Rejuvenation Project (Comboyne Community Association)
 - Establishment of a local studies section at the Wauchope Library (Wauchope District Historical Society)
- A draft audit of heritage interpretative signage across the LGA has been completed with a final report expected by the end of 2017.
-
- The 2017 Heritage Festival (16 April - 30 April) provided a diverse range of community-based activities with over 20 events delivered through 14 local community groups and museums.

PRIORITY AREA FOUR: Facilities, Places and Open Spaces

- An audit of Council's Public Art has been completed.

PRIORITY AREA FIVE: Community Events and Festivals

- A successful Tastings on Hastings was held over the weekend from the 27 - 29 October 2017. The weekend featured 13 events over three days, culminating in a weekend program that showcased local produce and featured the regions' stand-out restaurants and brought our community together. 90% of the satellite events were sold out with approximately 700 people attending the range of dinners, tours and tastes. The Tastings on Hastings event was anchored by the Main Event on Saturday 28th October, featuring a new format and smaller site, due to construction works on the Town Green. Crowds were entertained by high calibre artists, hot food vendors and a range of local wineries highlighted the evening. It is estimated that the overall weekend attracted over 14,000 people directly to the event.
- Two Moonlight Movie screenings were held in April 2013 with a further two screenings held in September 2017 including the first to be held at Rainbow Beach in Bonny Hills. All screenings were well attended with the popularity of the Hastings Moonlight Movies continuing to grow.

PRIORITY AREA SIX: Creative Industries and Innovation and Partnerships

- The Creative Industries was a recognised sector in the 2013-2016 Port Macquarie Hastings Economic Development Strategy. It has again been identified in the draft 2017-2021 Strategy as an existing/emerging industry sector for action.

2. Review of the Cultural Plan

At the 15 February 2017 Ordinary Council meeting, Council resolved to form a Cultural Steering Group with one its objectives to assist Council in the implementation and review of the Cultural Plan.

An external facilitator was contracted to assist the Steering Group in the review and members have attended a series of 3 workshops over September & October which have resulted in a review of the vision, key strategies, objectives and actions for the Cultural Plan.

The process moving forward will be to create a new Cultural Plan which integrates this new learning with the existing Cultural Plan and prioritise 10 key actions to be delivered to the end of the 2017/2018 financial year.

Options

Council may note the information provided in this update report or choose to ask for further information.

Community Engagement & Internal Consultation

Community Engagement

The Cultural Plan implementation continues by working with local artists, businesses, heritage and cultural organisations and creative industry practitioners and with oversight to be undertaken by the Port Macquarie Hastings Cultural Steering Group.

Internal Consultation

Cultural Plan action implementation has been undertaken by and in collaboration with a wide range of Council staff.

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](#). Cultural Plan Report Card - December 2017

Item: 10.06

Subject: BICENTENARY ACTIVITIES - OPTIONS FOR INVOLVEMENT & RESOURCES

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.5.1 Support cultural activities within the community.

RECOMMENDATION

That Council:

- 1. In principle support projects that mark the 2018 John Oxley Bicentenary;**
- 2. Adopt the Bicentenary logo to be associated with all Bicentenary events (Council & Community) and**
- 3. Establish a new line item in the 2017/18 Operational Plan – Bicentenary Activities**
- 4. Re-allocate GL 41433 'WW1 and ANZAC Commemoration' with a current budget of \$43,856 to 'Bicentenary Activities'.**
- 5. Transfer \$80,000 from the Cultural reserve to Bicentenary Activities.**
- 6. Approve a dedicated Bicentenary Grants stream from the current Community Grant budget.**

Executive Summary

The following report outlines a proposal for Council to provide an inclusive opportunity to the entire Local Government Area (LGA) to participate, commemorate and celebrate their Place as part of the 2018 Bicentenary, with additional planning for the 2021 program.

It is proposed that Council support and facilitate local community groups to develop and deliver a program of events that reflects the diversity of cultures and Places across the LGA and also implement a number of projects to commemorate the Bicentenary.

The proposal identifies activities and projects which will require a commitment Council and the Community to deliver. Funding opportunities will be sought to help offset this investment through various grant programs, however Council funding opportunities to support community events are also identified.

Discussion

2018 marks 200 years since John Oxley and his team of 15 explorers traversed the mountains from the west and surveyed our region for early European settlement. For thousands of years before, our region was inhabited by the Birpai people, the traditional custodians of our land.

Council has been working with a variety of community groups, heritage organisations, Aboriginal Land Councils, schools and Charles Sturt University to develop a program of activities to commemorate the 2018 Bicentenary of John Oxley's expedition through the region.

The Port Macquarie-Hastings is in an enviable position to be able to capitalise on both its natural beauty and extensive and widely acknowledged history, heritage, archaeology and character to create a year-long celebration of the 2018 Bicentenary which if packaged and marketed appropriately could act as a regional tourism drawcard and an economic development opportunity.

Bicentenary celebrations have been occurring across the state with the Bathurst program of events serving as a benchmark for other regional communities. Bathurst Regional Council allocated a \$1 million for Council-initiated B200 events in 2015, with an additional \$1 million allocated to fund the construction of a signature monument – The Macquarie Flag Staff.

The following proposal specifically addresses the 2018 Bicentennial celebrations which have been identified by a community group as being pertinent to the broader LGA, inclusive of the whole community and providing a positive outlook on the discovery and exploration of the region.

The 2021 Bicentenary whilst also significant is more relevant to Port Macquarie specifically and has less relevance to the broader LGA. There is also some potential for community divisiveness related to white settlement. Resources to plan any 2021 Bicentenary commemorations are included in this proposal however the costs to deliver a 2021 Bicentennial program will be subject to a further funding request based on a review of the 2018 celebrations and further input from community.

To date, Council has not allocated any specific funding to the 2018 Bicentenary commemorations. Budget and staff time are currently being leveraged, where they can, from existing programs and positions. Efforts so far have been directed to supporting community groups to develop their own program of events.

Council representatives have met a number of times with a group of interested community, Aboriginal and educational representatives who have projects under development or who are looking to develop projects in 2018. Important outcomes of these discussions have been to ensure that Aboriginal consideration and participation is embedded across community projects from the outset, as well as fostering communication and linkages across the projects.

Community groups have been encouraged to leverage identified grant opportunities as much as possible to support their proposed activities. Council has also developed a logo for community events (subject to approval – see Attachment A) to use to ensure branding consistency across Bicentenary projects. Key projects under discussion with community groups and a draft calendar of community events is shown in Attachment B.

A Community Grants stream could be developed to enable a Bicentenary projects totally \$100,000/year from the existing annual grants program of \$250,000. This could be carried out over the next 3 years to support the community in delivering Bicentenary projects in both 2018 and 2021.

It is also planned that Council's regular events and activities for the year will have an overarching Bicentenary theme. These events will include (but not limited to) Artwalk, Tastings on Hastings and the CBD activations across the LGA.

Proposal

Over and above the current activity outlined above, an opportunity exists for Council to:

- View the 2018 Bicentenary as an opportunity to provide a significant tourism and economic boost to the LGA.
- Develop a Bicentenary Endorsed Events program which will provide grant funding, tools and marketing support for the community to leverage the Bicentenary. These events will act as both community celebrations and a regional draw card.
- Celebrate the contributions of community members in/from the Port Macquarie-Hastings region via a Legends of Port Macquarie-Hastings program.
- Celebrate the Bicentenary by implementing significant projects across the LGA. Proposed projects suggested by the Community Group include:
 - 3 x walking trails across the LGA with interpretive signage and associated promotional collateral;
 - Temporary and/or permanent Public Art installations and programs across the LGA
 - A limited edition coffee table book celebrating the work of Port Macquarie artists depicting our places and people.
 - Bicentenary education kit developed against Department of Education guidelines.

The proposal is therefore for Council to support community groups in their Bicentennial programming and develop, implement and promote targeted range of Bicentenary experiences and projects across the LGA.

This proposal is in line with Council's approach to build capacity within our communities and implement projects that are community-led and driven.

Options

It is suggested that there are two alternatives to the above proposal:

1. Continue as currently with Council using existing resources to provide in-kind support to communities.

The above alternative is a low-cost, low involvement approach to the Bicentenary celebrations – the result of which would be reflected in the outcomes for the wider community – i.e. low-profile and very localised with little exposure beyond the individual community members involved. Additionally there would be little opportunity to leverage the events into a tourism opportunity for the LGA.

This is the recommended option.

2. Council to develop and implement a range of Bicentenary events across the LGA in a manner similar to the Bathurst Bicentenary celebrations.

A Bicentenary program on the scale of the Bathurst Bicentenary celebrations whilst achieving significant exposure also required significant funding (approximately \$2 million) and planning time (the program was 3 years in the making).

This approach is not considered achievable to the same extent for Port Macquarie-Hastings Council for the 2018 celebrations given the timeframes involved and the level of investment that would be required.

Consideration for the planning and delivery of a 2021 event could commence now through the Cultural Steering Group if considered to have merit.

This option requires significant resources, both physical and financial, which are not currently identified.

Community Engagement & Internal Consultation

There has been significant consultation with community groups regarding the range of projects they would like to see implemented as part of the Bicentenary celebrations – refer Attachment A. Community members were also invited to submit ideas via the Council website <http://www.pmhc.nsw.gov.au/System-Pages/Community-Event-Submissions> - which are also included in the Attachment.

Planning & Policy Implications

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

Financial & Economic Implications

The proposed activities would require funding as detailed below:

Activity/ Resource	Description	Funding Required 17/18	Funding Required 18/19	Funding Required 19/20	Funding Required 20/21
Reallocation of existing resources to support initiatives noting that existing place making activities would be replaced by Bicentenary activities for this period (2018-2021)	Existing Place Making activities would be replaced with Bicentenary activities during this period. This may have an effect on other current Council activities including engagement and community development and planning	Nil	Nil	Nil	Nil

Graphic Design Intern (12-months)	Part-time internship (casual) for a graphic design student/graduate to assist Council and community groups to develop marketing collateral for Bicentenary projects. (0.2 part time equivalent)	\$ 15,000 (Based on Grade T10 and including on-costs)	-	\$15,000 (Based on Grade T10 and including on-costs)	-
Community Grants	In the existing Community Grants - Establish a grants funding round specifically for community groups to implement Bicentenary Projects through arts and cultural activities.	<i>As part of current Community Grant fund</i>	<i>As part of current Community Grant fund</i>	<i>As part of current Community Grant fund</i>	<i>As part of current Community Grant fund</i>
Legacy Projects	<ul style="list-style-type: none"> 3 x walking trails across the LGA (could be in conjunction with community groups to reduce costs) or Public art/installations across the LGA Bicentenary Education Kit Coffee Table Book Key Event 	\$75,000 (\$25,000x 3)	\$5000	\$10,000	\$50,000 \$5000 \$50,000
Community Events	<ul style="list-style-type: none"> Artwalk Tastings on Hastings Wauchope Town Centre activation Laurieton Town Centre Activation Port CBD activation 	Council events in the operational plan	Council events in the operational plan	Council events in the operational plan	Council events in the operational plan
Installation of Plaques and Civic events	As required to mark Bicentenary events, key locations of activities and the like	\$3,000			\$3,000
Advertising and Marketing of Program	Refer Attachment C	\$30,000			\$20,000
TOTAL		\$123,000	\$5000	\$25,000	\$128,000

Opportunities to fund these activities exist through utilisation of both unallocated funding and the existing Cultural Reserve.

A current Operational Plan line item has not been expended despite efforts to activate the Community. GL 41433 'WW1 and ANZAC Commemoration' has a current budget of \$43,856 in this years plan. It is recommended that this funding be reallocated to a new line item being 'Bicentenary Activities'.

The Cultural Reserve has a current balance of \$167,000. It is proposed to allocate \$80,000 from this reserve to meet the planned activities identified this financial year.

Future years activities will need to be considered during the annual budget process.

Attachments

1[View](#). Attachment A - 2018 Bicentenary Logo

2[View](#). Attachment B - 2018 Bicentenary Community Events

3[View](#). Attachment C - Proposed 2018 Bicentenary Marketing Activity

Item: 10.07**Subject: QUESTION FROM PREVIOUS MEETING - COMMUNITY PROJECTS****Presented by: Development and Environment, Daniel Croft**

RECOMMENDATION

That Council note the information contained in the Community Projects report.

Question from Councillor Griffiths

Could the General Manager please advise how Council assists community and sporting groups to undertake projects, including those requiring specialist or technical advice?

Comments by Councillor (if provided)

Nil.

Response

Council collaborates with numerous sporting and community interest groups within our Local Government Area in the development and delivery of various projects and initiatives.

The provision of assistance to these groups by Council is dependent on the nature of the project and the level of support being sought by groups. In addition to financial budget allocations that are often allocated to community-partnered projects, Council also allocates grants to community groups. During the 2016/17 financial year Council allocated approximately \$145,000 to community groups through the Community Grants Program.

In addition to providing funds, Council provides significant in-kind support to community and sporting groups to support delivery of community projects.

Community Groups

Council recognises the positive outcomes that can be achieved through collaboration with our proactive community groups to deliver projects within our region, particularly those within our open spaces.

Having previously partnered with community groups on a number of prominent projects, considerable benefits have been realised for our community. This includes the delivery of projects such as the Tacking Point Lighthouse Master Plan implementation (Sunrise Rotary), Gaol Point upgrades (Port Macquarie and Tacking

Point Lions Clubs), Mrs York's Garden (Friends of Mrs York's Garden) & Bonny Hills Reserves Master Plan implementation (Bonny Hills Progress Association).

Projects such as these are often of high-complexity with Council staff dedicating substantial in-kind support to community groups, encompassing:

- Development of master plans and associated design work;
- Project advice including design plans, horticultural considerations and cost estimates;
- Monitoring of construction throughout the project to conduct engineering checks and ensure that works conform to design specifications and meet Australian Standards;
- Support in identifying electrical services and requirements;
- Community engagement (including onsite meetings);
- Development of a Project Induction booklet for use by community groups; and
- Onsite Work Health and Safety inductions for volunteers.

Council will continue to collaborate with and support our community groups to achieve positive outcomes for our community through the delivery of practicable projects.

Sporting Groups

In 2016, recruitment of a full-time Sport & Recreation Officer was finalised within the Recreation and Buildings team. The purpose of this role was to address the identified need of a dedicated resource to act as a liaison for, and provide support to, sporting groups across our area.

Council works with sporting groups to identify and prioritise projects that will enhance facilities and the user experience. Recent examples of projects that Council have collaborated with sporting groups on and provided significant financial and/or in-kind support towards include the upgrade of facilities at Lank Bain and the sporting group led Oxley Oval Clubhouse project.

Through supporting these projects Council has provided assistance with Development Application pre-lodgement meetings, waiving of fees for Not for Profit groups (upon request), reviewing design plans, coordinating and monitoring infrastructure delivery of the project, managing engagement with key stakeholders and finalising post-completion reporting for these projects.

Council staff also provide the following ongoing support to our sporting groups:

- Assistance with grant funding information and applications;
- Identifying grant funding opportunities where sporting groups can use Council allocated project funds as matched funds to deliver further facility improvements through funding programs for which Council is unable to apply.

Attachments

Nil

Item: 10.08

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

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, 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. Dylan D Domizio be granted the amount of \$350.00 to assist with the expenses he would have incurred travelling to and competing at the Australian All Schools Athletics Championships being held in Adelaide from 1 – 10 December 2017.**

Executive Summary

The Mayor's Sporting Fund Sub-Committee met on 30 November 2017 and reached consensus on Item 8 (Applications) at the meeting and submits the above recommendation for Council's consideration.

Attachments

- 1 [View](#). Extract - Item 8 Mayors Sporting Fund Sub-Committee Meeting - November 2017

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: NOTICE OF MOTION - MARKETS IN PORT MACQUARIE-HASTINGS
LOCAL GOVERNMENT AREA**

Councillor Turner has given notice of his intention to move the following motion:

RECOMMENDATION

That Council request the General Manager develop a policy for the approval of markets in the LGA. The policy should include:

- 1. A mechanism (with appropriate criteria) for controlling the locations and scheduling of markets in the Port Macquarie CBD and other potentially sensitive locations where significant concentrations of retailers exist and compete.**
- 2. A distinction between “occasional” markets associated with one-off, or annual, events compared to markets operating regularly more than four times per year.**

Comments by Councillor Turner (if provided)

Nil.

Attachments

Nil

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: QUESTION FROM PREVIOUS MEETING - WALL RESERVE CAR
PARK, NORTH HAVEN**

Presented by: Infrastructure, Andrew Doig

RECOMMENDATION

That Council:

- 1. Note the information contained within the report regarding the potential to seal the access road and car park of Wall Reserve;**
- 2. Give consideration to funding these works in the development of the 2018/19 Operational Plan and Budget.**

Question from Mayor Pinson:

Could the General Manager please provide an estimate on what the cost to Council would be to seal the car park at Wall Reserve, North Haven and suggest how Council might be able to fund this work during the current financial year, noting competing priorities?

Comments by Mayor Pinson (if provided):

The management of Wall Reserve is Council's responsibility as the Trust Manager of the Crown Reserve.

Wall Reserve, along with every other Council asset or entrusted asset, has to be managed in line with available resourcing to meet Council's statutory responsibilities.

Councillors have received requests from members of the community in the past to seal Wall Reserve, North Haven.

Wall Reserve is a popular area used by visitors and locals of the North Haven area. The parking area creates excessive amounts of dust which is airborne during times of strong winds and is a constant frustration for residents living in close proximity to Wall Reserve.

Sealing the car park will improve the asset of Council and demonstrate Council's commitment to improving areas such as these throughout the Port Macquarie Hastings region.

Response

Staff have undertaken a review of the current access road and car parking areas of Wall Reserve and considered the potential costs involved with sealing these areas.

The key considerations in developing a cost estimate for the sealing of the access road and car parking areas include but are limited to:

- Condition of current pavement gravels and their ability to be prepared for, and to hold, a seal.
- Removal and disposal of unsuitable material, such as grass which cannot be sealed over.
- Current pavement levels and the need for regrading.
- The need for additional gravels.
- Drainage impacts and the potential to create long term or ongoing maintenance issues.
- Future maintenance.
- Environment – proximity to the river.
- Safety.

In considering the works associated with sealing the access road and car parking areas three options have been developed.

Option 1 provides a holistic approach to the management of the area, including the provision of drainage, pits pipes and some kerb to prevent areas of water ponding and reduce the likely hood of long term pavement deterioration (leading to ongoing maintenance issues). This option includes removal and disposal of unsuitable materials, pavement improvement by importing additional gravel and a final seal to provide a long lasting outcome. Option 1 has an estimated cost of \$584,000 (including 50% contingency).

Option 2 is to remove and dispose unsuitable materials and improve pavement by importing additional gravel with limited grading and a final seal. This option provides improved pavement but without defined drainage creates maintenance issues and a medium term outcome. Option 2 has an estimated cost of \$279,000 (including 30% contingency).

Option 3 is to only rip and re-compact the surface, with no removal of unsuitable materials or addition of new gravels, and apply seal. This option provides a seal without pavement improvement or drainage creating maintenance issues and short term outcome. Option 3 has an estimated cost of \$71,000 (including 30% contingency). This option would be expected to require ongoing annual maintenance.

Council must manage competing priorities across a range of services and assets within the constraints of its available resources and legislated requirements, in particular the Civil Liabilities Act. Council must consider the allocation of funds within the Transport and Stormwater area across a varied number of assets and their associated issues, such as:

- maintaining existing sealed roads, fixing and preventing pavement damage,
- maintaining unsealed roads, the need for additional gravel re-sheeting and managing requests for the sealing of unsealed roads,
- managing the current flooding of private property due to under capacity or non-existent Council stormwater infrastructure,
- rural and urban road side vegetation management,
- managing and maintaining our bridges to ensure safe passage and to reduce the need for load limiting.

Further to the above considerations, Council has a number of unsealed car park areas and access roads related to recreational facilities across the LGA, many of which receive equal or more traffic than Wall Reserve.

An example is the parking area for the Mac Adams Centre, swimming pool and Players Theatre in Port Macquarie, which is located in an urban centre with businesses and residential properties surrounding it. Another example is Stuart Lane (off Woods St) , Port Macquarie, which provides access to playing fields and other recreational areas and is adjacent to businesses and residential development.

There is currently no funding allocation for this work. Wall Reserve is currently maintained as part of the 12 month scheduled grading program to manage Council's public liability risk.

Should Council wish to consider the sealing of Wall Reserve car park and access road (or any other unsealed car park or access road), funds would need to be either reallocated from existing internally restricted reserves or existing programmed works would have to be deferred.

It also needs to be highlighted that the costs outlined throughout this report are estimates only and are provided as an indicative guide to Councillors.

Attachments

1 [View](#). Wall Reserve Seal Planning Photos

Item: 12.02**Subject: QUESTION FROM PREVIOUS MEETING - OLD PACIFIC HIGHWAY,
DENNIS BRIDGE, WILSON RIVER BRIDGE****Presented by: Infrastructure, Andrew Doig**

RECOMMENDATION

That Council note the information relating to the handover of assets including the Dennis and Wilson River Bridges following the opening of the Pacific Highway upgrade between the Oxley Highway and Kundabung.

Question from Councillor Cusato:

After the opening of the new Pacific Highway this month from Sancroix to Kundabung:

1. When does Council take ownership and responsibility for the Old Pacific Highway?
2. Does Council also take ownership and responsibility for the maintenance and upkeep of the Dennis Bridge and the Wilson River Bridge?

Comments by Councillor (if provided)

Nil.

Response

With regard to the two questions, the following information is provided.

1. Council staff are currently working with Roads and Maritime Services (RMS) staff in relation to the handover of road assets related to the Old Pacific Highway. The proposed date for official handover at this stage is 01 July 2018. Responsibility for, and maintenance of, the old highway will remain with the RMS until this official handover has occurred.
2. As part of the handover process there is a negotiation between Council and the RMS as to any assets that will remain the responsibility of the RMS to continue to maintain. Council has formally written to the RMS stating our position that both the Dennis Bridge over the Hastings River and the Telegraph Point Bridge over the Wilson River are complex bridge structures and should therefore remain RMS assets. Council staff's current understanding is that the Dennis Bridge will remain an RMS asset, and that the responsibility for the Telegraph Point Bridge is still under consideration.

Attachments

Nil

Item: 12.03**Subject: QUESTION FROM PREVIOUS MEETING - FERAL DEER****Presented by: Development and Environment, Daniel Croft**

RECOMMENDATION**That Council note the information contained in the report.****Question from Councillor Cusato:**

1. Does Council have an estimate of feral deer numbers within our Local Government Area?
2. Is Council investigating and addressing the growing problem of feral deer populations within our Local Government Area?

Comments by Councillor (if provided):

Nil.

Response

1. There is not a good understanding of the feral deer population in the Port Macquarie-Hastings. East of the Pacific Highway the population is estimated between 1,000 and 5,000 and increasing. The population in the west is likely to be significantly higher. Council staff are observing deer on Council landholdings more often and the incidents of deer road strike are increasing.

Council staff are currently liaising with Local Land Services to secure external grant funds (approximately \$45,000) to undertake a population assessment.

2. Feral deer are causing significant costs to the community through lost agricultural productivity, damage to the environment, damage to property and motor vehicle accidents. They are also a known vector of bovine and human disease.

Since the early 2000s Council has actively culled feral deer on its land, where it is safe to do so. However, Council is not a significant holder of land containing feral deer populations. These populations are predominately freely roaming through state forests, national parks and on private landholdings. In recent times NPWS have commenced deer culling in the Lake Innes Reserve. Coupled with some private land hunting, the collective annual harvest would be within the range of 50-100 animals annually.

Council is a member of the North Coast Wild Deer Working Group. This group is chaired by Local Land Services and consists of representatives from National Parks, Forest Corporation, Police, Department Of Primary Industries,

volunteer hunters and land owners. The group works in partnership to undertake feral animal control under the North Coast Local Land Services Wild Deer Management Strategy (attached). However, current efforts appear to have very limited impact on reduce the overall population.

Effective feral deer control in the LGA is constrained by a number of factors, namely:

- Population size and growth is unknown.
- The NSW government have not declared deer as a feral pest and hunting is regulated under the Game and Feral Animal Control Act 2002.
- Shooting is currently the only effective culling option available. As the majority of the deer population is located in dense forest and wetland, or within the urban, peri-urban landscape, effective control is limited due to access and safety considerations.
- There are insufficient funds and resources to research and develop alternative culling options to improve the effectiveness of any control program.

Attachments

1 [View](#). Hastings Wild Deer Management Strategy 2016-2018

Item: 12.04

Subject: DA2015 - 913.1 MULTI-DWELLING HOUSING (6 DWELLINGS) AND
STRATA TITLE SUBDIVISION - LOT 27 DP 1213714, NO 20
BLUEWREN CLOSE, PORT MACQUARIE

Report Author: Daniel Croft

Applicant:	J W Wortley CARE Collins W Collins
Owner:	J W Wortley
Estimated Cost:	\$1.164M
Parcel no:	66185

Alignment with Delivery Program

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

RECOMMENDATION

That DA2015 – 913.1 for a multi-dwelling housing (6 dwellings) at Lot 241, DP 1227796, No. 20 Bluewren Close, Port Macquarie, be determined by Council.

Executive Summary

This report considers a Development Application (DA) for a multi dwelling housing and strata development at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

Following exhibition of the application, two (2) submissions have been received.

The proposal has been amended during the assessment of the DA to address assessment related matters.

This matter is being reported to Council due the following resolution being made by the Development Assessment Panel on 25 October 2017:

THE PANEL WAS UNABLE TO REACH CONSENSUS.

For: Dan Croft

Against: Paul Drake, Robert Hussey

THE DISSENTING RECOMMENDATION WAS:

That DA2015 – 913.1 for multi-dwelling housing (6 dwellings) at Lot 241, DP 1227796, No. 20 Bluewren Close, Port Macquarie, be determined by refusing consent for the following reasons:

1. Overdevelopment of the site.
2. Poor amenity in front setback area.
3. Non-compliance with side and rear setbacks.
4. Failure to retain significant koala food trees on the site.
5. Out of character with the area in terms of intensity of development on the site.
6. Insufficient technical details to address stormwater and landscaping.'

In accordance with the development assessment charter where "consensus" is not possible, the matter is to be referred to council.

Since the DAP meeting, the Applicant has provided the following additional information on 20 November 2017 and amended plans (copy of amended plans attached to this report):

"Reference is made to the abovementioned development application and the matters raised at the Development Assessment Panel meeting. The plans have been amended and further consideration given to the matters raised. A response to each matter is set out as follows, with an amended plan set provided.

1. Overdevelopment of the site:

The LEP sets out the maximum overall height of buildings in this area as 8.5 metres. The maximum height of the buildings proposed is 5.66 metres. The land is also located on the lower side of the street and therefore the proposed dwellings will sit lower than the dwellings on the other side of the street. This minimises any visual impact of the development.

The LEP sets the floor space ratio for the locality as 0.65:1. The proposal has a floor space ratio of 0.5:1. Therefore, the development is well below the maximum permitted development of the land.

The single storey development is consistent with the Council design provisions and consistent with the existing development within Blue Wren Close. A review of the development consents for other lots within Blue Wren Close has noted a number of allotments which contain medium density development. The location of these is shown on the attached aerial plan. It is considered that the development proposal is consistent with the development context of the locality.

2. Poor amenity in front setback area:

Based on the discussions presented at the DAP meeting, amendments have been made to the front setback area of the subject land. The rainwater tank has been relocated to the side of the property, and the frontage has been fully landscaped. The front fence proposed for the courtyard area has also been removed and replaced with landscaping in this area. The landscaped front yard and removal of the fence is consistent with the existing streetscape in this precinct.

3. Non - compliance with side and rear setbacks:

The relevant provisions of DCP 2013 are as follows:

3.2.2.4 Objective

To allow adequate natural light and ventilation between dwellings/buildings and to private open space areas.

To provide useable yard areas and open space.

It should be noted that the rear setback of the buildings are fully compliant with Council's required 4m rear setback. The majority of the buildings are set back in excess of four metres. The reduced rear setback only relates to the roof over the patio areas. This roof provides a shaded area for part of the north facing rear yards. The land directly adjoining the rear of the lots comprises a variety of easements which will see this adjoining land remain as an open area of trees. The roof areas are only a small part of the total rear property boundary and removing the patio covering is not recommended. A covered outdoor area is considered to be a more useable space, and thus more consistent with the objective "To provide useable yard areas and open space".

The north facing aspect of these rear yards and the vacant adjoining land also create private open space areas which have excellent access to natural light and ventilation. Again, this is consistent with the objective "To allow adequate natural light and ventilation between dwellings/buildings and to private open space areas."

With regard to the side setbacks, it is noted that the wall of each residential unit meets or exceeds the 900mm setback required. The DAP report also noted the side setbacks were compliant with Council requirements.

4. Failure to retain significant koala food trees on the site:

The replacement planting of the two koala food trees in an area directly adjoining the Nature Reserve is considered a more appropriate action than trying to retain trees on residential allotments. The previous practice of this Council was to work around the trees on site and retain the koala food trees within the residential lots. However the long term retention and ongoing recruitment of trees on the site was not always successful, with problems arising when koalas were exposed to dog attack and vehicle strike. Therefore, the more recent practice has been to identify areas for offset planting where the replacement koala food trees may contribute to habitat areas, and edge effects and human impacts are minimised.

The location for the offset planting was the subject of lengthy discussions with Council's environment section to ensure the offset area and long term protections were satisfactory and could be legally enforced in perpetuity. Therefore, it is considered that the proposal is consistent with Council practice, is compliant with Council's DCP requirements, and will provide a better long term outcome with more food trees replaced than will be removed.

5. Out of character with the area in terms of intensity of development on the site:

This matter is similar to earlier items discussed above. It is again noted that the density of development is less than permissible in this residential area. The dwellings are all single storey. The front setback area has been amended to significantly increase the landscaped street frontage and screen the visitor parking. The provision of on-site parking exceeds Council requirements which assist in ensuring the streetscape is not dominated by vehicles. The streetscape will present as two, single storey, detached dwellings with a central driveway. Medium density developments form part of the existing development within Blue Wren Close. It is considered that this proposal is consistent with the existing estate character.

6. Insufficient technical details to address stormwater and landscaping:

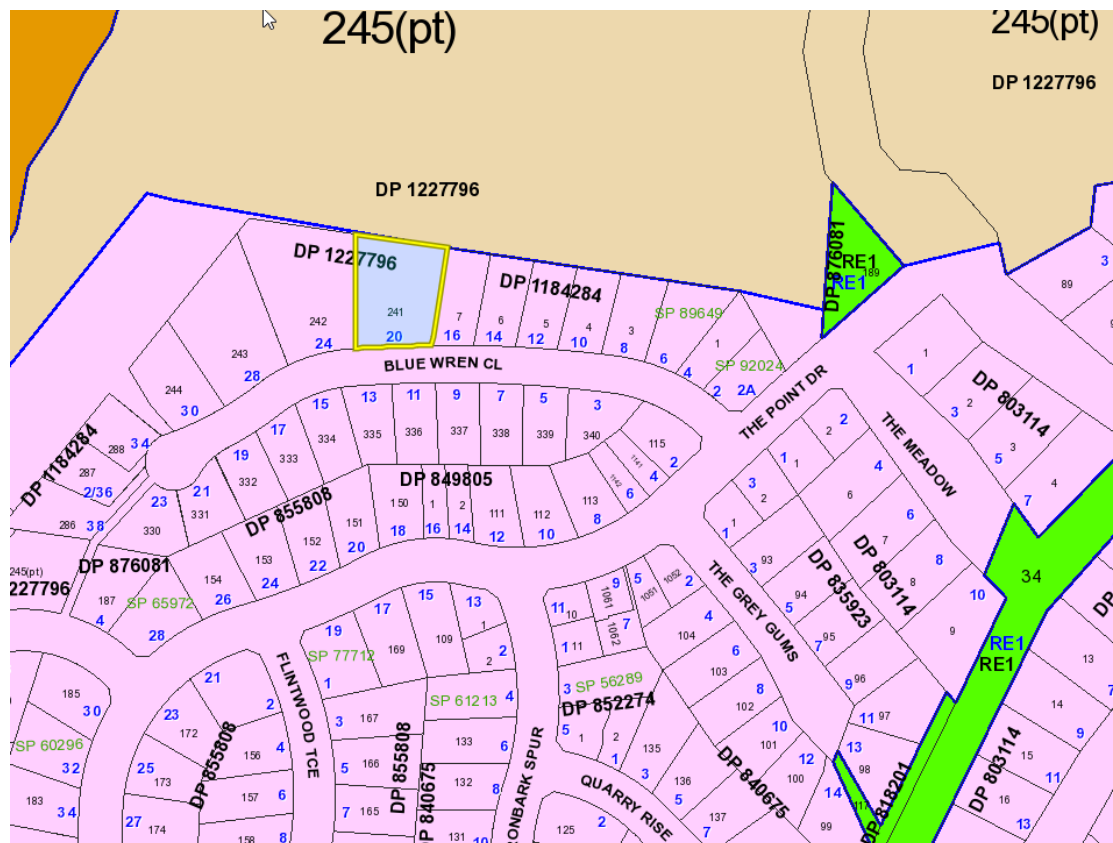
Since the DAP meeting, the engineering firm GR Consulting Engineers were engaged to review the site levels and development proposal. A concept plan for the stormwater management on site has been prepared and is provided as additional

1. BACKGROUND

The site has an area of 1844m².

Adjoining the site to the north is rural zoned land.

The site is zoned R1 general residential in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



The existing subdivision pattern and location of existing development within the locality is shown in the following aerial photograph (2012 aerial):



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction 6 x single storey dwellings. 3 x 1 bedroom, 2 x 2 bedroom and 1 x 3 bedroom dwellings
- Construction of common driveway areas including 2 x nominated visitor parking spaces
- Construction of front fence and landscaping
- Strata title subdivision

Refer to attachments at the end of this report.

Application Chronology

- 10 December 2015 – DA lodged with Council.
- 18 December 2015 to 22 January 2016 – Neighbour notification of proposal.
- 13 January 2016 – Additional information requested – Ecological impacts of tree removal to be addressed and Units 1 and 3 internal design concerns.
- 28 January 2016 – Issues raised in submissions forwarded to Applicant for consideration.
- 1 March 2016 – Additional information requested – finished floor levels of Unit 4 questioned, internal driveway width concerns, and driveway long section requested.
- 9 May 2016 – Follow up request for additional information.

- 5 August 2016 – Additional ecological/tree removal offset information received from Applicant.
- 30 August 2016 – Initial concerns raised with Applicant with regard to Lot not being registered and possibly triggering State Environmental Planning Policy No.44 – Koala Habitat Protection (SEPP 44).
- 19 September 2016 – Applicant advised working on providing additional information.
- 12 October 2016 – Additional information received from Owner's Solicitor that the Applicant for the proposed Lot at the time (Lot is now registered) to be registered has had exchanged contracts for purchase.
- 17 October 2016 - Follow up request for additional information with regard to legal advice on applicability of SEPP 44.
- 31 October and 1 November 2016 – Additional information received from Applicant with regard to SEPP 44 not applying and advising that they consider a Koala Plan of Management is not required. Applicant requests the DA not be determined until the proposed Lot be registered.
- 1 November 2016 – Additional information requested on addressing specifics for offset planting locations.
- 10 November 2016 – Offset planting locations plan received from Applicant.
- 11 November 2016 – Additional information requested on addressing specifics for offset planting.
- 15 June 2017 – Applicant advised that the proposed Lot, the subject of the DA, has been registered.
- 15 June 2017 – Specifics on offset planting specified to Applicant and follow up request for other additional information with regard to finished floor levels of Unit 4 questioned, internal driveway width concerns, and driveway long section requested.
- 7 September 2017 – Additional information and amended plans received. The amended plans have revisited the internal driveway width, levels of the proposed Unit 4 and internal design of proposed Units 1 and 3 including removal of second kitchen.
- 25 October 2017 – Report to Council's Development Assessment Panel
- 20 November 2017 - additional information and amended plans received from the Applicant.

3. STATUTORY ASSESSMENT

Section 79C(1) Matters for Consideration

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

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

State Environmental Planning Policy No. 44 - Koala Habitat Protection

There is no Koala Plan of Management on the site. Additionally, the site is less than 1 hectare in area therefore no further investigations are required. It should be noted that the DA was lodged on a proposed Lot which has been registered during the assessment of the DA and ownership transferred. This SEPP therefore does not

require consideration. The processing of the DA has been significantly delayed pending this matter being resolved.

State Environmental Planning Policy No.55 – Remediation of Land

Following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

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

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

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

Port Macquarie-Hastings Local Environmental Plan 2011

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

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

The objectives of the R1 zone are as follows:

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

In accordance with Clause 2.3(2), the proposal is consistent with the zone objectives as it is a permissible landuse and sufficiently consistent with the immediate residential locality.

- Clause 4.1, the standard minimum lot size requirements do not apply to this proposal which includes only a strata subdivision.
- Clause 4.3, the maximum overall height of the building above ground level (existing) is 5.66m which complies with the standard height limit of 8.5m applying to the site.
- Clause 4.4, the floor space ratio of the proposal is 0.5:1.0 which complies with the maximum 0.65:1 floor space ratio applying to the site.
- Clause 5.9 – Three(3) listed trees in Development Control Plan 2013 are proposed to be removed with only two(2) being koala browse species.
- Clause 5.10 – Heritage. The site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.13, satisfactory arrangements are in place for provision of essential services.

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

No draft instruments apply to the site.

(iii) any Development Control Plan in force:

Port Macquarie-Hastings Development Control Plan 2013:

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
3.2.2.1	Ancillary development: <ul style="list-style-type: none"> • 4.8m max. height • Single storey • 60m² max. area • 100m² for lots >900m² • 24 degree max. roof pitch • Not located in front setback 	Water tanks are appropriately located	Yes
3.2.2.2	Articulation zone: <ul style="list-style-type: none"> • Min. 3m front setback • An entry feature or portico • A balcony, deck, patio, pergola, terrace or verandah • A window box treatment • A bay window or similar feature • An awning or other feature over a window • A sun shading feature 	The development contains a patio post and the south-east corner of Unit 6 within the articulation zone. The patio post and section of Unit 6 building do not exceed 25% of the articulation zone and is still setback greater than 3m.	Yes
	Front setback (Residential not R5 zone): <ul style="list-style-type: none"> • Min. 6.0m classified road • Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot • Min. 3.0m secondary road • Min. 2.0m Laneway 	Front building line setback is compliant with the minimum 4.5m front setback requirements. Note some sections of Unit 6 building within the front setback which can be considered as part of the articulation zone area and are significantly lower than the street level pavement.	Yes
3.2.2.3	Garage 5.5m min. and 1m behind front façade. Garage door recessed behind building line or eaves/overhangs provided	Garage door setback requirements are complied with.	Yes
	6m max. width of garage door/s and 50% max. width of building	Width of garage door requirements are complied with.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	5.5m wide driveway crossover (at kerb)	Yes and No*

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
		and proportionally 16% of frontage.	
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	Min. 1.7m rear setback to patio posts and 4.2m to main part of Units 1, 2 and 3	No*
3.2.2.5	Side setbacks: <ul style="list-style-type: none"> • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m 	The minimum side setback requirements are complied with. The wall articulation is compliant and satisfies the objectives of the development provision.	Yes
3.2.2.6	35m ² min. private open space area including a useable 4x4m min. area which has 5% max. grade	Each occupancy contains 35m ² open space in one area including a useable 4m x 4m area.	Yes
3.2.2.7	Front fences: <ul style="list-style-type: none"> • If solid 1.2m max height and front setback 1.0m with landscaping • 3x3m min. splay for corner sites • Fences >1.2m to be 1.8m max. height for 50% or 6.0m max. length of street frontage with 25% openings • 0.9x0.9m splays adjoining driveway entrances • Front fences and walls to have complimentary materials to context 	The proposed front fence design at height of 1.8m with 25% transparency and landscaped recesses is considered to meet the fencing provisions and objectives of DCP 2013. No adverse impacts will occur. N/A	Yes
3.2.2.8	No chain wire, solid timber, masonry or solid steel front fences		
3.2.2.10	Privacy: <ul style="list-style-type: none"> • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed 	No direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings.	Yes

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development			
	Requirements	Proposed	Complies
	<ul style="list-style-type: none"> Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m Privacy screens provided to balconies/verandahs etc which have <3m side/rear setback and floor level height >1m 	No privacy screens are recommended.	
3.2.2.11	Roof terraces	N/A	
3.2.2.13 onwards	Jetties and boat ramps	N/A	

DCP 2013: General Provisions			
	Requirements	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	No concealment or entrapment areas proposed. Adequate casual surveillance available.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut and fill <1.0m change 1m outside the perimeter of the external building walls	Yes
2.3.3.2	1m max. height retaining walls along road frontage	None proposed	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	Condition recommended to require engineering certification for retaining walls within close proximity to existing property boundaries.	Yes
	Combination of retaining wall and front fence height max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to driveway	No retaining wall front fence combination proposed.	N/A
2.3.3.8	Removal of hollow bearing trees	No hollow bearing trees proposed to be removed	N/A
2.6.3.1	Tree removal (3m or higher with 100mm diameter trunk at 1m above ground level and 3m from external wall of existing dwelling)	Two (2) koala food trees proposed to be removed. Offset planting proposed of 4 trees on adjoining property as shown in the attachments section of this report.	Yes

DCP 2013: General Provisions			
	Requirements	Proposed	Complies
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads	No new access proposed to arterial or distribution road.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	Combined common driveway crossing is restricted in width which will allow for casual parking on road verge.	Yes
2.5.3.3	Parking in accordance with Table 2.5.1. <u>Multi dwelling</u> 1 space per 1 & 2 bedroom occupancies 1.5 spaces per 3+ bedroom occupancies 0.25 spaces per occupancy for visitor parking.	Proposal involve: 3 x 1 bedroom, 2 x 2 bedroom and 1 x 3 bedroom dwellings Therefore requirements are: 5 x 1 space = 5 spaces + 1 x 1.5 spaces = 1.5 spaces (2 spaces rounded up) = 7 spaces + 6 x 0.25 visitor = 2 spaces (rounded up) = 9 spaces in total The development proposes: 9 parking spaces as part of the dwellings + 2 nominated visitor parks at the front of the site. 11 spaces in total are proposed	Yes
2.5.3.11	Section 94 contributions	Contributions apply.	Yes
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Suitable landscaping proposed around driveway/parking locations.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Sealed driveway areas proposed.	Yes
2.5.3.15 and 2.5.3.16	Driveway grades first 6m or 'parking area' shall be 5% grade with transitions of 2m length	Driveway grades capable of satisfying Council standard driveway crossover requirements. Condition recommended for section 138 Roads Act permit	Yes
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Stormwater drainage is capable of being managed as part of plumbing construction.	Yes

The proposal seeks to vary Development Provision relating to the recommended 5m width driveway crossing. The proposal includes a 5.5m wide driveway with a 0.5m variation to width.

The relevant objectives are:

- *To minimise the impact of garages and driveways on the streetscape, on street parking and amenity.*
- *To minimise the visual dominance of garages in the streetscape.*

Having regard for the development provisions and relevant objectives, the variation is considered acceptable for the following reasons:

- The driveway proportional width to the front boundary is significantly less than the recommended 1/3 frontage development provision.
- The variation is minor at only 0.5m of additional driveway width.
- The 5.5m width is necessary for 2 cars to pass each other satisfactorily.

The proposal seeks to vary Development Provision relating to recommended 4m rear setback. The proposal includes sections of the rear of the Units 1, 2 and 3 with open patio areas within the 4m area.

The relevant objectives are:

- *To allow adequate natural light and ventilation between dwellings/buildings and to private open space areas.*
- *To provide useable yard areas and open space.*

Having regard for the development provisions and relevant objectives, the variation is considered acceptable for the following reasons:

- There is no existing residential lot or dwelling to the north and the land is rural zoned. There are no adverse natural light and ventilation issues to the northern neighbouring property.
- The structures within the 4m setback other than the main buildings are only relating to open patios with posts.
- The subject Units 1, 2 and 3 have greater than 35m² of useable private open space areas.

Based on the above assessment, the variations proposed to the provisions of the DCP are considered acceptable and the relevant objectives have been satisfied.

Cumulatively, the variations do not amount to an adverse impact or a significance that would justify refusal of the application.

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

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

iv) any matters prescribed by the Regulations:

N/A

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

None applicable.

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

Context and setting

- The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.
- The proposal is considered to be consistent with other residential development in the locality and adequately addresses planning controls for the area.
- There are no adverse impacts on existing view sharing.
- There are no adverse privacy impacts.
- There are no adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

Roads

The site has road frontage to Blue Wren Close.

Blue Wren Close is a residential street which is sealed with kerb and gutter. It is a local road with a 7m road formation within a 17m road reserve. There is no path paving within Blue Wren Close.

Traffic and Transport

The site is currently vacant land. This development proposes to generate 35 additional daily trips. The addition in traffic associated with the development is unlikely to have any adverse impacts to the existing road network within the immediate locality.

Site Frontage & Access

Vehicle access to the site is proposed through a shared driveway with direct frontage to Blue Wren Close being a public road. Access shall comply with Council AUSPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

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

- concrete footpath paving (minimum 1.2m wide) along the full frontage

Parking and Manoeuvring

A total of 2 visitor parking spaces and 7 garaged/covered resident spaces. Parking spaces have been provided on-site within garages with additional parking provided available within the driveway. Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) and conditions have been imposed to reflect these requirements.

It is noted that the column located on the front corner of Unit 5's porch should be removed and the roof should be cantilevered to allow access and egress from the garage.

Water Supply

Council records indicate that the current development site has a 20mm/25mm metered water service from the 100mm/150mm AC/PVC water main on the same/opposite side of street.

A new metered water service will be required for each allotment as part of the Torrens Title Subdivision.

Final water service sizing will need to be determined by a hydraulic consultant to suit the development as well as addressing fire service coverage to AS 2419 and backflow protection.

Detailed plans will be required to be submitted for assessment with the S.68 application.

Sewer

The plans supplied with the development application indicate that the proposed building will encroach over the sewer main but the existing manhole will be within the driveway area. Council permits building over the sewer main, however not a manhole or junction vertical inspection shaft, provided that building footing and slab design is engineered to ensure that no load from the buildings is transferred to the pipeline.

A manhole will also be required at the high end of the line as it will be more than 40m long.

If the main is subject to future extension an end of line terminal shaft (poo pit) will be required.

As the dwellings are to be Strata Titled, a private sewer system can be adopted, connected from a single manhole junction or each dwelling can be connected directly to Council main with individual connections.

As the development will exceed 2ET discharge, sewer connection is to be made from a manhole.

If the development is to be Community Title, the sewer mains are to be vested in Council and are to comply with Council Auspec D12 design standard.

The hydraulic designer is to confer with Council sewer section prior to submitting sewer design plans.

Detailed plans will be required to be submitted for assessment with the S.68 application.

Stormwater

The site naturally grades towards rear and is currently serviced via an existing easement to drain water.

The legal point of discharge for the proposed development is defined as the existing easement to drain water at the rear over lot 245 DP1227796.

Stormwater from the proposed development is planned to be disposed via this easement which is consistent with the above requirements.

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

In accordance with Councils AUSPEC requirements, the following must be incorporated into the stormwater drainage plan:

- On-site stormwater detention facilities

Other Utilities

Telecommunication and electricity services are available to the site.

Heritage

This site does not contain or adjoin any known heritage item or site of significance.

Other land resources

No adverse impacts anticipated. The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle

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

Soils

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

Air and microclimate

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

Flora and fauna

Construction of the proposed development will require removal/clearing of existing trees including two (2) koala browse trees (Tallowood trees included). During the assessment of the DA, the Applicant has offered to carry out offset planting of four (4) trees (2:1 ratio) on the adjoining neighbouring property with planting of 4 koala food trees. An off-set planting plan is attached to this report for consideration.

Specific conditions are recommended for the planting of the four (4) off-set plantings including size and ongoing management.

Based upon the limited number of trees proposed to be removed and offset planting proposed the proposal will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna. Section 5A of the Act (the legislation in force at the time of the application being received) is considered to be satisfied.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated.

Energy

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of BASIX.

Noise and vibration

No adverse impacts anticipated. Condition recommended to restrict construction to standard construction hours.

Bushfire

The site is not identified as being bushfire prone.

Safety, security and crime prevention

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

Social impacts in the locality

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

Economic impact in the locality

No adverse impacts. Likely positive impacts can be attributed to the construction of the development and associated flow on effects (ie maintained employment and increased expenditure in the area).

Site design and internal design

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

Construction

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

Cumulative impacts

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

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

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

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

Two (2) written submissions have been received following public exhibition of the application.

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

Submission Issue/Summary	Planning Comment/Response
Neighbour notification being over the Christmas/New Year period and not giving sufficient time.	The proposal was neighbour notified for an extended period in accordance with Council's adopted Notification Policy from 18 December 2015 to 22 January 2016.
Unhappy that a development of this nature is even being considered in this small cul-de-sac, which is full of families with children.	The development is permissible in the residential zoning applying to the site. The density of the dwellings is permissible and compliant off-street parking is provided.
Impact 1 block having 6 units is disastrous in regards to traffic. The road will not cater for the traffic increases and is not a wide street.	Blue Wren Close a local road with a 7m road formation within a 17m road reserve. This development proposes to generate 35 additional daily trips. The addition in traffic associated with the development is unlikely to have any adverse impacts to the existing road network within the immediate locality to warrant refusal of the application.
When the blocks in the street were first open for purchasing, this street was sprouted as having golf course frontage. Very unlikely that a golf course will be put in because by building so many units/villas will devalue the land in this street.	The potential for development of the golf course is not a matter for consideration under this application.
There are covenants on this land and will pursue class action with other residents from this area for this lack of consideration for the traffic impacts, environmental impacts and family living impacts.	The development is permissible in the residential zoning applying to the site. The density of the dwellings is permissible and compliant off-street parking is provided.
There has not been any consideration given to existing residents and it is clearly stated in the application that residents in this area have not been consulted.	The proposal has been neighbour notified in accordance with Council's Neighbour Notification policy. The Council's planning guidelines and development controls provide protection for amenity impacts of an area to acceptable standards.
Council garbage trucks will not be able to manoeuvre due to forseen congestion from increased vehicles.	Council garbage trucks will still be required to enter off the street.
Practical access to all houses will now be impacted.	The density of the dwellings is permissible and compliant off-street parking is provided.
This is just one block, which means that if 6 units are to go on this block, what does that mean for the remaining blocks.	Each application is assessed individually against Council guidelines and on merit. There is potential for similar multi dwelling proposals on the other lots released in this section of

Submission Issue/Summary	Planning Comment/Response
	Blue Wren Close subject to complying with each individual parking, density and other planning requirements.
There have already been 4 houses sold in this street because of proposed changes to the vacant blocks.	Any potential impact on land values is not able to be considered under the planning assessment of Development Applications. The proposed development has been permissible on the site for many years and the property is zoned residential.
This will block views from the 'proposed' golf course for many residents as the block will consist of nearly all building constructions.	The Lots referred to are all zoned residential. No adverse view sharing impacts can be identified requiring detailed analysis given all dwellings are single storey and well below the maximum 8.5m building height restriction applying to the site.
The stormwater in this street is inadequate. The blocks flood consistently and have been reported to Council previously. Question whether existing facilities are adequate.	<p>The site naturally grades towards rear and is currently serviced via an existing easement to drain water.</p> <p>The legal point of discharge for the proposed development is defined as the existing easement to drain water at the rear over lot 245 DP1227796.</p> <p>Stormwater from the proposed development is planned to be disposed via this easement which is consistent with the above requirements.</p> <p>On-site detention facilities will be required.</p> <p>The proposal will not lead to any identifiable increased potential stormwater drainage impacts in the locality.</p>
Concern with the removal of vegetation. We have seen koalas living in the trees on the vacant land. Photo proof available.	<p>There is no Koala Plan of Management applying to this particular site.</p> <p>Construction of the proposed development will require removal/clearing of existing trees including two (2) koala browse trees (Tallowood trees included). During the assessment of the DA, the Applicant has offered to carry out offset planting of four (4) trees (2:1 ratio) on the adjoining neighbouring property with planting of 4 koala food trees. An off-set planting plan is</p>

Submission Issue/Summary	Planning Comment/Response
	<p>attached to this report for consideration.</p> <p>Specific conditions are recommended for the planting of the four (4) off-set plantings including size and ongoing management.</p> <p>There is no Koala Plan of Management applying to this particular site.</p>
<p>Parking in the development. There are only 2 visitor parking spaces in the proposed development. Extra cars parked on the street will create a bottle neck in our already narrow road.</p> <p>Concern with the amount of noise having 6 neighbours will create. 3 of which will back on to our house, right near our 3 young children's bedrooms.</p>	<p>The parking provision is compliant with the Council Policy for provision of off-street parking. The development proposes 9 parking spaces as part of the dwellings + 2 nominated visitor parks at the front of the site.</p> <p>There are no identifiable adverse privacy impacts identified to the eastern neighbouring property particularly given the floor levels adopted for the dwellings.</p>
Concern with decrease in property value.	Any potential impact on land values is not able to be considered under the planning assessment of Development Applications.
Concern with privacy issues, having 6 neighbours.	There are no identifiable adverse privacy impacts identified to the eastern neighbouring property particularly given the floor levels adopted for the dwellings.

(e) The Public Interest:

The proposed development will be in the wider public interest with provision of appropriate additional housing.

The proposed development satisfies relevant planning controls, as justified, and is not expected to adversely impact on the wider public interest.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

- Development contributions will be required towards augmentation of town water supply and sewerage system head works under Section 64 of the Local Government Act 1993.
- Development contributions will be required under Section 94 of the Environmental Planning and Assessment Act 1979 towards roads including Innes Peninsula, open space, community cultural services, emergency services and administration buildings.

5. CONCLUSION

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

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

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

Attachments

- 1[View](#). DA2015 - 913.1 Plans.
- 2[View](#). DA2015 - 913.1 Recommended Conditions
- 3[View](#). DA2015 - 913.1 Submission - Dunn
- 4[View](#). DA2015 - 913.1 Submission - Moore

Item: 12.05

**Subject: DRAFT COASTAL WALK MASTER PLAN - RESULTS OF
COMMUNITY ENGAGEMENT**

Presented by: Development and Environment, Daniel Croft

Alignment with Delivery Program

2.3.4 Plan, investigate, design and construct open spaces, recreational and community facilities.

RECOMMENDATION

That Council:

- 1. Note the information contained within the Draft Coastal Walk Master Plan – Results of Community Engagement Report.**
- 2. Adopt the Coastal Walk Master Plan as presented for implementation.**

Executive Summary

The Coastal Walk is a 9km scenic walking trail that travels from Westport Park, through the CBD to Tacking Point Lighthouse. It is an important and much loved asset for both visitors and the Port Macquarie-Hastings community.

Sections of the Coastal Walk have deteriorated in recent years and are becoming tired and worn. The development of the Port Macquarie Coastal Walk Master Plan is a current Operational Plan action (2.3.4.2).

The draft master plan was developed and placed on exhibition from 23 August to 10 October 2017.

Two (2) main issues emerged from the public exhibition process. These were the difficult access to the northern end of Shelly Beach and nudity on Miners Beach. Prioritised improvements were identified as water bubblers, wider paths, improved signage, footpaths along Pacific Drive and more shade.

It is recommended that the detailed design and costs associated with the footpath from Parklands Close to Harry's Lookout and construction of the full connection between John Downes Park and Harry's Lookout be considered in future Operational Plans to provide an alternative safe route when high tides exclude access to North Shelly Beach. Other priorities are noted and will be included in the detailed design phase of this project.

Funds are available this financial year for the Coastal Walk: \$157,000 for general Coastal Walk upgrades, \$120,000 for the Flagstaff Hill Reserve walkway renewal and \$375,000 allocated to the Westport Park river wall and pathway.

Draft funding allocations are also included in the draft 2018/19 Capital Works Programme being considered in the development of the 2018/19 Operational Plan. These funding allocations are also intended for implementation of improvements identified in the Master Plan.

We have been shortlisted for a grant from the Regional Growth Environment & Tourism Fund for \$750,000 (Town Beach to Oxley Beach). Council has also applied for a grant of \$125,000 through the NSW Tourism Demand Driver Infrastructure Program for installation of wayfinding signage along the Coastal Walk.

It is proposed that the general Coastal Walk funds for this financial year are applied to one of the most used part of the Coastal Walk i.e. Charlie Uptin Walk (seen on Detail Plan 2).

Discussion

Background

The Coastal Walk is a scenic walking trail that extends from Westport Park to Tacking Point Lighthouse. Trip Advisor ranks the Coastal Walk as number one out of 63 activities for visitors to do in Port Macquarie and a 2015 survey found that one third of visitors (approximately 500,000) enjoy the walk each year.

As Port Macquarie's population continues its high growth rate the Coastal Walk is struggling to cope with the ever increasing numbers of users due to its narrow path and aging infrastructure. Pinch points are creating safety issues as multiple users at peak times compete to negotiate the path at corners, boardwalks and bridges.

Sections of the Coastal Walk have deteriorated in recent years and are becoming tired and worn. Some sections of the path are uneven and narrow and furniture, signage, steps and balustrades are mismatched, non-compliant, degraded and non-existent in some areas. Key viewpoints are overgrown and wayfinding is confused.

Port Macquarie is currently home to IRONMAN Australia, Beach to Brother Marathon, Sand Mania and several running festivals. These events contribute \$9.5 million per annum to Port Macquarie's tourism sector in out-of-season periods and the Coastal Walk is a key route for training for the events and for the events themselves.

Sections of the Coastal Walk that have already been master planned and adopted by Council are:

- The Foreshore Walk (from the Buller Street Bridge to the end of the Breakwall at Town Beach)
- Town Beach North Master Plan
- Tacking Point Lighthouse Master Plan.

These areas have been excluded from this plan. This Master Plan focusses on the main off-beach sections of:

- Westport Park

- Charlie Uptin Walk
- Doctors Walk
- Kenny Walk.

Development of a Master Plan for Flynn's Beach, a current operational plan action (2.3.2.4), will commence shortly.

Community input was sought from 9 June to 30 July 2017 to inform the development of the Coastal Walk Master Plan. A total of 64 submissions were received. The draft master plan was developed with consideration given to this community feedback.

A report regarding the draft Coastal Walk Master Plan was considered at the Ordinary Council Meeting held on 20 August 2017 where it was resolved that:

10.02 COASTAL WALK MASTER PLAN

RESOLVED: Cusato/Dixon

That Council:

1. Place the draft Coastal Walk Master Plan public exhibition for 49 days from 23 August to 10 October 2017.
2. Note that a report will be presented to the November 2017 Council meeting including the submissions received, any proposed changes to the Master Plan and an Implementation Plan.

CARRIED: 9/0

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

AGAINST: Nil

In accordance with resolution 1 the draft master plan was placed on exhibition from 23 August to 10 October 2017. A further 29 submissions were received as well as commentary from popup sessions on the coastal walk.

Staff have not made changes to the draft Master Plan as a result of feedback received during the public exhibition period. No further changes were made as a result of the submissions however it is recommended that the design and costing of the footpath from John Downes Park to Harry's Lookout be included in the 2018/19 capital works program to provide an alternative safe route Shelly Beach. Other priorities are noted and will be included during detailed design.

Initiatives proposed in the draft Coastal Walk Master Plan are listed below. The draft master plan is an attachment to this report which provides more detail on the locations of recommended changes.

INITIATIVE	OUTCOME
WHOLE OF COASTAL WALK	
1. Construct a footpath along both sides of Pacific Drive where possible.	Provides important pedestrian linkages to and from the Coastal Walk, car parking and destinations along the route. This also provides

INITIATIVE	OUTCOME
	alternative routes where the Coastal Walk travels along the beach.
2. Install a suite of Wayfinding Signage.	Provides wayfinding for visitors and locals clearly defining the Coastal Walk as an entity. Builds from Wayfinding Signage Strategy.
3. Prepare an Interpretive Signage Strategy.	There is a wide mix of signage across the Walk that is confusing and less aesthetically pleasing than it could be. A strategy will allow for consolidation of existing signage and guide future sign installations.
4. Install consistent furniture and treatments using durable coastal materials such as local stone, hardwood timber and stainless steel.	Provides a consistent look and feel, robustness, low maintenance and longevity.
5. Repair pathways, steps and balustrades to meet Australian Standards for Walking Tracks and Accessibility.	Provides a safer walking experience for users.
6. Investigate incorporation of artwork into each stage of development.	Provides intrigue and delight on the journey.
7. Protect natural environment during any works: bolster native vegetation, remove weeds, protect endangered ecological communities and protect fragile geology.	The natural quality of the Walk is highly valued and contributes to the beauty and delight experienced on the Walk.
DETAIL PLAN 1 WESTPORT PARK	
1. Remove paver pathway and replace with 3m wide coloured concrete path. Move path away from playground fence and locate closer to the river.	New pathway is wider and facilitates shared use by pedestrians and cyclists. Easing it away from the playground fence allows for market setup either side of the path.
2. New path along frontage of car park.	Provides accessible link from car parks onto Coastal Walk path.
3. Remove earth berm.	Berm is currently difficult to maintain and impacts on event set up and reserve use e.g. Foreshore Markets.
4. Upgrade section of vertical seawall from boat ramp to	Provides improved access to small beach that forms between boat ramp and stormwater pipe.

INITIATIVE	OUTCOME
stormwater pipe including access ramp.	
5. Upgrade stormwater infrastructure and improve drainage.	Improves usability of the park after rainfall and upgrades infrastructure before installation of new path.
6. Install pole lighting incorporating additional power outlets.	Improves security and safety. Power outlets improves flexibility for events.
7. Install major track head with seating, bubbler, bike racks and signage.	Signifies start of Coastal Walk and will improve the user experience.
8. Upgrade rock seawall.	Stabilises park edge.
9. Investigate linkage through car park and around to Buller Street Bridge.	Provides key link into CBD.
10. Include seating areas.	Provides opportunities for respite and passive recreation improving the user experience.
11. Plant more shade trees.	Provides shade and shelter to the Coastal Walk and general park areas to encourage usage
DETAIL PLAN 2 CHARLIE UPTIN SECTION	
1. Redesign and rebuild deck and stairs at the Marine Rescue Building.	Upgrades highly used destination along the Coastal Walk that is currently in poor condition.
2. Install typical track head with seating, bubbler, bike racks and signage.	Signifies important node of Coastal Walk and provides a map showing walking and destination options.
3. Flatten/regrade grassed area and edge with low stone wall.	Provides more usable green space at this highly used location.
4. Widen path to 2.2m where possible and pave with concrete. Upgrade balustrades.	This is one of the most highly used sections of the Coastal Walk. Path widening will accommodate increasing use by visitors and the community.
5. Replace beach access stairs to be in accordance with Australian Standards.	Improves access to the beach and meets compliance requirements.
6. Reinforce Casuarina edge planting.	Casuarinas on northern edge provide shade and stability to the slope. More plantings provide for succession.
7. Upgrade bridge to Flagstaff Hill.	Bridge is in poor condition and requires repairs.

INITIATIVE	OUTCOME
8. Selectively prune vegetation to open up views from the Flagstaff lookout.	Improves views from key lookout.
9. Remove existing non-compliant stairs and rebuild ramped pathway to Oxley Beach.	The network of paths in this location is confusing for wayfinding. Simplifying paths and redesigning improves accessibility and connections.
10. Pave link from access ramp to Oxley Beach to Coastal Walk.	Provides missing link from car parks on Pacific Drive to Coastal Walk.
11. Install footpath connections along William Street and Pacific Drive to create a loop walk with the Coastal Walk.	This connects 3 main lookouts: Gaol Point, Flagstaff and a new lookout travelling past existing monuments. The loop is enlarged when Mrs Yorks Woodland Walk from Allman Hill is complete in 2017/18.
12. Construct a new lookout above the Marine Rescue building.	This lookout will provide an added destination on the proposed loop walk with views of distant mountain ranges to the north and along Town Beach and the breakwall.
DETAIL PLAN 3 DOCTORS WALK SECTION	
1. Install typical track head with seating, bubbler, bike racks and signage at both ends of the Doctor's Walk (Oxley Beach and Windmill Hill).	Signifies important nodes of Coastal Walk and provides a map showing walking and destination options. Other improvements improve the user experience.
2. Replace path with boardwalk at section where poor drainage inundates path.	Improves accessibility and user safety.
3. Install 2 small lookouts and additional seating.	Provides rest stops with scenic views.
4. Widen path to 2.2m where possible and pave with concrete; upgrade balustrades.	A wider, concrete path allows for a range of individuals, dog walkers and groups as well as increased usage into the future.
5. Replace stairs to Windmill Hill.	Improves accessibility and upgrades these stairs currently in poor condition.
DETAIL PLAN 4 KENNY WALK SECTION	
1. Install typical track head with seating, bubbler, bike racks and signage at both ends of	Signifies important nodes of Coastal Walk and provides a map showing walking and destination

INITIATIVE	OUTCOME
Kenny Walk (Nobby's Beach and John Downes Park). Remove excessive signage at the Nobby's Beach car park and include dog bowl and bag dispenser.	options. Other improvements improve the user experience.
2. Install a new formal track and stair to the memorial on The Nob with new lookout at highly used vantage point.	Provides improved access to this well used route with stunning views.
3. Upgrade memorial on The Nob with paving, seating and selectively cleared vegetation to improve views.	Provides a more fitting setting to the memorial with stunning views.
4. Upgrade stairs and handrail to Nobby's Beach from car park.	Provides improved access to this highly used beach.
5. Install paths around the outside of the car park.	Provides clear route to continue along the Coastal Walk away from reversing vehicles.
6. Widen path to 2.2m where possible and pave with concrete or bitumen, upgrade balustrades.	A wider, paved path allows for a range of individuals, dog walkers and groups as well as increased usage into the future.
7. Install new seating areas.	Provides areas for rest and passive recreation.
8. Add a footpath to John Downes Park along Pacific Drive.	Links the Coastal Walk to this popular park and playground.
9. Add a footpath along Pacific Drive travelling south to Harry's Lookout.	This provides an alternative route when north Shelly Beach is inaccessible due to high tides.

A number of challenges existing for the implementation of these initiatives that will make the works more expensive and time consuming including:

- Working in areas of endangered ecological communities including Coastal Headland Brushbox Littoral Rainforest, Lighthouse Gully Littoral Subtropical Rainforest Complex and Themeda Headland Grassland.
- Excavation is severely limited by the presence of naturally occurring asbestos throughout the area and steep unstable geology.
- Access for construction vehicles and import of materials such as hot mix and concrete is severely limited.
- Heavy pedestrian use means that closure of sections of track for long periods will not be well received by the public.
- Materials for upgrades need to be carefully selected to cope with the harsh, corrosive coastal environment.

Options

Council has the option to:

- Adopt the Draft Master Plan as presented,
- Adopt the Draft Master Plan with changes or,
- Reject the Draft Master Plan.

In regard to other issues raised through the public exhibition period:

- Council may want to consider the appropriateness of the continuation of nude sunbathing at Miners Beach. Any change in position from current practice would require support from National Parks & Wildlife Service (NPWS).
- Council may opt to prioritise funding for detailed design of the Pacific Drive pathway between Parklands Close and Harry's lookout as an alternate Coastal Walk route to North Shelly Beach.

Community Engagement & Internal Consultation

Community comment on the Draft Coastal Walk Master Plan was open from 23 August to 10 October 2017. The plans were displayed at the Customer Services Centres, Libraries and on Have Your Say.

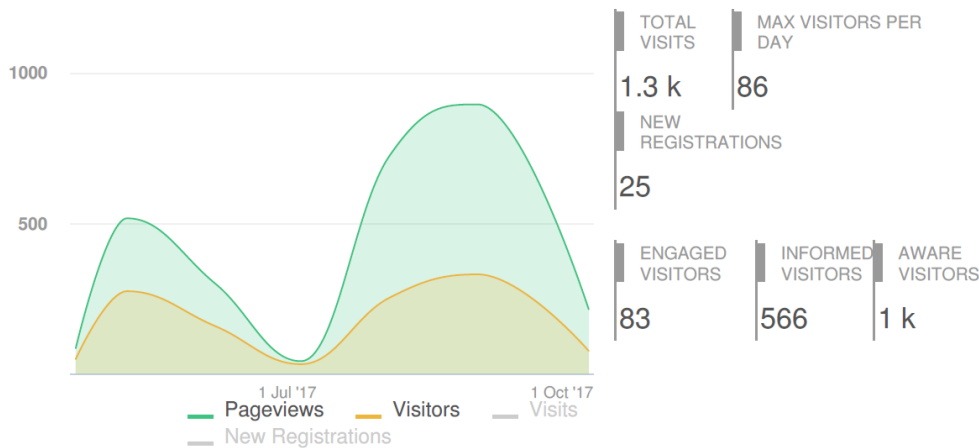
Eight signs were placed along the walk informing the public about the proposed master plan and seeking their input. They were directed to customer service, email or the web site to lodge a submission.

The Port Macquarie News published five stories since the original engagement: 5 April "Funding bid for Port Macquarie Coastal Walk Upgrades", 22 May "Have your say on our Future of our Coastal Walk", 6 July "Port News poll reveals that we love the Doctor's Walk", 21 August "Have Your Say on the Draft Coastal Walk Master Plan and 23 August "Council's Port Macquarie Coastal Walk Plans on Public Exhibition".

A majority of the Coastal Walk submissions were received through the Have Your Say website. The web site had links to drone footage of the coastal walk, separate links to each of the plans and our responses to the issues raised during the first round of engagement.

A survey was included on Have Your Say that asked what people's top 5 priorities from the plan were. 29 formal submissions were received and are listed in the attached document. A visitor summary of the Have Your Say engagement tool are below. There were 1300 total visits to the Coastal Walk Have Your Say page and 375 people downloaded and viewed the draft master plan. Of the people that visited the Have Your Say site, 359 accessed it through the Port Macquarie Hastings Council web page and 346 were referred from Facebook.

Visitors Summary



The themes that emerged from the formal submissions were similar to the first round of engagement. Submissions from this and the previous round of public exhibition are attached for information.

Two (2) key issues identified during this public exhibition period have carried through from the earlier engagement. These were requests for improvement to the access to the northern end of Shelly Beach and concern about the behaviour of some nudists witnessed at Miners Beach.

1. North Shelly Beach Access

As a result of earlier considerations about the Shelly Beach access issue, Council completed detailed designs in 2014 for the upgrade of Pacific Drive between Leanda Street and Parklands Close, including the provision of a shared path.

Further design is required to link the path through to Harry's Lookout where people can rejoin the coastal walk. Funding has not been allocated to these upgrade works due to other higher priority projects across the Local Government Area.

Given that this access issue continues to be raised by the community, staff suggest that this matter be reprioritised to allow for detailed design and costing of this path in the development of future Operational Plans.

2. Nudity at Miners Beach

The area of Miners Beach below the mean high water mark is under Crown Land ownership and managed by Council as Trust Manager. Above the mean high water mark is the remit of NPWS. At this stage there is no plan to prohibit nude bathing from Miners Beach by Council or NPWS.

Any illegal behaviour is a Police matter and should be reported as such. These issues will be shared with Crown Lands and NSW National Parks for their attention. A review of signage will be undertaken to see if this can improve behaviour and provide more warning to walkers.

The top 5 priorities identified through the Have Your Say survey were:

- Water bubblers
- Wider paths
- Improved access to the Northern end of Shelly Beach
- Improved signage, and
- Footpaths along Pacific Drive.

Council's Community Place team undertook four popup engagement activities at various locations along the Coastal Walk between Tuesday 3 October and Friday 6 October. They provided plans, highlighted avenues for comment, and talked people through the proposals. Approximately 250 conversations were held across the popups, with the bulk of the feedback focussing on:

- Better signage along the trail (wayfinding and interpretive signage)
- More shade
- More water (i.e. bubblers, water for dogs, low bubblers for kids)
- Better/safer pedestrian access down to Nobby's Beach along the road/driveway
- Better/safer access at the northern end Shelly Beach
- More seats in shady spots

The priorities that emerged from the Have Your Say survey and the popups are all accepted and can be addressed during detailed design.

Separate consultation was undertaken with the Foreshore Market manager to discuss proposed changes to Westport Park to be undertaken this financial year. This discussion provided valuable information about how the changes can work with the Foreshore Markets and other large events.

Birpai Local Aboriginal Land Council supports the upgrade to the Coastal Walk. Due to the local Aboriginal community's strong connection to this walk and our coastline, Council plans to continue to engage local Aboriginal artists and the wider Aboriginal community in the infrastructure upgrades that the funding proposal highlights.

NSW National Parks and Wildlife provided responses to the community submissions that related to their section of the walk. They are positive about the development of a master plan and are interested in working together on consistent signage and furniture.

Internal engagement with Council staff has also been undertaken. A lunch time talk was conducted to obtain internal staff views.

Specific engagement has been undertaken with staff from the following sections; Environmental Services, Economic Development, Community Engagement and Planning, Infrastructure Development and Transport and Stormwater.

Planning & Policy Implications

The submissions have been considered throughout the master planning process as noted in the discussions section.

The draft Master Plan is consistent with Crown Lands Plans of Management associated with Westport Park and Hastings Regional Crown Reserve Precinct 'A'.

Financial & Economic Implications

The following funds are available this financial year for the Coastal Walk:

- \$157,000 carried forward from the 2016/17 financial year for Coastal Walk upgrades (2.3.4.2)
- \$120,000 allocated to the Flagstaff Hill Reserve walkway renewal (2.3.3.8 CW)
- \$375,000 allocated to the Westport Park river wall and pathway (2.3.3.13 CW)

We have been shortlisted for a grant from the NSW Regional Growth Environment & Tourism Fund for \$750,000 (Town Beach to Oxley Beach). The results of this application will be known early in 2018. The application requires a significant co-contribution from Council which includes the above mentioned available funding and funding included within the draft 2018/19 Operational Plan.

A Wayfinding Signage Strategy has recently been completed and Council has applied for a \$125,000 grant through the Tourism Demand Driver Infrastructure Program for detailed design, fabrication and installation of wayfinding signage for the coastal walk (as well as Port Macquarie, Wauchope and Laurieton town centres). A matching contribution from Council will be required with \$25,000 from the above mentioned budget allocations forming part of the overall co-contribution. If this grant application is successful works are required to be delivered before the end of this financial year.

It is proposed that the general Coastal Walk funds for this financial year are applied to one of the most used parts of the Coastal Walk i.e. Charlie Uptin Walk (refer to Master Plan - Detail Plan 2).

Once adopted, the master plan will also guide future Council funds allocation and grant applications.

Attachments

- 1[View](#). Coastal Walk Master Plan Initial Engagement - June/July 2017
- 2[View](#). Coastal Walk Master Plan Engagement - August to October
- 3[View](#). Coastal Walk Master Plan - Final

Item: 12.06

Subject: BIODIVERSITY STRATEGY

Presented by: Development and Environment, Daniel Croft

Alignment with Delivery Program

4.8.3 Promote biodiversity programs.

RECOMMENDATION

That Council:

- 1. Place on public exhibition the draft Biodiversity Strategy commencing from 20 December 2017, for a minimum of 70 days.**
- 2. Note that a further report is planned to be tabled at the April 2018 meeting of Council, detailing the submissions received from the public during the exhibition period.**

Executive Summary

The commitment to commence a Biodiversity Strategy is part of Council's Operational Plan 16/17 (Action 4.7.1.2).

This Biodiversity Strategy has been developed in conjunction with a Community Panel, an Expert Panel (comprised of local ecological experts, interested stakeholders and members of the development industry), and follows four briefings to Council. This final draft version (attached) incorporates comments by Council and all of the above stakeholders. The report proposes to place the draft strategy on public exhibition.

Discussion

The Port Macquarie-Hastings Local Government Area (LGA) has many biological assets that are highly valued by the community.

This Biodiversity Strategy aims to guide and enable strategic growth and development while conserving biodiversity values by:

- Identifying biological priority areas in LGA.
- Identifying islands/patches of contiguous vegetation and where the key habitat linkages and connections are between this vegetation.
- Identifying threats to biodiversity.
- Defining Actions to protect priority areas and reduce threats.
- Providing strategic direction and information to guide investment on private and public lands in a voluntary manner.

The Biodiversity Strategy has been prepared using the best possible science. For instance, the conservation planning software, Zonation, was used to identify biologically important areas, while the program GapClosR was used to map out landscape connectivity in the LGA. Such programs were similarly used by the Hunter and Central Coasts Group of Councils during the Hunter & Central Coast Regional Environmental Management Strategy process. The Strategy has heavily relied on previous datasets prepared by Council, such as vegetation mapping (BioLink, 2012).

The Biodiversity Strategy identifies threats to the biological assets of the area and the associated actions required to reverse these threats. These actions were developed in collaboration with the Expert and Community Panels.

Through this Biodiversity Strategy, Port Macquarie-Hastings Council can play a key role in bringing together different stakeholders (government, education, private individuals, community groups etc) to attract funding and deliver projects aimed at managing and enhancing biodiversity values in the LGA.

The Biodiversity Strategy will also assist strategic planning into the future.

Options

1. Place the draft Biodiversity Strategy on public exhibition.
2. Not place the draft Biodiversity Strategy on public exhibition.

Community Engagement & Internal Consultation

The draft Biodiversity Strategy has been prepared in conjunction with a Community Panel and an Expert Panel. The Panels included private individuals interested in conservation, representatives of the development industry, representatives from community groups, including Hastings Birdwatchers, local Progress Associations, North Coast Environment Council, the NSW Office of Environment and Heritage, local ecological consultants, Forest Corp and Council staff).

These Panels met seven times during the formulation of the draft Strategy.

Four Council briefings have been delivered during the development of the draft Biodiversity Strategy (from May 2015 to October 2017). One briefing was also held with the Council Executive team (Sept 2017).

Updates on the Biodiversity Strategy were also regularly conducted at the commencement of the project on PMHC Listening and posters were created and distributed around rural centres (halls produce stores etc), advertising the website and asking for participation from rural stakeholders on the Community Panel.

There has been strong interest from many Community members and stakeholders to view the final draft Biodiversity Strategy. It is proposed that a number of information sessions be held during the exhibition period to inform local landholders and seek their feedback.

Planning & Policy Implications

The Biodiversity Strategy is proposed to be used to aid strategic planning and guide investment on public and private land on a voluntary basis

Financial & Economic Implications

The total cost of implementing all of the actions outlined in this Biodiversity Strategy is \$417,000 p.a. It is proposed that actions would be nominated for inclusion in the Annual Operational Plan commencing 2018-2019. Council staff will also seek to find external grant funds to supplement the implementation of the Strategy.

Attachments

1 [View](#). Draft Biodiversity Strategy

Item: 12.07

Subject: DRAFT KOALA RECOVERY STRATEGY AND COASTAL KOALA
PLAN OF MANAGEMENT

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.6.1 Develop and implement a range of programs for the environmental management of lands within the local government area.

RECOMMENDATION

That Council:

- 1. Forward the attached draft Coastal Koala Plan of Management to the NSW Department of Planning and Environment for review in accordance with the relevant Guidelines.**
- 2. Following endorsement of the draft Coastal Koala Plan of Management by the Department of Planning and Environment, place on public exhibition for a minimum period of 42 days.**
- 3. Place the draft Koala Recovery Strategy on public exhibition from the 17th January 2018 for a minimum period of 42 days.**
- 4. Close the public exhibition of both the draft Coastal Koala Plan of Management and draft Koala Recovery Strategy at the same time.**

Executive Summary

As home to one of the largest populations of koalas on the east coast of Australia, there are significant benefits for Council, developers and the community from having a strategic and transparent comprehensive koala plan of management and Koala Recovery Strategy for the Port Macquarie-Hastings.

The project to prepare a Koala Recovery Strategy and comprehensive plan of management started in February 2015 in accordance with Council's Operational Plan 15-16.

The attached draft Koala Recovery Strategy provides the strategic direction for Council to protect and manage development within koala habitat and implement recovery actions to reverse the trend of population decline.

The attached draft Coastal Koala Plan of Management is a comprehensive plan prepared in accordance with *State Environmental Planning Policy No 44 – Koala Habitat Protection* and is now ready for State Government review.

The purpose of this report is to seek Council approval to submit the draft Coastal Koala Plan of Management for State Government review and to publicly exhibit both the draft Coastal Koala Plan of Management and draft Koala Recovery Strategy for broader community comment.

Discussion

Background

Council estimate there are almost 7,000 hectares of core koala habitat in the coastal area of the Port Macquarie-Hastings, generally the land between the coast and the Pacific Highway. This habitat is home to an estimated 1,600 koalas.

In 2016, Council undertook a Population Viability Assessment of the local koala population using data from the Koala Hospital and from Council's Koala Population and Habitat Assessment study undertaken in 2013. This assessment was undertaken as a response to local records indicating a shift from a historically stable population to one now in decline.

The Population Viability Assessment confirmed that the mortality rate from habitat clearing, road strike, dog attacks and disease is outstripping the recruitment rate of local koala populations, resulting in a state of decline.

While still in an early phase of decline, this decreasing koala population trend is similar to populations that have become locally extinct or declared critically endangered such as the Port Stephens, and North Coast from Tweed to Brunswick River populations. This trend suggests that without intervention in the next 5 years, the local population will become extremely rare in 25 years and functionally extinct in 50 (Figure 1).

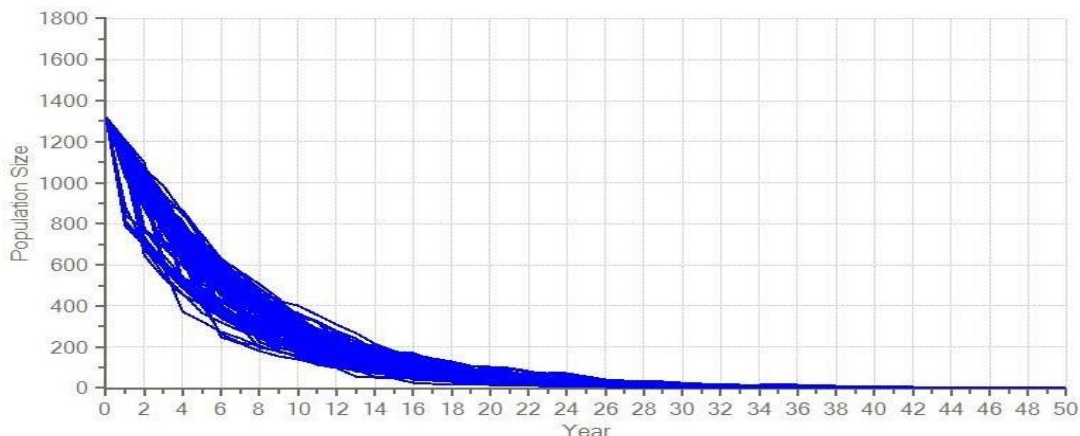


Figure 1. Koala Population Viability Assessment. - Projected population decline if current threat levels remain

As a response to this analysis, in August 2016 Council chaired a roundtable with local stakeholders including the development industry, the Koala Preservation Society Australia, koala ecology experts, State and Federal government representatives, Councillors and The Honourable member for Cowper, Mr Luke Hartsuker. The development of the draft Koala Recovery Strategy and draft Coastal Koala Plan of Management (CKPoM) are the centrepiece to Council's response.

In August 2016, the Local Koala Hospital submitted a petition to Council containing over 2800 signatures in support of measures to protect coastal koalas in our region to ensure their long term survival (attached).

The *State Environmental Planning Policy No 44 – Koala Habitat Protection* (SEPP44) requires the preparation of plans of management in relation to areas of core koala habitat and requires that development proposals must be consistent with this plan before consent can be granted.

SEPP44 identifies two types of plans of management – individual plans usually prepared by developers for an individual development site, and comprehensive plans prepared by local governments and applying to a local government area (LGA). To date in the Port Macquarie-Hastings, individual plans of management have been prepared with associated development applications or rezoning proposals to meet the development consent requirements of SEPP44, as Council does not have a comprehensive plan.

As home to one of the largest populations of koalas on the east coast of Australia, there are significant benefits for Council, developers and the community in having a clear strategic direction for activities related to protection of koalas and their habitat and a comprehensive koala plan of management for the Port Macquarie-Hastings to guide development.

The draft Koala Recovery Strategy is aimed at the LGA, however the focus of the CKPoM is in the coastal strip of the LGA where the majority of development pressure occurs.

The Project

The preparation of a comprehensive koala plan of management has been identified in the Delivery Program and Operational Plans following adoption of the *Port Macquarie-Hastings Urban Growth Management Strategy 2011*.

In November 2013, Council noted the *Port Macquarie-Hastings Koala Habitat and Population Assessment Report* as the basis for future koala habitat mapping and policy development.

The project to prepare the CKPoM started in February 2015. The project was planned to be delivered in six stages. Two major variations to the project plan have been incorporated since the project start (described below) with the schedule now as follows:

- Stage 1: Preliminary (**completed** early 2015)
- Stage 2: Mapping and targeted consultation (**completed** late 2015 to mid-2016)
- Stage 3: Developing the CKPoM (**completed** mid-2016 to late-2017)
- Stage 3a: State Government consultation (late-2017 to early 2018)
- Stage 4: Community engagement (early-2018 to mid-2018)
- Stage 5: Statutory implementation (mid-2018 to late-2019)

During Stage 2, Council recognised the need for an overarching koala strategy to provide both context for the CKPoM and the policy basis to carry out recovery activities to mitigate mortality-based threats causing population decline. The strategy component was added into the project scope for Stage 3 in May 2016, adjusting the schedule as necessary.

Towards the end of Stage 3, work on the project was put on hold with project resources directed to the Urban Growth Management Strategy, delaying completion of that Stage.

With completion of Stage 3, the draft CKPoM and draft Koala Recovery Strategy are now ready for broader consultation. The draft CKPoM must be submitted to the State Government for review prior to public exhibition, a requirement of SEPP44. The draft Koala Recovery Strategy can proceed to community consultation immediately.

On completion of the State Government initial review, the CKPoM will also be put on public exhibition along with the draft strategy, allowing the community to gain an understanding of the strategy first, followed by the more technical CKPoM. Further details on the proposed community engagement are provided further below.

Key features of the draft Koala Recovery Strategy

The attached draft Koala Recovery Strategy complements the draft CKPoM as it describes a range of actions that cannot be addressed under SEPP44, including actions for each of the themes listed below:

- **Habitat loss, modification and fragmentation** – particularly in identifying lobbying and partnering opportunities with the State Government.
- **Koalas and roads** – with a focus on research and development of a range of design solutions.
- **Koalas and dogs** – including the trial of a domestic dog desensitisation pilot project.
- **Wildfire and high intensity prescribed burning** – including participation in a regional fire planning initiative.
- **Research** – focusing on continuous improvement of our koala mapping data.
- **Community education** – exploring better use of technology and mobile apps to engage and inform the community.

Key features of the draft CKPoM

The attached draft *Coastal Koala Plan of Management* is an innovative approach to koala management plans that has not been used elsewhere in the state at this scale. The plan's key features and benefits include:

- **Identification of core koala habitat and linking areas at the landscape scale** – other comprehensive plans stop short of identifying vegetation that meets the SEPP44 definition of core koala habitat. Through our extensive mapping work and field testing, Council has secured in-principle agreement from officers in State Government that our core koala habitat mapping satisfies this key definition. This provides certainty for developers and transparency for the community.

Landscape scale mapping allows for better strategic decisions when clearing of habitat is proposed, providing the necessary context to assess viability and habitat value and likely impact of the proposed clearing.

The addition of koala habitat linking areas provides strategic guidance for assessing applications as it identifies areas likely to be used by koalas moving between patches of habitat, regardless of the vegetation. These linking areas

also help to provide an opportunity to guide offset planting resulting from approved clearing of habitat.

- **Two assessment pathways for development applications** – other comprehensive plans require a full ecological assessment on a site by site basis. The ‘deemed to comply’ pathway in the draft CKPoM provides an option for developers to avoid significant cost where their proposal is designed to avoid habitat impacts and be of low risk to koalas.

The objective of this pathway is to incentivise developments to apply koala-friendly design principles for their development sites and avoid adverse impacts. The deemed to comply development rules are a short suite of prescriptive development standards that can be easily checked without referring to an ecologist, leading to a less costly development application and assessment with no delays arising from SEPP44 requirements.

The impact-assessable pathway on the other hand, provides for a thorough performance-based approach, guided by a koala habitat assessment prepared by an ecologist.

- **A Koala-friendly Development Code** – the first of its kind in NSW, provides a comprehensive suite of outcome-driven development controls. The code addresses five objectives across three key themes:
 - Management of koala habitat
 - Managing threats to koala mortality
 - Habitat restoration and connectivity

‘Deemed to comply’ proposals will only need to address a maximum of six prescriptive standards. Impact-assessable proposals will need to address up to 14 performance criteria where they cannot meet the prescriptive standard.

Options

Option 1 – Council may determine to proceed with both the draft Koala Recovery Strategy and CKPoM as attached or with any modifications as Council sees fit.

The next steps would be to exhibit the draft Koala Recovery Strategy and submit the draft CKPoM to the Department of Planning for formal review and assessment. Following the State Government review, the draft CKPoM with any necessary amendments will also be placed on exhibition with the draft Strategy. Given the current time of year, it is considered very unlikely that the Department will complete their review before the end of 2017, and is more likely to be completed early in 2018. Accordingly the CKPoM is likely to proceed to exhibition within the first quarter of 2018.

Given the nature of this CKPoM, an extended exhibition period is also proposed.

This is the recommended option.

Option 2 – Council may determine to proceed with only the draft Koala Recovery Strategy or the draft CKPoM. Proceeding with the draft Koala Recovery Strategy only would provide good high level framework for koala recovery activities but would leave

the development assessment process unchanged. Regulation of the loss of koala habitat is the key action required to reverse the current trend of population declines. Proceeding with the draft CKPoM only would not affect its usability, however would only respond to one aspect of koala habitat protection and falls short of addressing the additional key threatening processes responsible for the decline in population. This is not the recommended option.

Option 3 – Council may determine not to proceed with the draft Koala Recovery Strategy and CKPoM. The requirements of SEPP44 remain, requiring that individual plans of management are prepared for development sites by the developer in support of their development applications. The benefits of the proposed CKPoM related to efficiency, strategic decision making and cost, would not be realised and this is therefore not the recommended option.

Community Engagement & Internal Consultation

The project has involved a multi-disciplinary project team which has also been cross-divisional since the recent organisation restructure.

The project team has relied on advice and feedback provided by both an expert panel and a community reference group. These panels were formed in September 2015 and met four times at about six-weekly intervals as the planning progressed. These groups were an invaluable source of information and feedback, particularly as the mapping evolved.

The expert panel comprised representatives from the State's Office of Environment and Heritage and National Parks and Wildlife, a highly experienced koala ecologist, a local consultant ecologist, and the supervisor of the Port Macquarie Koala Hospital.

The community reference group comprised people with a range of interests including broad environmental, koala-specific, local community and development industry interests. Councillor Lisa Intemann and then Councillor Trevor Sargeant also participated.

Councillor Briefings were presented in May 2015, March and December 2016 and October 2017, reporting on progress, issues encountered and project direction. The draft koala Recovery Strategy and CKPoM were made available between October and November 2017 for Councillors to review and provide feedback. Comments were received from two Councillors, resulting in several improvements.

If endorsed by Council, the draft CKPoM will be formally submitted to the Department of Planning for review as soon as possible after the Council meeting. It is likely the Department will also seek comments on the draft plan from the Office of Environment and Heritage. It is anticipated that this review will be complete by mid-February.

Following the State agency review proposed with this report, the draft CKPoM and the draft Strategy will be placed on exhibition for public review and comment for a period of at least 42 days.

In addition to comments from the general public, the community reference group will be notified and asked for feedback. The community reference group includes representatives of:

- Port Macquarie Koala Hospital
- Hastings Construction Industry Association
- North Coast Environment Council

Planning & Policy Implications

It is intended that the draft CKPoM, once endorsed by the NSW Department of Planning & Environment, would fulfil Council's obligations under SEPP44 and that development could proceed in accordance with the CKPoM.

If the CKPoM is adopted by Council, it is intended that a further report would be presented to Council in relation to proposed amendments to our local environmental plan, including the addition of new map layers and revised text relating to koala habitat.

The CKPoM would also introduce two new Council policies, which are currently shown as schedules in the draft CKPoM. The draft policies are:

- A ***koala-friendly fencing policy*** to guide the design of fences where the CKPoM applies and for exempt development in the core koala habitat area.
- A ***koala habitat compensation policy*** to set out the requirements for offset planting where removal of trees or habitat is proposed to be cleared.

These policies will be reviewed as part of any exhibition of the draft CKPoM and if adopted, will be included in Council's policy register.

Financial & Economic Implications

Whilst this report seeks to have documents placed on exhibition and has limited financial impact, if ultimately adopted however the implementation of the proposed Koala Recovery Strategy and CKPoM will have financial implications that will need to be considered and addressed in future reports.

Some actions already being undertaken by Council and funded by the NSW OEH 'Saving our Species Fund' have been incorporated into the Strategy.

Attachments

- 1[View](#). Draft Coastal Koala Plan of Management
- 2[View](#). Draft Koala Recovery Strategy
- 3[View](#). Koala Hospital Petition

Item: 12.08

Subject: THRUMSTER LOCAL ORDERS POLICY

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.6.1 Develop and implement a range of programs for the environmental management of lands within the local government area.

RECOMMENDATION

That Council:

- 1. Adopt the Local Orders Policy to Restrict the Keeping of Dogs at Thrumster, as publicly exhibited, in accordance with section 161 of the Local Government Act 1993.**
- 2. Request the General Manager make representations to the Minister for Planning and Environment regarding the need for alternate provisions to the Local Orders Policy to restrict and manage dog ownership in areas of Core Koala Habitat.**
- 3. Review the Thrumster (Area 13) Koala Plan of Management in the context of the proposed Koala Strategy and Comprehensive Koala Plan of Management for Port Macquarie-Hastings, prior to the next review of the Local Orders Policy.**

Executive Summary

On 10 January 2008, Council's Koala Plan of Management for the Thrumster (Area 13) Urban Investigation Area was approved by the State Government. Approval of the Koala Plan of Management enabled the Thrumster urban release area to proceed.

A key component of the Thrumster Koala Plan of Management was the intention to prohibit the keeping of dogs within the central part of the Thrumster release area. This central area was identified as koala habitat with a high level of use by koalas, which functioned as a corridor for movement of koalas through the release area.

On 12 June 2008, Council adopted a Local Orders Policy (LOP) to Restrict Keeping of Dogs in Core Koala Habitat Areas at Thrumster in order to implement this key component of the Koala Plan of Management.

Under section 161, of the Local Government Act 1993, all LOPs are automatically revoked at the expiration of 12 months after the declaration of the poll for the most recent general election of Council. A revised LOP was adopted by Council on 18 March 2015, following the previous Council elections.

Council resolved, on 20 September 2017, to publicly exhibit a draft Local Orders Policy to Restrict Keeping of Dogs in Core Koala Habitat Areas at Thrumster,

consistent with the previous LOP. The purpose of this report is to consider submissions made during the exhibition period.

It is recommended that Council adopt the LOP.

If the LOP is not continued, Council will need to fully review the provisions of the Koala Plan of Management for the Thrumster area and seek approval from the Department of Planning and Environment for any proposed changes. This could delay or restrict approvals for new development in the Thrumster area that depend on the adopted Koala Plan of Management to meet the requirements of State Environmental Planning Policy No. 44.

It is acknowledged that the Local Orders Policy mechanism for restricting dogs in core koala habitat areas is not a perfect solution to the management of dogs in areas of Core Koala habitat, however, it is the best method known to Council at the present time. Council has attempted to control dog ownership in koala habitat areas through restriction on title, without success.

This issue is not unique to the Port Macquarie-Hastings and it is therefore recommended that Council raise the matter with the State Government to pursue alternative mechanisms and approaches.

A separate report on a Comprehensive Koala Plan of Management (CKPoM) for the local government area is presented on this agenda. The issue of dogs in core koala habitat areas will be an ongoing issue across the local government area. The proposed CKPoM would not replace the Thrumster KPoM or LOP.

Council is required to periodically review the Thrumster (Area 13) Koala Plan of Management in accordance with Part 8 – Monitoring of the KPoM. It is recommended that Council undertake this review in the context of the proposed Koala Strategy and Comprehensive Koala Plan of Management for the Port Macquarie-Hastings, prior to the next review of the Local Orders Policy.

Discussion

History

On 10 January 2008, the Director General of the then Department of Planning approved Council's Koala Plan of Management for the Thrumster (Area 13) Urban Investigation Area. The Koala Plan of Management addresses the potential impacts of urban development on koalas in the Thrumster area and was a key part of the overall planning that enabled rezoning of parts of Thrumster to proceed.

The Thrumster Koala Plan of Management was required to be prepared in accordance with State Environmental Planning Policy No.44 – Koala Habitat Protection (SEPP44). Clause 3 of the policy provides:

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.

To give effect to the aims of SEPP 44, clause 15 (b) provides that Council should:

(b) make or amend a local environmental plan:

- (i) to include land identified as a core koala habitat within an environmental protection zone, or
- (ii) to identify land that is a core koala habitat and apply special provisions to control the development of that land

In preparing the Thrumster Koala Plan of Management, zoning of all core koala habitat as environmental protection was considered impractical, and council sought to develop special provisions to control development of the land to give effect to the aims of the SEPP. Figure 1 (which is an extract from the Thrumster Development Control Plan) provides an overview of core koala habitat within the Thrumster area.

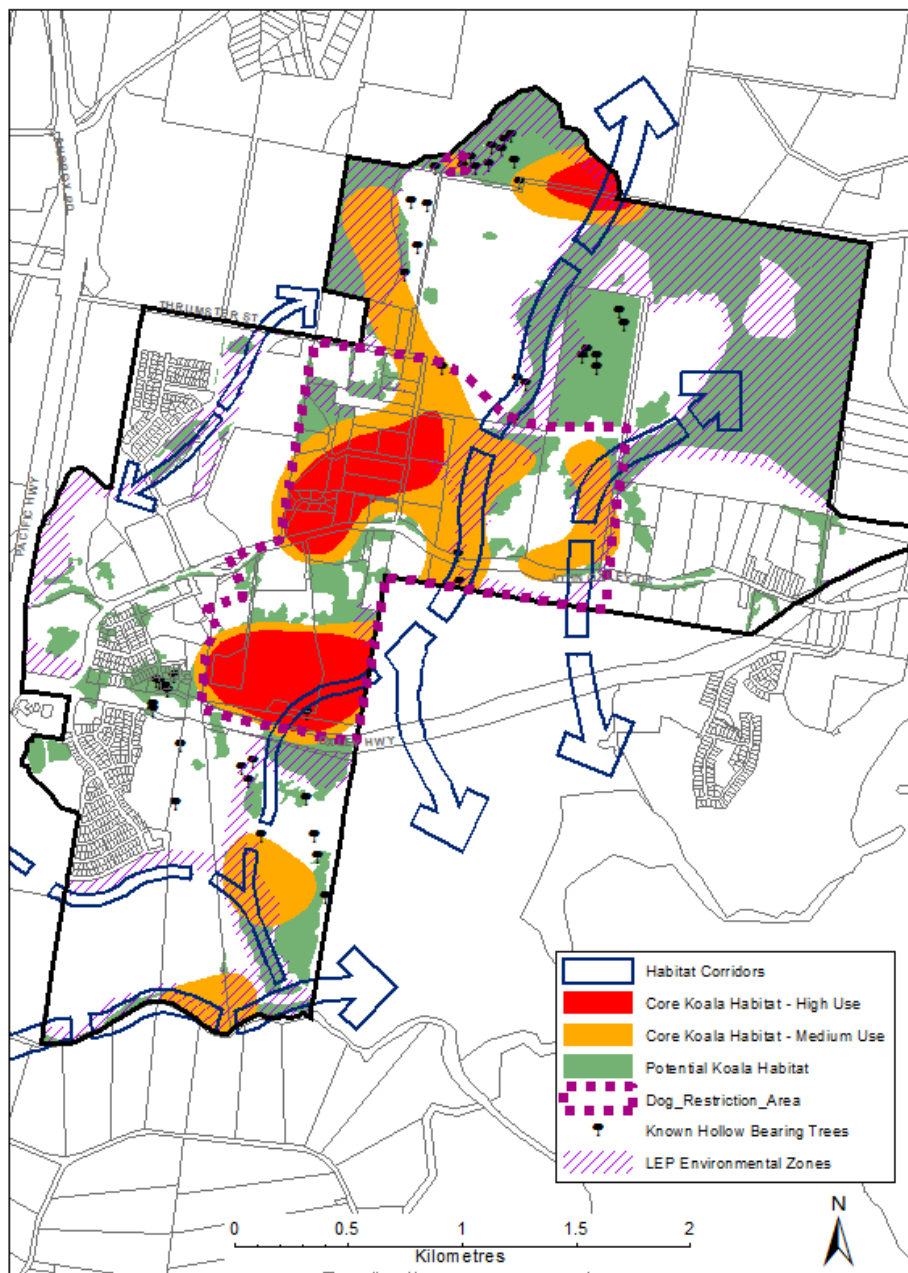


Figure 1: extract from the Thrumster Development Control Plan

The Koala Plan of Management includes several development design principles, including a requirement to restrict the keeping of domestic dogs in areas of Core Koala Habitat. The purpose of this restriction is to protect the koala population from dog attack, one of the major causes of koala death and injury in urban areas.

Council has tried to use “restriction on title” for lots created within core koala habitat areas as a means to prohibit the keeping of dogs in these core areas. This was the approach in the Brierley Hill area of Port Macquarie. This approach became problematic to enforce, as many landowners purchased land knowing of the restriction on title but chose to keep dogs on the property despite the title restriction. Enforcing the restriction requires Council to initiate civil proceedings, and many owners appear to have assumed that Council will not enforce the restriction.

In the Thrumster release area, the adoption of a Local Orders Policy (LOP) was identified as the best available means to restrict the keeping of dogs in core koala habitat areas. A LOP is prepared under the Local Government Act 1993 to give Council specific powers and to issue an Order if necessary. Notification of the policy is given on planning certificates issued under section 149 of the Environmental Planning and Assessment Act 1979 to alert landowners and prospective purchasers of land to the application of the policy.

On 12 June 2008, Council adopted a LOP to Restrict Keeping of Dogs in Core Koala Habitat Areas at Thrumster (the local policy). The local policy applies to a defined area of koala habitat at Thrumster, as shown in Figure 1, and restricts the keeping of domestic dogs in this area.

On 19 November 2014, Council resolved to publicly exhibit a new draft LOP to restrict keeping of dogs in core koala habitat areas at Thrumster. Council adopted the LOP on 18 March 2015.

Under the provisions of section 161 of the Local Government Act 1993, the LOP was automatically revoked in September 2017. The revocation of the LOP requires a new policy to be prepared and the process followed as set out in the Local Government Act 1993.

On 20 September 2017, Council resolved as follows:

RESOLVED: Intemann/Levido

That Council:

- 1. Publicly exhibit the attached draft Local Orders Policy to Restrict Keeping of Dogs in Core Koala Habitat Areas at Thrumster for 28 days between 4 October 2017 and 1 November 2017.*
- 2. Accept submissions on the Local Orders Policy for a period of 42 days commencing on 4 October 2017.*
- 3. Consider a further report following completion of the public exhibition period, including a review of submissions and any necessary amendments to the draft Local Orders Policy.*

CARRIED: 6/3

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

AGAINST: Cusato, Griffiths and Pinson

The draft LOP was exhibited from 4 October to 1 November 2017.

Controls on Keeping of Dogs

The boundaries of the land where the LOP apply were determined so that the LOP area is generally bounded by streets, and consequently, signage can be implemented in conjunction with the LOP to inform the local community that it is a koala habitat area.

The LOP provides for the prohibition of the keeping of dogs within the LOP area.

Concessions were included in the LOP in respect to:

- Assistance animals – guide dogs and hearing assistance dogs,
- Existing lots within the area, until such time the lots are subdivided, and
- Existing dogs where a current land owner (in 2008) continues to own the property and continues to keep a dog.

It is proposed to continue these concessions in the proposed LOP.

Prospective purchasers of land within the LOP area are advised of the restriction by a notification on the planning certificate issued by Council. The certificate is required when a contract for sale is prepared for a property. A sample 149 certificate issued for a property in Aspect Court at Thrumster is included as Attachment 1 to this report.

The notification on the certificate states the following:

The subject land or part thereof is identified in the Port Macquarie-Hastings Council Local Orders Policy to prohibit the keeping of dogs in Koala Habitat Areas: Thrumster (Area 13). The Policy contains special provisions that makes certain concessions in respect of the requirements of the Policy. The prohibition will apply to all newly created allotments where plans are registered after 12 June 2008. (Refer to Council's website for comprehensive information on this policy).

Options

Section 160 of the Local Government Act states that Council must give notice of the draft local policy and publicly exhibit it for not less than 28 days, and accept submissions for a period of not less than 42 days after the draft local policy was placed on exhibition. Under section 161 of the Act, after considering of submissions, the Council may decide to:

- a) to amend its draft local policy, or
- b) to adopt it without amendment, or
- c) not to adopt it.

It is recommended that Council adopt the exhibited draft local policy, as shown in Attachment 2, without amendment.

Should Council not adopt the draft policy, a key action in the Thrumster Koala Plan of Management will not be implemented and it will be necessary to go back to the NSW Department of Environment and Planning and review the Koala Plan of Management. This may impact on the consideration of any development application in Thrumster that relies upon the Koala Plan of Management to satisfy the provisions of SEPP 44.

Community Engagement & Internal Consultation

Community engagement was carried out from 4 October to 1 November 2017, with submissions received up until 15 November 2017.

On 4 and 18 October 2017, a public notice specifying the above dates was published in the Port Macquarie News and the Camden Haven Courier. A notice was also placed in the Hastings Gazette on 5 and 19 October 2017.

A "Have Your Say" web page was established on Council's website for the duration of the exhibition period including a link to a copy of the draft LOP and the September 2017 Council Report, resolving to exhibit the LOP.

During the public exhibition period, 73 people visited the project web page, 35 people downloaded the LOP and 3 people made a submission.

In addition to the three on-line submissions, two more submissions were received. Copies of submissions are attached to the report to Council.

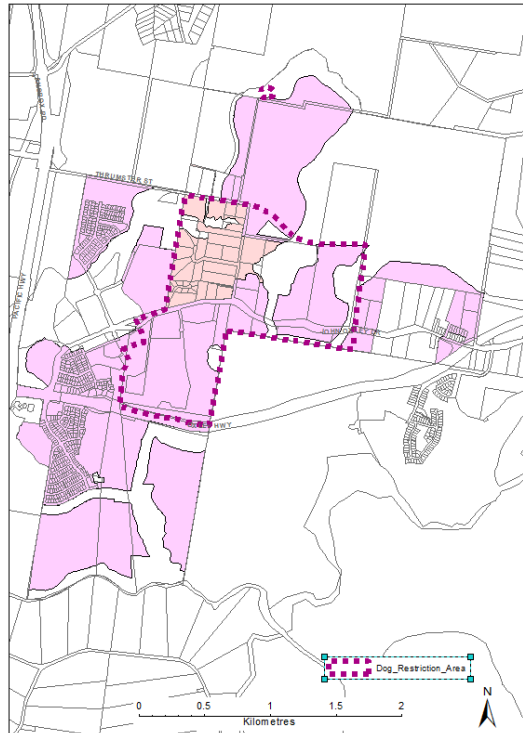
Two submissions supported the draft LOP, and three submissions objected to the LOP.

Submission		Issue
Submission in Support		
1.	Cheyne Flanagan	The proposal for Thrumster to have dog free areas is positive. The Thrumster area is occupied by a healthy population of koalas, whose genetics support the continuation of the Port Macquarie coastal koalas into the future. Dog attacks on koalas are a key threatening process to their survival and as the koalas of this LGA are in decline we must protect and conserve the koalas we have left. We 100% support keeping areas dog free to protect native wildlife particularly koalas.
2.	Scott	This is a very positive proposal, and is terrific to see. The Thrumster habitat forms part of the engine room of the core breeding area for recruitment of Port Macquarie koalas. As dog attacks are a key threatening process affecting koalas, it's important to have tight policies enabling restrictions; especially to protect this critically important coastal koala population. Well done, and thank you.
	Response/Comment:	The submissions emphasise the need to protect the koala population in Thrumster, including the prevention of dog attacks, which is a key threatening process for the survival of koalas.
Objections		
3.	Amanda Vagg (email name)	To impose a restriction in keeping dogs now after we have already purchased the land and started the building process is absurd. No where in our contract of sale was

	Lot 9 Aspect Court	there any mention of a restriction in keeping dogs. Otherwise we would never have purchased the block in the first place. We have 2 dogs. They are enclosed in there yard. They don't chase animal of any type. Our block doesn't have a single koala tree inside the boundary where these dogs will be kept. Our dogs sleep inside the house at night and are away most weekends. Council should have been more forthcoming with this information before we got to the point of no return. I will be seeking legal advise in this matter if you choose to enforce this. We are however willing to provide suitable fencing in consultation with council to ensure the koala are unable to access the dogs.
	Response/ Comment:	This objection was from a recent purchaser of land in Aspect Court. The land was recently subdivided and there is a house under construction on the land. The purchaser claims that they were unaware of the restriction and would not have purchased the land if they were aware of it. Research indicates a Section 149 certificate was issued to a project home building company on 15 May 2017, which included the notification of the Local Orders Policy. A copy of the Planning certificate is attached.
4.	M&R Collins	This objection was from two young children who were concerned that their pet dog would be removed from them.
	Response/ Comment:	There was no address indicated, and it was unclear whether the dog would be excluded from the LOP under the "existing dog" or "existing lot" provisions of the LOP.
5.	Adam Roberts	<p>a) The Thrumster area is a key growth area for the region with many families moving to the area for the affordable nature of the land and cost of construction. If the policy was re-applied, a number of families would need to put their family pet to death in order to comply with the local order.</p> <p>b) Some of the areas highlighted as being core Koala Habitat have zero trees on the fenced property, with no way for a Koala to enter the property. The local order makes no allowance for this scenario or property type to be exempt.</p> <p>c) There are other areas of the LGA, namely Brierley Hill area that currently have a local order restricting the keeping of dogs. However, this area which is also a family home and affordable house location has many dogs kept, in contravention of the order.</p> <p>d) Past council administrations have 'turned a blind eye' to this fact as there was 'limited resources' within the organisation to enforce compliance. Allowing this local order to continue in Thrumster without enforcing compliance in other restriction areas would be highly unfair and inconsistent.</p>

		<p>e) This local order is by comparison with other LGA policies is extreme, with Coffs Harbour in particular a good reference point. Coffs Harbour takes a much more flexible approach to their Koala Plans of Management, with education programs and less severe restrictions which make for a more socially equitable solution.</p> <p>f) The local order allows existing tenants or owners of land within the restricted areas to own a dog, even though these areas are classified as being in highly sensitive koala areas. This allowance is somewhat understandable but does in fact create the case that one neighbour may legally be allowed to keep a dog, whilst on the other side of the fence the land owners may not. This scenario creates an inequitable scenario, particularly in a specific case known to me, that one side of the fence has no trees and cannot keep a dog, whilst the other side of the fence has trees too numerous to count, but is exempt.</p> <p>g) On a more technical note, the local order policy itself must be ratified within 12 months of a general election to remain in force. In this recent case and in the case of the last time this local order was placed on exhibition, the noted 12 month time frame was not adhered to, leaving time for there to be, in effect, no legal local order in place thus not stopping anyone in the affected areas from purchasing a dog and keeping it, legally. This scenario is absolutely real and one wonders how PMHC can legally and retrospectively apply the local order in this scenario, let alone determine which dogs were brought on property in this grey area of the timeframe.</p> <p>h) Determine a holistic approach to the keeping of dogs in the whole LGA which could include education as the primary response, some minor works to new constructions (which already exist in the spacing of fence palings to assist koala movement) and a review of exactly where and why strategic planners are creating vegetation and animal corridors around the LGA. Reviewing the corridors in particular would no doubt raise the question as to why we as an LGA are sending koalas to their deaths by leading them straight into urban areas, not just for the chance meeting with a dog, but crossing over major roads to become tangled with traffic.</p> <p>i) Develop a policy position that does not deny families or people with dogs the same rights and privileges with the rest of the LGA noting that there is already a very balanced approach to model future policy off in Coffs Harbour City Council's Koala Plan of Management.</p>
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		<p>j) Port Macquarie Hastings Council will need to resource the implementation of the local orders across the LGA including the Brierley Hill area, not just the Thrumster area, for equity.</p> <p>k) The affected areas of the local orders more generally potentially have a conservative estimate of dozens of dogs that would likely need to be put to death in order for the homeowner/tenant to comply with the policy. The fallout from which would be socially disruptive and could damage the reputation of the Council and the LGA.</p> <p>l) In a case that I am very aware of, a family dog of 12 years lives within the affected area. This dog is seeing out its last years of life and has been a member of the family whilst the children have grown up. By enforcing the local order and in the event of being forced to comply, this small family dog, a companion for the children, a dog that has been integral in teaching the children responsibility and care for their whole life, will need to die.</p> <p>m) The question for councillors on this issue is; Is there a better policy approach that will prevent numerous companion animals from meeting a premature death, an approach that is fair, equitable and able to be enforced without extreme social disruption?</p>
	Response/ Comment:	<p>a) The Thrumster area is large with many areas from which to choose for new families. The LOP is only applied to a part of the Thrumster release area (about 103ha of R1 zone, out of a total of 401ha of R1 zone), which is the most vegetated and highly used by koalas. There are many land parcels available within Thrumster that are not within the LOP area.</p>



- b) While koalas feed and rest in trees, they move from tree to tree across the ground, and this is often across cleared areas. In addition, the boundaries of the LOP have been aligned to roads or future roads, to contain the key habitat areas. This will facilitate a clear distinction “on the ground”, with boundaries able to be accurately signposted.

		<p>c) Council has not adopted a Local Orders Policy for Brierley Hill. The approach to core koala habitat within the Brierley hill Koala Plan of Management area was the use of restriction on title. This approach has not been successful in restricting dog ownership in that area, as discussed earlier in this report.</p> <p>d) Brierley Hill is almost fully developed and enforcement of the restrictions as to user would require extensive civil action by Council. In the Thrumster area, development within the LOP area has only recently commenced. Irrespective of what has happened elsewhere, Council is bound to comply with the requirements of the Thrumster Koala Plan of Management, and any decision to abandon the LOP in Thrumster will have consequences for the ongoing development in the area.</p> <p>e) It is important to understand the context of different approaches to the management of koalas in urban areas from region to region. In Coffs Harbour, hundreds of hectares of core koala habitat land were zoned environmental protection in the major release areas. This approach seeks to separate urban housing development from koala habitat. In the Thrumster release area, due to the nature of the land and the activity of koalas, the Koala Plan of Management embraced an approach to urban development that was “koala friendly”, seeking to enable free movement of koalas across the developed landscape. The LOP is integral to this approach in order to restrict the keeping of dogs in key areas.</p> <p>f) The exemptions were developed in consultation with existing land owners at the time the LOP was adopted in 2008. It was accepted by Council at that time that existing dogs in the area should be exempted from the LOP. It is not appropriate to extend the exemption to new dogs in the area because the ability for koalas to safely cross the developed landscape becomes increasingly difficult as the number of properties with dogs increases. It is expected that, over time, as the neighbourhood develops as a koala friendly environment, new owners will move in that understand the intention of the koala friendly environment and will not keep dogs on their land. Also that the number of properties that rely upon the exemption will decrease, leading to more complete achievement of the outcomes of the Koala Plan of Management.</p> <p>g) Any person who purchased a property during the short period where no LOP applied, and could demonstrate that they were not advised of the LOP (through a section 149 Planning Certificate for the property) could request an exemption from the LOP. If proof was provided, then a further exemption may be supported.</p> <p>h) Council is currently preparing a comprehensive Koala Plan of Management that will seek to address the conflicts between koalas and urban development.</p>
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		<ul style="list-style-type: none"> i) The characteristics of, and restrictions on, residential land are not uniform across the LGA. Different restrictions apply in different locations due to differing constraints imposed by both the natural and built environment. In this section of Thrumster, the existence of koalas requires a restriction on the keeping of dogs. The Coffs Harbour Koala Plan of Management was, in fact, much more prescriptive by excluding development from core koala habitat areas by environmental protection zone. j) It is agreed that Council will need to resource enforcement of the Local Orders Policy, but this only applies in the Thrumster area. There is no Local Orders policy in the Brierley Hill area. k) Initial investigations indicate there may be 3 or 4 dogs within the LOP area that are being kept contrary to the LOP. These are on unsubdivided properties that may benefit from the "existing dog" exemption for properties that have been in the same ownership since 2008. A review of Council's dog registration processes is being undertaken to determine the status of these dogs. It appears that the properties may be rented, and not occupied by long term tenants or owners. There is no requirement for the dogs to be euthanised, although it may be necessary for the dogs to be re-homed. l) The LOP provides an exemption for existing dogs, which have been on the property in the same ownership since before 12 June 2008. m) Council staff are not aware of any alternative to the adoption of an LOP to effectively restrict dog ownership, however, it is agreed that alternative methods should be pursued with the state government.
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Planning & Policy Implications

The Thrumster Koala Plan of Management is the key document to guide development outcomes that are compatible with retention and improvement of koala habitat.

The restriction on keeping of domestic dogs in koala habitat areas is one of a suite of measures designed to work together to protect koalas and their habitat.

If the LOP is not adopted, Council would need to fund a review of the Thrumster Koala Plan of Management and seek direction from the NSW Department of Planning and Environment in terms of Council not fully implementing the endorsed Koala Plan of Management.

This could delay or restrict approvals for new development in the Thrumster area that depend on the adopted Koala Plan of management to meet the requirements of State Environmental Planning Policy No. 44.

A separate report on a Comprehensive Koala Plan of Management (CKPoM) for the local government area is presented on this agenda. The issue of dogs in core koala

habitat areas will be an ongoing issue across the local government area. The proposed CKPoM would not replace the Thrumster KPoM or LOP.

Council is required to periodically review the Thrumster (Area 13) Koala Plan of Management in accordance with Part 8 – Monitoring of the KPoM. It is recommended that Council undertake this review in the context of the proposed Koala Strategy and Comprehensive Koala Plan of Management for the Port Macquarie-Hastings, prior to the next review of the Local Orders Policy.

Financial & Economic Implications

The Thrumster (Area 13) KPoM (Part 6(B)(i)) contains a commitment that Council will undertake enforcement measures to implement the Local Orders Policy. Depending on the scale of enforcement work required, there is a potentially an additional resource and financial implication for Council in undertaking this work.

Attachments

- 1[View](#). Planning Certificate - Standard Delivery - Aspect Court Thrumster
- 2[View](#). Draft Thrumster Local Orders Policy 2017 09 01
- 3[View](#). Copy of Submissions Thrumster Local Orders Policy

Item: 12.09

Subject: SOUTH LINDFIELD URBAN RELEASE AREA - ADVICE OF
CHANGES AND RE-EXHIBITION

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 note:

1. **The re-exhibition of the South Lindfield Urban Release Area from 13 December 2017, for a minimum of 42 days.**
2. **That a further report is planned to be tabled at the February 2018 meeting of Council, detailing the submissions received from the public during the exhibition period.**

Executive Summary

In March 2017 Council considered a report on the South Lindfield Urban Land Release and resolved to publicly exhibit a planning proposal in relation to the South Lindfield Urban Release Area.

Following a period of public exhibition and a review of submissions, the draft Planning Proposal has been amended to ensure that the zone provisions permit dual occupancy development with consent. The proposed height of building and floor space ratio controls have also been modified in response to requests from landowners and to better align with Council planning in other areas.

The modifications are consistent with the original aim of the Planning Proposal to coordinate residential development in the release area and with the intent of the planning agreements. Nevertheless, the Department of Planning & Environment has advised that the changes warrant re-exhibition of the planning proposal.

This report has been prepared to advise Council that an amended Planning Proposal is currently being re-exhibited for an extended 6 week period, in accordance with Council policy regarding community engagement that includes the Christmas period and that it is proposed to present a report to Council's Ordinary meeting on 21 February 2018, following the re-exhibition.

Discussion

The South Lindfield Urban Land Release Planning Proposal comprises:

- mapping amendments to *Port Macquarie-Hastings Local Environmental Plan 2011*

- site-specific provisions being added to *Port Macquarie-Hastings Development Control Plan 2013*
- a site-specific Koala Plan of Management [KPOM]
- six Voluntary Planning Agreements.

Council resolved to public exhibit the draft Planning Proposal and supporting information in March 2017:

RESOLVED: Intemann/Dixon

That Council:

1. *Amend the South Lindfield Urban Release Area Planning Proposal by omitting the Vilro land and resubmit the Planning Proposal to the Department of Planning and Environment for a revised Gateway Determination.*
2. *Amend the draft Koala Plan of Management for the revised Urban Release Area detailed in the report.*
3. *Amend the Voluntary Planning Agreements (VPAs) for the South Lindfield Urban Release Area by:*
 - a. *Omitting the Vilro land,*
 - b. *Providing that the road contributions will be quarantined for the construction costs of the northern 50 metres (measures along the common boundary) of the proposed road between Nos 171 and 175 John Oxley Drive and the intersection at John Oxley Drive,*
 - c. *Omitting the requirement for payment of environmental management land contributions.*
4. *Proceed with exhibition of the South Lindfield Urban Release Area Planning Proposal subject to a revised Gateway Determination and satisfactory resolution of the above matters.*

CARRIED: 7/0

FOR: Besseling, Alley, Cusato, Dixon, Hawkins, Intemann and Turner

AGAINST: Nil

The Planning proposal and supporting information was publicly exhibited by Council from Wednesday 11 October to Wednesday 8 November 2017. Six submissions were received.

Following consideration of the submissions, a revised planning proposal has been prepared to amend the R3 Medium Density zone to R1 General Residential, to permit dual occupancy as a permitted use.

The Height of Building map has been amended to extend the maximum height to 11.5m over all land proposed to be rezoned to R1, with the exception of a 20m wide strip of land along the eastern boundary of the release area.

The Floor Space Ratio map has been amended to reduce the maximum FSR from 1.5:1 as originally exhibited to 1:1, consistent with other areas in Port Macquarie with an 11.5m height limit, and recognising the limited capacity of the sewerage network.

It is proposed to include an additional note in the draft Development Control Plan for the South Lindfield area to note that up to 16 equivalent tenement per hectare of developable area can be accommodated in an eastwards connection to the existing sewerage network. Beyond that, staged augmentation of the sewerage network will be required and should be at no additional cost to Council.

The original exhibition was for 29 days. The re-exhibition has commenced and, allowing for Christmas holidays, the current re-exhibition is for 43 days (including public holidays) between 13 December 2017 and 24 January 2018. It is considered that given the previous exhibition, landholders involved and the issues raised previously, the exhibition period is suitable and will allow time for preparation of a report for consideration by Council at its meeting on 21 February 2018.

Options

As the revised proposal is generally consistent with the original planning proposal and resolution of Council in March 2017, the re-exhibition has been commenced. However, Council could opt to extend, discontinue and/or defer the current exhibition in order to review the content of the planning proposal and related documents.

Community Engagement & Internal Consultation

The Planning Proposal was on public exhibition from Wednesday 11 October to Wednesday 8 November 2017 at Council's Port Macquarie office and on *HaveYourSay* website. The Government agencies who had previously provided comment were notified to allow them to make further comments on the Planning Proposal as modified.

Six submissions were received from 3 Government agencies and 2 development consultancies (on behalf of 5 landowners and 1 potential purchaser). The main issues raised in the public exhibition are:

- The Office of Environment and Heritage [OEH] requests changes to the draft KPOM, particularly relating to offsite offset planting of koala food trees [KFT]. This will affect Council in relation to KFTs along John Oxley Drive.
- A request to change a proposed R3 Medium Density Residential zone to R1 General Residential zone, as the latter permits dual occupancies and semi-detached housing.
- A request to extend a proposed 11.5m height limit across the higher part of the proposed residential zone.
- A request that Council become involved in negotiating sewer main connections on behalf of the landowners/developers.
- A request to permit a dwelling to be sited closer to the Oxley Highway with access off John Oxley Drive rather than Philip Charley Drive.

The report following re-exhibition will provide full assessment of these and any further submissions.

Planning & Policy Implications

This area on the south-western edge of Port Macquarie was identified many years ago as part of a larger area for urban development.

The process of preparing and exhibiting a Planning Proposal is specified by the Environmental Planning and Assessment Act. The process is also governed by the requirements of the Department of Planning's Gateway determination, including timeframes for completion.

Financial & Economic Implications

There are limited financial and economic implications in relation to this report - while there is a delay in project completion, the actions taken are minimising the delay.

Attachments

Nil

Item: 12.10

Subject: WAYFINDING SIGNAGE STRATEGY

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.4.1 Plan, investigate, design and construct transport assets which address pedestrians, cyclist and vehicular needs to cater for the future growth of the region.

RECOMMENDATION

That Council note the recent development of a Port Macquarie-Hastings Wayfinding Signage Strategy for implementation.

Executive Summary

To address the need for improved and consistent signage across the region, a Wayfinding Signage Strategy has recently been developed. The strategy focuses specifically on supporting walking and cycling in and around the town centres of Wauchope, Laurieton and Port Macquarie, and the Coastal Walk. It has been jointly funded by Council and a NSW Roads & Maritime Services Walking Communities Partnership Grant.

Planning is now underway to progress to detailed design, fabrication and installation of the signage. In addition to a funding allocation under the 2017/18 operational plan, a grant application to support this work has been shortlisted under the NSW Tourism Demand Driver Infrastructure Program.

Discussion

The Port Macquarie-Hastings Local Government Area (LGA) has an extensive infrastructure network to provide for travel by walking and cycling. That said, there is very little in the way of a consistent wayfinding and directional signage system to provide guidance to enable safe and efficient travel for walkers and cyclists. We have also been lacking a style guide or strategy to inform such a system.

Most of the existing trail signage has been carried out on a per-route basis with a focus on off-road facilities. Whilst this has resulted in good outcomes on some routes, it is recognised that a more uniform and cohesive approach across the LGA will result in better community and tourism outcomes.

The recently developed Wayfinding Signage Strategy focuses specifically on the town centres of Wauchope, Laurieton and Port Macquarie, and the Coastal Walk but provides a strategic approach and style guide that will help build Council's wayfinding signage network for other walking trails such as Queens Lake, Grants Headland, Kooloonbung Creek and villages of Kew, Kendall, Comboyne, Bonny Hills, North Shore, Lake Cathie and North Haven.

The specific objectives of the Wayfinding Signage Strategy are to:

- Create consistency of signage design across the LGA
- Create a clear wayfinding methodology for signage with recommendations for digital and printed mapping products
- Encourage active transport for tourists and locals
- Include Place Strategies such as reinforcing character and identity, improving physical connections, installation of elements that create a strong mental image such as public art, reduction of visual clutter and consistency of furniture and treatments
- Inform and simplify the decision making around future signage installations;
- Create a tourist friendly places which will benefit the local economy
- Include considerations of accessibility and legibility both in graphic content and location of signage within space
- Consider a range of users including overseas and domestic visitors, elderly and people of all abilities
- Incorporate regulatory signage (no smoking, no fires, no dogs etc.) in a friendlier and aesthetically pleasing way.

The Strategy was developed by specialist consultants Urban Initiatives. The project included the following tasks:

- Review of existing signage on key pedestrian and cyclist routes
- Analysis mapping of key pedestrian and cyclist routes including a list of key destinations and landmarks for maps
- Style guide including
 - A hierarchy of signage showing materials and dimensions
 - Graphic design of maps and other content for signage
 - Plans and schedules showing installation locations for Port Macquarie
- Consideration of the Towns and Villages Entry Signage project, to ensure consistency between the two projects.

The concepts outlined in the Strategy provide for contemporary signage fabricated with durable aluminium frame and panels. Each location has a distinctive colour palette which is displayed in the map and on one edge of the sign. The signs are graded in a hierarchy which provides options to place large ones at key intersections and smaller ones at minor decision points. The coastal walk signs echo the town signs in shape but are fabricated with weathering steel and timber to provide a more natural and distinctive appearance. The signs have a panel at the base which provides an opportunity to have a motif unique to each place.

In anticipation of Strategy completion and to support implementation, Council applied for a grant under the NSW Tourism Demand Driver Infrastructure Program. The potential tourism outcomes of quality walking wayfinding signage are well documented and include:

- Dispersal of visitors to additional destinations offering a more diverse range of experiences and spending opportunities; and
- Reduce signage clutter and improve the urban realm creating a more attractive environment.

Recent advice from the Department of Industry indicates we have been shortlisted for this funding and should receive advice on the proposed matched \$125,000 in coming weeks. A condition of the grant is that the project be complete by 30 June 2018.

Options

Council may choose to note the report and Strategy or provide feedback to be considered prior to the finalisation of signage detailed design, fabrication and installation.

Community Engagement & Internal Consultation

In developing the Strategy, consultation occurred with representatives from the Camden Chamber of Commerce, Wauchope Chamber of Commerce, Port Macquarie Chamber of Commerce, Visit Camden Haven Tourism Co-op, Port Macquarie Visitor Information Centre and the Greater Port Macquarie Tourism Association.

Strategy development was overseen by a working group which included representatives from the following Council teams: Economic Development & Communications, Community Place, Recreation & Buildings, Transport & Stormwater Network, and Geographical Information Systems.

Planning & Policy Implications

This project aligns with the Greater Port Macquarie Destination Management Plan objectives, the Port Macquarie Town Centre Master Plan and the Port Macquarie Coastal Walk Master Plan.

The implementation of this project, if grant funding is received, will require a very tight delivery timeframe which may impact on the delivery of other projects within the capital works program.

Financial & Economic Implications

The strategy development was funded under the 2017/18 Operational Program (\$30,000) and a NSW Roads and Maritime Walking Communities Partnership Grant (\$20,000).

Pending confirmation of the NSW Tourism Demand Driver Infrastructure Program grant, the 2017/18 implementation budget will be \$250,000. It is proposed that Council's 50% contribution would be comprised from the following sources:

- Coastal Walk Walkway Repairs and Signage -\$10,000
- Westport Park Riverwall and Pathway Upgrades -\$10,000
- Flagstaff Hill Reserve Improvements -\$5,000
- Economic Development Reserve -\$100,000

The consultants that developed the Strategy estimate implementation (based on concept drawings) to amount to approximately \$260,000.

On this basis additional funding sources may need to be identified once detailed construction and installation costs have been determined.

A further report to Council on notification of the grant is anticipated, with budget sources to be confirmed at that time. Should the grant be unsuccessful, consideration of a budget allocation within the 2018/19 Operational Plan development will be necessary for the full implementation of the Wayfinding Signage.

Attachments

1 [View](#). Wayfinding Signage Strategy

Item: 12.11**Subject: NOTICE OF MOTION - STORMWATER STRATEGY**

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

RECOMMENDATION

That in view of the potential for water and sewer dividend funds being directed to stormwater projects, Council request the General Manager to develop a strategy for stormwater works for future years, working with the Water, Stormwater, Sewer & Waste Councillor Portfolio, with a report to be tabled at the June 2018 Council meeting detailing the proposed strategy.

Comments by Councillor Intemann (if provided)

In 2016 Council resolved to make an annual allocation to stormwater works, and more recently successfully applied to direct a dividend from the water fund to stormwater projects. The report to Council in February 2017 on Stormwater Drainage Risks and Opportunities identified a number of stormwater priority areas within the local government area, with designs and catchment management plans having been completed for various sites and areas. There are also currently a number of stormwater studies underway, however it remains unclear how the recommendations from each of the current stormwater studies will be used to determine future priority works, given the number of known problem areas. Council would benefit from a comprehensive stormwater strategy.

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-17-19 Provision of Graphic Design 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 14.02 T-17-51 Beechwood Road Upgrade - Stage 5 and 6
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-17-54 Construction of Hastings River Drive and Newport Island Road Roundabout
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-17-59 Supply and Delivery of Tractors
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-17-19 Provision of Graphic Design Services

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

RECOMMENDATION

Item 14.02 T-17-51 Beechwood Road Upgrade - Stage 5 and 6

**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 T-17-54 Construction of Hastings River Drive and Newport Island
Road Roundabout**

**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 14.04 T-17-59 Supply and Delivery of Tractors

**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