



PORT MACQUARIE-HASTINGS
COUNCIL



Ordinary Council

Business Paper

date of meeting: Wednesday 21 March 2018

location: Wauchope Showground Hall
High Street
Wauchope

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 21 March 2018

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Adoption of Recommendations from Confidential Committee of the Whole

Item: 01**Subject: WELCOME TO COUNTRY**

A representative from the Bunyah Local Aboriginal Land Council will be invited to deliver the Welcome to Country.

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 21 February 2018 be confirmed.

PRESENT

Members:

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 Corporate Performance (Rebecca Olsen)
Acting Director Development and Environment (Dan Croft)
Director Infrastructure (Alex Fisher)
Director Strategy and Growth (Jeffery Sharp)
Group Manager Governance and Procurement (Blair Hancock)
Governance Support Officer (Bronwyn Lyon)
Communications Manager (Andy Roberts)

The meeting opened at 5:30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Pastor Campion from the Grace Church delivered the Local Government Prayer.

03 APOLOGIES

RESOLVED: Dixon/Cusato

That the apology received from Mayor Pinson be accepted.

CARRIED: 8/0

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

AGAINST: Nil

04 CONFIRMATION OF MINUTES

RESOLVED: Griffiths/Hawkins

That the Minutes of the Ordinary Council Meeting held on 13 December 2017 be confirmed.

CARRIED: 8/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.02 - DA2017 - 455.1 Residential Subdivision (10 lots) Including Clause 4.6 Objection To Clause 4.1 (Minimum Lot Size) Of The Port Macquarie-Hastings Local Environmental Plan 2011 At Lot 65 DP1226839, Shore Break Crescent, Lake Cathie, 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 a property the subject of the report.

Councillor Levido declared a Pecuniary Interest in Item 12.04 - DA2017 - 712.1 Dwelling Including Clause 4.6 Variation To Clause 4.3 (Height Of Building) Of Port Macquarie-Hastings Local Environmental Plan 2011 - Lot 6 DP 1069338, No 22 The Anchorage Port Macquarie, the reason being that Councillor Levido jointly owns the property across the road from the subject property situated 49 The Anchorage, Port Macquarie.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.06 - Planning Proposal - South Lindfield Urban Release Area - Post Exhibition Review of Submissions, 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 a property within the area being the subject of the report.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.09 - Rainbow Beach Central Corridor Planning Agreement 2017, the reason being that

Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for a related entity of the owner of the property being the subject of the report.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Intemann

That the Mayoral Discretionary Fund allocations for the period 30 November 2017 to 7 February 2018 inclusive be noted.

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

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Griffiths/Turner

That Council determine that the attachments to Item Numbers 09.09 and 10.04 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

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

08 PUBLIC FORUM

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

1. Mr Phillip Morton, representing the Rollands Plains Community Group, regarding Rural Roads in Rollands Plains.

RESOLVED: Turner/Levido

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

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

08.01 RURAL ROADS IN ROLLANDS PLAINS

Mr Phillip Morton, representing the Rollands Plains Community Group, addressed Council in regard to rural roads in Rollands Plains and answered questions from Councillors.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 10.03 – Ms Willhemina Wahlin in support of the recommendation.

Item 10.03 – Ms Susan East in opposition of the recommendation

Item 10.03 – Mr David Tooby, representing the Lake Cathie Progress Association, in support of the recommendation.

Item 12.06 – Mr Anthony Thorne, King and Campbell, representing the applicant, in support of the recommendation.

RESOLVED: Hawkins/Dixon

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

CARRIED: 8/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Hawkins/Dixon

That Standing Orders be suspended to allow Items 10.03 and 12.06 to be brought forward and considered next.

CARRIED: 8/0

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

AGAINST: Nil

10.03 LAKE CATHIE FORESHORE MASTER PLAN

Ms Willhemina Wahlin addressed Council in support of the recommendation and answered questions from Councillors.

Ms Susan East addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr David Tooby, representing the Lake Cathie Progress Association, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Cusato/Turner

That Council:

1. Note the information contained within the Draft Lake Cathie Foreshore Master Plan – Results of Community Engagement report.
2. Adopt the Lake Cathie Foreshore Master Plan.
3. Commence detailed design of Stage 1 works being the upgrade of the playground facilities.
4. Request the General Manager provide a briefing to Councillors on detailed designs and environmental approvals for the Skate Park for consideration.

CARRIED: 8/0

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

AGAINST: Nil

12.06 PLANNING PROPOSAL - SOUTH LINDFIELD URBAN RELEASE AREA - POST EXHIBITION REVIEW OF SUBMISSIONS

The Director Strategy and Growth tabled an Addendum for this item.

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 6:40pm.

Mr Anthony Thorne, King and Campbell, representing the applicant, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Alley/Cusato

That Council:

1. Incorporate changes to the draft Development Control Plan and Draft Koala Plan of Management in relation to Lot 2 DP 1186806 John Oxley Drive to facilitate a dwelling house in the location proposed in the submission from King and Campbell (Attachment 9).
2. Approve the draft *South Lindfield Koala Plan of Management Stage 2 (May 2017)* subject to the changes referred to in response to the submission from the Office of Environment and Heritage in this report, including changes proposed in item 1 above.
3. Submit the revised Koala Plan of Management to the Department of Planning & Environment for the Director, to request that the Minister approve the Koala Plan of Management in accordance with *State Environmental Planning Policy No 44 - Koala Habitat Protection*.

-
4. As a result of the consideration of submissions, in relation to the Local Environmental Plan part of the Planning Proposal, proceed with the draft LEP maps:
as included in the second exhibition, including:
 - (a) Land Zoning Map - Zone R1 General Residential for the land to be zoned Residential
 - (b) Floor Space Ratio Map - 1:1 Floor Space Ratio for the land to be zoned R1 General Residential
 - (c) Height of Buildings Map - for the land to zoned R1 General Residential, apply a 11.5 m height limit except for a 20m wide strip on the eastern boundary, where the height limit is to be 8.5 mand with the omission of the proposed 5m wide E2 Environmental Conservation buffer on No 1 Lindfield Park Road, Port Macquarie.
 5. Subject to approval under Item 3 above, 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 39)*.
 6. Adopt *Port Macquarie-Hastings Development Control Plan 2013 (Amendment No 9)*, including changes proposed in item 1 above, to commence upon the date of commencement of *LEP 2011 (Amendment No 39)*.
 7. Delegate authority to the General Manager to enter into and execute the six South Lindfield Urban Release Area Planning Agreements under Section 93F of the *Environmental Planning and Assessment Act 1979* between Port Macquarie-Hastings Council and:
 - (a) BaptistCare NSW & ACT
 - (b) Busways East Pty Ltd, Bhaajayu Pty Ltd, South Pty Ltd and Galbrock Pty Ltd
 - (c) Lake Innes Residential Pty Ltd
 - (d) Nigel Bruce Mann, Patricia Marie Mann, Phillip John Mann, Johanna Elizabeth Mann, Philip J Pye, and Brett Christian Pye
 - (e) Geoffrey Raymond Priest, Rene Carleton Patat as trustees for Scribbly Gums Superannuation Fund, and Scribbly Gums Holdings Pty Ltd
 - (f) Ross Wayne Ramm and Jennifer Maree Ramm.
 8. Thank in writing all those who made a submission for their contribution and provide information on Council's decision on the matter.

CARRIED: 7/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 06:51pm.

09.01 JOINT ORGANISATION OF MID NORTH COAST COUNCILS

RESOLVED: Turner/Cusato

That Council defer this item to the March 2018 Ordinary Council Meeting.

CARRIED: 8/0

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

AGAINST: Nil

09.02 2017 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

RESOLVED: Levido/Alley

That Council note the information contained in the 2017 Local Government NSW Annual Conference report.

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

09.03 INVITATION TO JOIN REGIONAL CITIES NSW

RESOLVED: Intemann/Hawkins

That Council:

1. Note the information contained within the Invitation to Join Regional Cities NSW report.
2. Note that the Deputy Mayor and the General Manager will attend a meeting of the Inland Forum in Sydney on 1 March in an effort to understand the benefits or otherwise of accepting the invitation to join Regional Cities NSW.
3. Request the General Manager table a report at the 21 March 2018 Council meeting detailing relevant information and outcomes of the Inland Forum meeting in Sydney, in order for Council to give further consideration to joining Regional Cities NSW.

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

09.04 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

Councillor Alley left the meeting, the time being 7:13pm.

RESOLVED: Levido/Griffiths

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

CARRIED: 7/0
FOR: Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido and Turner
AGAINST: Nil

09.05 DISCLOSURE OF INTEREST RETURN

RESOLVED: Cusato/Griffiths

That Council note the Disclosure of Interest returns for the following positions:

1. Chief Financial Officer
2. Bushland Management Co-ordinator
3. Arborist
4. Invasive Weeds Officer

CARRIED: 7/0

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

AGAINST: Nil

Councillor Alley returned to the meeting, the time being 7:14pm.

09.06 FINANCIAL SUSTAINABILITY OF COUNCIL AND AN UPDATE ON THE NSW PERFORMANCE MEASUREMENT FRAMEWORK

RESOLVED: Hawkins/Griffiths

That Council:

1. Note the information in the Financial Sustainability of Council and an Update on the NSW Performance Measurement Framework report.
2. Request the General Manager to engage UTS:CLG to update the Financial Sustainability Report with 2016/2017 data.
3. Request the General Manager to develop internally a Communications Plan on the key messages outlined in this report.

CARRIED: 8/0

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

AGAINST: Nil

09.07 COUNCIL FINANCIAL RESERVES REVIEW

RESOLVED: Hawkins/Alley

That Council:

1. Note the information in the Council Financial Reserves Review Report.
2. Request the General Manager to develop internally a Communications Plan on the key messages outlined in this report.

CARRIED: 8/0

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

AGAINST: Nil

09.08 FINANCIAL IMPACT OF COST SHIFTING FROM OTHER LEVELS OF GOVERNMENT

RESOLVED: Hawkins/Cusato

That Council note the information contained in the Financial Impact of Cost Shifting From Other Levels of Government report.

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

09.09 QUARTERLY BUDGET REVIEW STATEMENT

RESOLVED: Cusato/Hawkins

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

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

09.10 MONTHLY FINANCIAL REVIEW FOR JANUARY 2018

RESOLVED: Hawkins/Alley

That Council adopt the adjustments in the "Financial and Economic Implications" section of the Monthly Financial Review Report for January 2018.

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

09.11 INVESTMENTS - DECEMBER 2017

RESOLVED: Levido/Cusato

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

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

09.12 INVESTMENTS - JANUARY 2018

RESOLVED: Alley/Hawkins

That Council note the Investment Report for the month of January 2018.

CARRIED: 8/0

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

AGAINST: Nil

09.13 2017-2018 OPERATIONAL PLAN - QUARTERLY PROGRESS REPORT AS AT 31 DECEMBER 2017

RESOLVED: Turner/Alley

That Council note the 2017-2018 Operational Plan - Quarterly Progress Report as at 31 December 2017.

CARRIED: 8/0

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

AGAINST: Nil

09.14 GLASSHOUSE BIENNIAL REPORT AND UPDATE ON STRATEGIC PLAN RECOMMENDATIONS

RESOLVED: Alley/Levido

That Council:

1. Note the information provided in the Glasshouse Biennial Report and Update on Strategic Plan Recommendations report.
2. Request that the August report for each year contain previous year comparisons of "Glasshouse Operating Deficit" dating back to 2012.

CARRIED: 8/0

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

AGAINST: Nil

09.15 REQUEST TO NAME A CROWN RESERVE - PEACH GROVE, LAURIETON

RESOLVED: Turner/Dixon

That Council request the General Manager to consider the application to name a Crown Reserve at Peach Grove Laurieton in accordance with Council's current adopted Naming and Renaming of Reserves Policy.

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

09.16 DIGITAL TECHNOLOGY PROJECT STATUS

RESOLVED: Hawkins/Dixon

That Council note the information contained in the Digital Technology Project Status report.

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

09.17 DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM PERFORMANCE

RESOLVED: Levido/Turner

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

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

09.18 SALE OF CLOSED ROAD ADJOINING 112 DIAMOND HEAD ROAD, DUNBOGAN

RESOLVED: Levido/Dixon

That Council:

1. Sell Lot 2 Deposited Plan 1236595 to the owner of 112 Diamond Head Road, Mr Clive Bowmaker, for the amount of \$30,000 (excluding GST).
 2. Pursuant to Section 377 of the Local Government Act 1993, delegate authority to the General Manager to sign:
-

-
- a) the Contract for the Sale of Land; and
 - b) the Land Registry Services Transfer Form.

CARRIED: 8/0

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

AGAINST: Nil

10.01 QUESTION FROM PREVIOUS MEETING - PUBLIC ART - PORT MACQUARIE TOWN SQUARE

RESOLVED: Turner/Levido

That Council note the information contained in the Question from Previous Meeting – Public Art – Port Macquarie Town Square report.

CARRIED: 8/0

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

AGAINST: Nil

10.02 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB- COMMITTEE - DECEMBER 2017

RESOLVED: Intemann/Levido

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. Harrison Northey be granted the amount of \$200.00 to assist with the expenses he would have incurred travelling to and competing at the NSW State Age Swimming Championships 13 – 18 years at SOPAC - Homebush, Sydney from 15 – 20 December 2017 inclusive.

CARRIED: 8/0

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

AGAINST: Nil

Item - 10.03 Lake Cathie Foreshore Master Plan - has been moved to another part of the document.

10.04 TASTINGS ON HASTINGS

MOTION

MOVED: Cusato/Dixon

That Council:

1. Note the information contained in the report regarding the Tastings on Hastings 2017 event.
2. Not deliver the Tastings on Hastings event for 2018 to allow a comprehensive review to be undertaken on the long term future of the event.
3. Request the General Manager undertake a comprehensive review of the Tastings on Hastings event, including its overall objectives, costs, delivery methods and any other aspects of the event considered worthy of review.
4. Request the General Manager provide Councillors with a briefing on this matter in July 2018, and present a report to Council prior to the end of 2018 in order for Council to be able to make a decision about the long term future of the Tastings on Hastings event prior to 2019.

AMENDMENT

MOVED: Turner/Hawkins

That Council defer consideration of this item until the April 2018 Council Meeting to allow consultation with stakeholders to take place.

CARRIED: 6/2

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

AGAINST: Cusato and Dixon

THE AMENDMENT BECAME THE MOTION AND WAS PUT

RESOLVED: Turner/Hawkins

That Council defer consideration of this item until the April 2018 Council Meeting to allow consultation with stakeholders to take place.

CARRIED: 8/0

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

AGAINST: Nil

10.05 JOHN OXLEY MEMORIAL

RESOLVED: Turner/Hawkins

That Council:

1. Note that the John Oxley memorial that was removed in November 2017 will be reinstated to its original position with improved pedestrian access.
2. Commence the process to have the John Oxley memorial added to the Port Macquarie-Hastings LGA Heritage Register.
3. Note the information in the John Oxley Memorial report which outlines a program of works proposed for the development of a new, additional, John Oxley memorial to commemorate 200 years since his expedition.
4. Forward this proposal to the Bicentenary Working Group to consider alongside other potential bicentenary activities.

CARRIED: 8/0

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

AGAINST: Nil

12.01 DA2017 - 336.1 BOUNDARY ADJUSTMENT BETWEEN TWO EXISTING TORRENS TITLE LOTS, RESIDENTIAL FLAT BUILDING AND CAFE WITH ASSOCIATED STRATA TITLE SUBDIVISION INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 167 DP 1229250, LOT 229 DP 1235792 SEASIDE DRIVE AND SURFERS DRIVE, LAKE CATHIE

Councillor Hawkins left the meeting, the time being 8:20pm.

RESOLVED: Cusato/Dixon

That the determination of DA 2017 – 336.1 for a boundary adjustment between two existing torrens title lots, residential flat building and cafe with associated strata title subdivision including Clause 4.6 objection to Clause 4.3 (Height of Buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 167 DP 1229250 & Lot 229 DP 1235792 Seaside & Surfers Drive, Lake Cathie be noted.

CARRIED: 7/0

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

AGAINST: Nil

12.02 DA2017 - 455.1 RESIDENTIAL SUBDIVISION (10 LOTS) INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.1 (MINIMUM LOT SIZE) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 65 DP1226839, SHORE BREAK CRESCENT, LAKE CATHIE

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 8:20pm.

Councillor Hawkins returned to the meeting, the time being 08:23pm.

RESOLVED: Cusato/Griffiths

That DA2017 – 455.1 for a Residential Subdivision (10 Lots) including Clause 4.6 Objection to Clause 4.1 (Minimum Lot Size) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 65, DP 1226839, Shore Break Crescent, Lake Cathie, be determined by granting consent subject to the recommended conditions.

CARRIED: 7/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 8:24pm.

12.03 DA2017 - 641.1 MULTI DWELLING HOUSING AND TORRENS TITLE SUBDIVISION INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) AND CLAUSE 4.4 (FLOOR SPACE RATIO) OF THE PORT MACQUARIE - HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOTS 228 & 229 DP 1235792, SURFERS DRIVE, LAKE CATHIE

RESOLVED: Griffiths/Turner

That the determination of DA2017 – 641.1 for Multi Dwelling Housing and Torren Title Subdivision including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) and Clause 4.4 (Floor Space Ratio) of the Port Macquarie Hastings Local Environmental Plan 2011 at Lots 228 & 229, DP 1235792, Surfers Drive, Lake Cathie, be noted.

CARRIED: 8/0

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

AGAINST: Nil

12.04 DA2017 - 712.1 DWELLING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDING) OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 6 DP 1069338, NO 22 THE ANCHORAGE PORT MACQUARIE

Councillor Levido declared a Pecuniary Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:25pm.

RESOLVED: Cusato/Hawkins

That the determination of DA2017 – 712.1 for a dwelling including clause 4.6 variation to clause 4.3 (Height of Building) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 6, DP 1069338, No. 22 The Anchorage, Port Macquarie, be noted.

CARRIED: 7/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 08:25pm.

12.05 DA2017 - 1063.1 DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF NEW DWELLING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDING) OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 2 SECTION K DP25923, NO 1512 OCEAN DRIVE, LAKE CATHIE

RESOLVED: Dixon/Alley

That DA 2017 – 1063.1 for the demolition of existing dwelling and construction of new dwelling including clause 4.6 variation to clause 4.3 (Height of Building) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 2 Section K, DP25923, No 1512 Ocean Drive Lake Cathie be noted.

CARRIED: 8/0

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

AGAINST: Nil

Item - 12.06 Planning Proposal - South Lindfield Urban Release Area - Post Exhibition Review of Submissions - has been moved to another part of the document.

12.07 PLANNING PROPOSAL - 2017 ADMINISTRATIVE REVIEW OF PORT MACQUARIE-HASTINGS LEP 2011

RESOLVED: Hawkins/Alley

That Council:

1. Prepare a Planning Proposal pursuant to section 55 of the Environmental Planning and Assessment Act 1979, for the amendment of provisions of Port Macquarie-Hastings Local Environmental Plan 2011, in relation to the 6 Issues as generally 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.

CARRIED: 8/0

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

AGAINST: Nil

12.08 PLANNING PROPOSAL ADMINISTRATIVE REVIEW - PORT MACQUARIE-HASTINGS LEP 2011 (AMENDMENT NO 29) - CONSIDERATION OF SUBMISSIONS

RESOLVED: Alley/Hawkins

That Council:

1. Take the necessary steps under sections 58 and 59 of the Environmental Planning and Assessment Act 1979 to finalise Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 29) 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: 8/0

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

AGAINST: Nil

**12.09 RAINBOW BEACH CENTRAL CORRIDOR PLANNING AGREEMENT
2017**

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 8:30pm.

RESOLVED: Cusato/Dixon

That Council enter into and execute the Rainbow Beach Central Corridor Planning Agreement 2017.

*CARRIED: 7/0
FOR: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann and Turner
AGAINST: Nil*

Councillor Levido returned to the meeting, the time being 08:30pm.

12.10 GORDON STREET CAR PARKING WORKS IN KIND AGREEMENT

RESOLVED: Intemann/Turner

That Council:

1. Approve the application to undertake Works in Kind involving construction of public car parking at the Gordon Street Car Park, Port Macquarie subject to the applicant entering into a formal Works in Kind Agreement.
2. Pursuant to Section 55(3)(i) of the Local Government Act 1993, not invite tenders for the construction of the Works in Kind in Item 1, due to extenuating circumstances, as described in this report.
3. Delegate authority to the General Manager to enter into and execute the Works in Kind Agreement in Item 1.

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

12.11 OPEN SPACE CONTRIBUTIONS PLAN

RESOLVED: Levido/Griffiths

That Council place the Draft Open Space Contributions Plan 2018 on public exhibition from 1 March 2018 until 11 April 2018.

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

12.12 LONG FLAT VILLAGE SEWER SCHEME - CLASSIFICATION OF LAND RECENTLY ACQUIRED BY COUNCIL

RESOLVED: Levido/Griffiths

That Council classify Lot 1 DP1236961 (5076 Oxley Highway, Long Flat) as operational land.

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

12.13 COMBOYNE VILLAGE SEWERAGE SCHEME - ACQUISITION OF AN EASEMENT TO DRAIN SEWAGE

RESOLVED: Levido/Cusato

That Council:

1. Pay compensation in the amount of \$22,700 (GST exclusive) to the owners of Lot 2 DP860838, D & AM McMillan, for the acquisition of an easement to drain sewage 3 metres wide as depicted (A) in DP1234841.
2. Request the General Manager to instruct Marsdens Law Group to sign the Land Registry Services Transfer Granting Easement Form on behalf of Council.

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

12.14 LAKE CATHIE DREDGING - RESCUING OUR WATERWAYS GRANT

RESOLVED: Dixon/Turner

That Council:

1. Note the information contained within the Lake Cathie Dredging – Rescuing our Waterways Grant Report
2. Re-allocate \$53,000 of funding from the Maintenance of 4WD Access Points Reserve for use in dredging of Lake Cathie
3. Accept the grant from the Department of Industries – Lands and supplement the balance of Council's required project contribution from the following funding sources:
 - a) Lake Cathie Dredging Reserve.
 - b) Floodplain Management Strategy.
 - c) Climate Change Strategy.
 - d) Riparian Vegetation.

CARRIED: 8/0

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

12.15 NOTICE OF MOTION - PORT MACQUARIE FLAGSTAFF

RESOLVED: Turner/Levido

That Council:

1. Recognise that the Port Macquarie flagstaff is an important cultural and heritage asset that directly relates to the maritime history of one of the first ports established on mainland Australia following European settlement.
2. Request the General Manager table a report at the April 2018 Ordinary Council meeting outlining the process required to enable the clearing of the overgrown vegetation surrounding the flagstaff, so that the entire crest of the hill, including the flagstaff structure, is visible from town beach.

CARRIED: 8/0

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

13 QUESTIONS FOR NEXT MEETING

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Turner/Dixon

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

Item 14.01 T-17-50 Digitisation of Micrographic Material

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

Item 14.02 T-17-53 Organisational Wide Customer Interactions Review

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

3. That the resolutions made by the Council in Confidential Committee of the Whole (Closed Session) be made public as soon as practicable after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.

CARRIED: 8/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 8:35pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 8:41pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Turner/Levido

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

Item 14.01 T-17-50 Digitisation of Micrographic Material

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 Australian Data Storage Pty Ltd t/as Gosford Micrographics for \$122,207 (exclusive of GST) for the conversion of micrographic material to PDF/A documents (Part A).
2. In accordance with the Local Government (General) Regulations 2005 clause 178 (1) (b), decline to accept any of the tenders submitted for the import of PDF/A documents into Council's EDRMS (Part B).
3. In accordance with the Local Government (General) Regulations) 2005 clause 178 (3) (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender for the import of PDF/A documents into Council's EDRMS (Part B).
4. Affix the seal of Council to the necessary documents.
5. Maintain the confidentiality of the documents and considerations in respect of tender T-17-50.

Item 14.02 T-17-53 Organisational Wide Customer Interactions Review

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

RECOMMENDATION

That Council:

1. Defer consideration of Tender T-17-53 Organisational Wide Customer Interactions until the 21 March 2018 Council meeting.
2. Request the General Manager provide a briefing to Councillors on the proposed Organisational Wide Customer Interactions Review prior to the 21 March 2018 Council meeting.

-
3. Maintain the confidentiality of the documents and considerations in respect of tender T-17-53 Organisational Wide Customer Interactions.

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

The meeting closed at 8:42pm.

.....
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 8 February to 7 March 2018 inclusive be noted.

Discussion

Mayoral Discretionary Fund Allocations

The Deputy Mayor made the following allocation from the Mayoral Discretionary Fund for the period 8 February to 7 March 2018 inclusive:

Donation to Wauchope Park Run	\$120.00
	<hr/>
	\$120.00

Attachments

Nil

Item: 07

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

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

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

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 five 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: 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 contained in the Status of Reports from Council Resolutions report.

Discussion

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Project Management Policy - implementation, operation and effectiveness to date incorporating the views of the Audit, Risk and Improvement Committee (Item 09.03 - OC 15/02/17)	Project Management Framework training is underway in November. Assessments will be completed before and after the training to identify effectiveness. This will be supported by a plan for continuous improvement of project management capability.	DCP	Nov 2017	Mar 2018
Audit, Risk and Improvement Committee – Chairperson Nomination (Item 14.01 – OC 18/10/17)		DCP		Mar 2018

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
Planning Proposal Town Square Port Macquarie – post exhibition (Item 12.07 – OC 15/11/17)		DSG		Mar 2018
Consideration of Tender T-17-53 Organisational Wide Customer Interactions. (Item 14.02 – OC 21/03/18)		DSG		Mar 2018
Inland Forum Meeting 1 March 2018 (Item 09.03 – OC 21/02/18)		GM		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
Climate Leadership Conference – post attendance report – Clr Alley (Item 09.08 – OC 13/12/17)		GM		Apr 2018

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Biodiversity Strategy – post exhibition (Item 12.06 – OC 13/12/17)		DDE		Apr 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	Apr 2018
Tastings On Hastings – consultation with stakeholders (Item 10.04 – OC 21/02/18)		DSG		Apr 2018
Port Macquarie Flagstaff (Item 12.15 – OC 21/02/18)		DDE		Apr 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	Apr 2018
Urban Growth Management Strategy 2017-2018 – post exhibition (Item 12.06 – OC 18/10/17)	Submissions currently still under review	DSG	Feb 2018	May 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

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
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
Alternative Investment Options for higher returns Item 09.10 – OC 15/11/17)		DCP		May 2018
Stormwater Strategy (Item 12.11 – OC 13/12/17)		DI		June 2018
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	Jul 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	Sep 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

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Draft Biodiversity Certification Assessment and Strategy - Port Macquarie Airport and Surrounding Land - viability and implications of the options for securing the required Blackbutt Tallowwood dry grassy open forest and Koala habitat credits, prior to the clearing that creates the demand for those credits. (Item 12.01 - OC 10/08/16)		DDE		TBA
Classification of Land - Lot 5 DP774400 Stingray Creek Bridge Environmental Offset (Item 12.01 - OC 16/11/16)		DCP		TBA
Tuffins Lane Sporting Fields - Terms of Agreement (Item 06.02 - OC 14/12/16)		GM		TBA
Planning Proposal - Lot 2 DP1091253 Beach St, Bonny Hills (Item 12.02 - OC 19/04/17)		DSG		TBA
Planning Proposal - Lot 14 DP240042, Pioneer Street, North Haven. King And Campbell Pty Ltd For Rd & MI Tate And Tate Developments Pty Ltd - Post Exhibition (Item 13.05 - OC 17/05/17)		DSG		TBA
Tree Management – Proposed Improvements (Item 12.06 – OC 20/09/17)		DDE		TBA

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

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)
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)

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

Attachments

Nil

Item: 09.02

Subject: JOINT ORGANISATION OF MID NORTH COAST COUNCILS

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

1.2.1 Promote Council participation and build linkages in local, state and federal initiatives, forums and opportunities to support Council's continued planning for the growth of the region.

RECOMMENDATION

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), Port Macquarie-Hastings Council (Council) resolves:

1. That the Council inform the Minister for Local Government (Minister) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation in accordance with this resolution.
2. To approve the inclusion of the Port Macquarie-Hastings Council's area in the Joint Organisation's area.
3. That the Joint Organisation be established to cover the Council's area and any one or more of the following Council areas:
 - Kempsey Shire Council;
 - Nambucca Shire Council;
 - Bellingen Shire Council;
 - Coffs Harbour City Council;
 - Clarence Valley Council.
4. That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
 - a) With a copy of this resolution including the date on which Council made this resolution; and
 - b) Inform the Minister that this resolution has not been rescinded for the purpose of the Minister issuing a certificate under section 400P of the Act.
5. That Council, in reference to Recommendation 2 above, become a member of the Joint Organisation for a trial period of 24 months from the date of establishment of the Joint Organisation, for the purpose of providing adequate time to evaluate the value or otherwise of being a member of the Joint Organisation.

Executive Summary

The NSW government has stated that Joint Organisations (JOs) will transform the way local and state governments work together to plan and deliver the things that matter to regional communities. JOs will give local Councils a seat at the table in planning for important regional infrastructure and investment.

To this end, the Local Government Amendment (Regional Joint Organisation) Act 2017 (Act) commenced on 15 December 2017. A copy of the legislation is attached to this report for information. As per information provided by the Office of Local Government (OLG), this legislation allows for Councils to voluntarily join new JOs to strengthen regional coordination and improve the delivery of important infrastructure and services for communities through strategic planning, collaboration, shared leadership and advocacy.

On Friday 16 February 2018, the OLG released the draft Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018, which supports the Local Government Amendment (Regional Joint Organisation) Act 2017 (Act) which commenced on 15 December 2017. The draft Regulations are (at the time of writing this report), out for public consultation, with a deadline for submissions to the OLG being Friday 16 March 2018. A copy of the draft Regulations are attached to this report.

As detailed in a letter from the OLG to the General Manager dated 20 December 2017 (copy attached), Port Macquarie-Hastings Council (PMHC) must now give consideration to joining a JO and as such, a Council resolution to reflect this is a critical part of the process.

The OLG has stated that it is important that Council resolutions align for groups of Councils that wish to form a JO and that Councils provide the Minister for Local Government (Minister) with a copy of this resolution by 28 February 2018. However on Friday 16 February 2018, the OLG released Circular 18-02 that stated that the NSW Government had decided to extend the period by which all Councils must submit nominations to be part of a JO to Friday 23 March 2018. A copy of Circular 18-02 is attached to this report.

At report on JOs was tabled at the 21 February 2018 Council meeting (copy attached), however Council resolved to defer consideration of that matter until the March 2018 Council meeting in light of the fact an extension of time had been granted by the NSW Government and the fact that the draft regulations had been released for comment only the week prior to the February Council meeting.

The purpose of this report is to detail further information that has come to hand since the 21 February 2018 Council meeting, relating to the establishment and operation of a JO for the Mid North Coast Councils and for Council to give further consideration to becoming a member of the proposed JO.

Discussion

At the 21 February 2018 Council meeting, Council considered a report on becoming a member of a JO for the Mid North Coast Councils and resolved the following:

09.01 JOINT ORGANISATION OF MID NORTH COAST COUNCILS

RESOLVED: Turner/Cusato

That Council defer this item to the March 2018 Ordinary Council Meeting.

CARRIED: 8/0

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

The deferral of this item was in light of the fact that the NSW Government has extended the period by which all Councils must submit nominations to be part of a JO to Friday 23 March 2018 and more importantly, the deferral provides a further opportunity for the OLG to respond to questions and concerns Councillors have around JO's. A copy of the 21 February 2018 Council report is attached for information.

Following the 21 February 2018 Council meeting, the General Manager wrote to the Acting Chief Executive of the OLG to seek responses to questions that Council originally posed around JO's back in October 2015, as part of a submission to a paper titled *Joint Organisations: Emerging Directions Paper – September 2015*. A copy of Councils full submission from October 2015 is attached to this report, as is a copy of the above-mentioned letter sent to the OLG.

On 26 February 2018, the General Manager received responses from the OLG to the questions posed by Council around JOs. These questions and the responses from the OLG have been incorporated into a document that is attached to this report titled 'Joint Organisation Questions & Responses - PMHC & OLG - 28 February 2018'. Please note that this document also includes some further comments from the General Manager where appropriate.

As reported to the 21 February 2018 Council meeting, there are several key concerns held by Council in relation to JOs including how the interplay between a decision of a JO Board and the decision of a local Council would work and the fact that there is to be one vote per member Council only in a JO, regardless of the size of the Council.

In response to the two issues raised above, please refer to the attachment titled 'Joint Organisation Questions & Responses - PMHC & OLG - 28 February 2018' and in relation to the issue of the interplay between decisions of a JO and the decisions of a Council, please refer specifically to the responses from the OLG to Questions 1, 9 and 10. In general terms, JOs cannot 'bind' a member Council, or take over Council functions without delegation from the Council. The JO will not have authority over Council resources as this will remain a matter for Council.

In relation to the issue of one vote per member Council of a JO, please refer again to the attachment titled 'Joint Organisation Questions & Responses - PMHC & OLG - 28 February 2018' and specifically to the response to Question 3. Whilst the Act and Regulations talk to there being one vote per member Council, the OLG has stated that a JO may include governance arrangements in its Charter that requires consensus decision making for certain decisions, or the Charter can outline a process whereby contentious matters are referred back to member Councils for consideration prior to voting.

In addition to the above-mentioned responses from the OLG, the Director, Reform Implementation from the OLG and the Regional Director of the Department of Premier & Cabinet (DPC) provided a briefing to Councillors on Monday 5 March 2018 around JOs. The briefing covered a range of issues around JOs, their purpose and intent and the representatives from the OLG and DPC responded to a range of questions from Councillors on JOs.

On Tuesday 6 March 2018, the above-mentioned representatives from the OLG and DPC attended a Mid North Coast Regional Organisation of Councils (MIDROC) Board meeting held in Port Macquarie, which was attended by Mayor Pinson and the General Manager. Also in attendance were the Mayors and General Managers of Bellingen Shire Council, Nambucca Shire Council and Kempsey Shire Council, plus the General Manager of Coffs Harbour City Council.

At the MIDROC Board meeting, the PMHC General Manager put forward a proposal (based on feedback from Councillors in attendance at the 5 March 2018 JO briefing provided by the OLG and DPC) that the MIDROC Board agree to give consideration to certain issues in the JO Charter if and when the proposed JO is established. It should be pointed out that a resolution of the MIDROC Board does not and cannot bind a member Council to comply with such a resolution, nor can a resolution of the MIDROC Board bind any future proposed JO to anything, other than giving consideration to the issues listed below based on the goodwill of those Councils present at the MIDROC Board meeting. It should also be noted for clarity that member Councils of the proposed JO are currently member Councils of MIDROC.

For context, one of the first tasks for any JO once they are formally proclaimed by the Governor of NSW, is to develop a Charter that will provide the overall governance structure for the JO. As noted above, the Charter may include provisions that are over and above the requirements as detailed in the Act and Regulations, but must reflect as a minimum the requirements of the Act and Regulations.

In light of the above and on the back of the proposal put forward by the General Manager, the following was resolved at the above-mentioned MIDROC Board meeting:

1. *That the MIDROC Board agree to give consideration to the following issues in the formation of a proposed Joint Organisation Charter;*
 - a. *That decisions will be by consensus with mechanisms for dispute resolution*
 - b. *That member council councillors may attend the Joint Organisation Board meetings as observers*
 - c. *That Board meeting business papers and minutes be made publically available*
 - d. *That in the first instance the proposed Joint Organisation will focus on the core functions of a Joint Organisation being;*
 - i. *Regional Leadership and Advocacy*
 - ii. *Strategic planning and priority setting*
 - iii. *Intergovernmental collaboration*
 - e. *That the Board acknowledges the initial draft of the Strategic Plan priorities developed for MIDROC / the proposed Joint Organisation.*
- (1)
2. *That MIDROC advocate to the NSW State Government for a longer term sustainable funding model for the ongoing operation of Joint Organisations.*

As can be seen from the above MIDROC Board resolution, MIDROC has agreed that if the proposed JO is established, then the member Councils will give consideration to the issues listed above. As previously noted, whilst a decision of the MIDROC Board cannot bind a new JO to anything, this resolution does show an intent by the

majority of member Councils of MIDROC to give consideration to these issues in the event a new JO is established as proposed.

It is acknowledged that the MIDROC Board resolution may not provide the black and white guarantee that Council might like to have around these particular issues prior to giving further consideration to becoming a member of a JO; however it highlights the sense of cooperation around the MIDROC table to talk through these issues into the future, noting that there is no guarantee that any future JO Charter will include the issues listed above in the manner in which they have been proposed.

For information, at the time of writing this report and based on information provided verbally by the OLG, of the 94 Councils in NSW that are able to join a JO, 70 Councils have already resolved to become members of a JO; one Council has resolved not to join a JO and one Council had originally resolved to not join a JO, but is now reconsidering their position in light of the fact the Regulations are now available for review and comment.

There is no doubt that there are many unknowns in relation to JOs. This relates to how a JO might actually work in practice; what impact decisions of a JO may actually have on a Council; the level of funding that will be required to operate the JO once established and how the JO will actually be held accountable to member Councils and ultimately the local community. Whilst the Act and the Regulations put structure around a JO, it appears that it is ultimately the Charter of the JO that will detail the specifics around the governance of a JO.

Whilst there are risks in becoming a member of a JO, there are also potential risks in not becoming a member of a JO. If Council was to choose not to become a member of the proposed JO, then there could be a situation where all the other mid north coast Councils agree to become members of the JO (those Councils being Clarence Valley Council, Coffs Harbour City Council, Bellingen Shire Council, Nambucca Shire Council and Kempsey Shire Council) and then taking into account the fact that the NSW Government allowed the newly formed MidCoast Council to the south of PMHC, to join the Hunter JO, this would leave PMHC isolated between two JOs.

The key question around this issue is, does it matter if Council is not a member of a JO and has operational JOs either side of it? This is not a question anyone has been able to respond to categorically. Anecdotally, it would appear that the NSW Government will be directing some level of grant funding and grant funding programs to JOs for regionally significant projects. There are no specific details available around this funding as yet, but the language being used by the NSW Government does mean that there is a risk that this Council could miss out on some funding opportunities if it chooses not to become a member of a JO. This is not to say that Council would miss out on all funding opportunities, but it may miss out on some regionally significant funding via the JO.

As a local government area that is now deemed to be a Regional City, it is not logical to think that this Council will not be able to continue to advocate to all levels of government for the funding required to continue to build critical infrastructure and to in fact receive some grant funding. It is obviously imperative that this Council continue to do all it can to secure financial and other support from the State and Federal governments, regardless of whether it is in a JO or not. The facts may be however that some funding opportunities may be out of reach of this Council if such funding opportunities are indeed directed to JOs.

Outside of the funding issue as described above and referring back to one of the opening statements made in this report, where the NSW government has stated that JOs will transform the way local and state governments work together to plan and deliver the things that matter to regional communities and that JOs will give local Councils a seat at the table in planning for important regional infrastructure and investment. In light of these statements and the written intent of the NSW government, perhaps it is better to have a seat at the table of the new JO than not. As a Regional City, this Council has an opportunity to play a role in planning for improved regional infrastructure that will ultimately benefit our community. If Council participates in the JO, it will have an opportunity to influence the decisions of the JO that will impact our region and this is a far stronger position to be in than not being part of the regional conversation at all.

Clearly Council will still have relationships with other NSW Councils and the mid north coast group of Councils, however as a potential non-member of the JO, it is possible that these Councils may not be interested in undertaking joint projects or initiatives with PMHC. This is clearly untested at this point in time, but it is an issue worth noting.

Options

Council has the option of resolving in line with the recommendations as included in this report, noting that recommendations 1 to 4 have been provided by the OLG so that all Councils wishing to be members of a JO resolve in the same manner. Recommendation 5 has been added to the OLG recommendations, which proposes that Council join the JO for an initial period of 24 months only, in an effort to understand how effective or otherwise the JO may be. If this is an option Council wishes to consider, it would be appropriate to undertake a review of the effectiveness of the JO some 6 months out from the end of the 24 month period in order to inform any future decision of Council.

It should be noted in relation to the option directly above, that whilst Council may choose to resolve in this way, there are in fact no provisions in the Act or the Regulations to allow (or prevent) a Council joining a JO for a limited period of time. What this means is that Council can still resolve in this manner for a trial period, but if the decision of Council in 24 months from the establishment of the JO is to cease being a member of the JO, then the following provisions of the Act will apply, specifically Section 400ZC (2) (b), whereby a proclamation by the Governor of NSW would be required in order to exit from the JO:

400ZC Amendment and dissolution of joint organisations:

- (1) The Governor may, by proclamation, amend or revoke a proclamation in force under this Part for the purpose of amending the constitution of, or of dissolving, a joint organisation.*
- (2)*
- (2) A proclamation for the purpose of amending the constitution of a joint organisation:*
 - (a) may change the name of the joint organisation, or*
 - (b) may vary the joint organisation area by adding or removing council areas and may specify the name of each council whose area is included in or removed from the joint organisation area.*

Council has the option of not resolving in line with the recommendation as included in this report, by either deferring further a decision to become a member of a JO or opting not to become a member of a JO.

Community Engagement & Internal Consultation

There has been no community engagement in relation to this report. There has been internal consultation with the Mayor and Councillors, the General Manager, Directors and the Group Manager Governance & Procurement as well as engagement with other member Councils of MIDROC.

Planning & Policy Implications

As stated in the report to Council at the 21 February 2018 Council meeting, it is clear that becoming a member of a JO will result in a Regional Strategic Plan being developed by the JO that each member Council will need to play a part in developing and implementing. This plan will take into account the Community Strategic Plans of all member Councils as well as a range of other relevant State plans.

Out of this Regional Strategic Plan will come a Statement of Strategic Regional Priorities (SSRP) that all JO's must develop following establishment of the JO.

At this stage there would appear to be no direct policy implications for Council if Council resolves to become a member of a JO.

It is fair to say that becoming a member of a JO will impose on Council broader regional responsibilities than it has necessarily had before i.e. directing some thought, energy and resources to acting in the best interests of the region as opposed to just the Port Macquarie-Hastings local government area. It is not possible to say at this point in time what implications this more regional focus will have on existing Council policies and plans, if any.

Financial & Economic Implications

As discussed in the 21 February 2018 Council report, the NSW government has announced funding of \$3.3 million to support Councils to establish a JO and at this stage it is understood that there will be no ongoing funding provided to Councils for the operation of a JO by the NSW government.

Each member Council will be required to contribute financially to the operation of the JO and the basis for this will be agreed by the JO Board, through the establishment of the JO Charter, noting that all Councils have previously contributed financially to the operation of MIDROC.

The level of funding required to operate the JO will not be fully known until such time as the JO has developed their Regional Strategic Plan and there is agreement on the appointment of an Executive Officer being either on a part time or full time basis and any other contract of employment conditions.

At the 28 November 2017 MIDROC Board meeting, the following was resolved:

- 1) *That Board notes the Ministerial press release associated with Joint Organisations (JOs) and the \$3.3 million allocated to support JOs.*
- 2) *That further correspondence to the Minister's office be prepared in the event that pilot JOs are provided with additional financial support.*
- 3) *That the Board supports initial funding the Joint Organisation via a base rate of \$250,000, that is \$41,666 per council for 2018/2019 and a per capita rate to be determined following Strategic Plan priorities and organisational requirements.*

The above resolution means that for the 2018-2019 financial year, each Council will contribute \$41,666 as a minimum with the further per capita rate being determined at some point into the future. Funds have been allocated in Councils draft 2018-2019 Operational Plan to cover this expense.

It should be noted that dependent on any per capita funding model applied to the JO, it is possible that the annual cost to Council for membership of the JO may be upwards of \$100,000. As stated above, it is too early to tell what the future funding level to operate the JO will be, but for 2018-2019, on top of the Council contributions, there will be an allocation of funding from the State government for the establishment of the JO, however at the time of writing this report, the exact amount to come to the JO is unknown.

For information, there have been a couple of different funding models used in the past for how member Councils have funded MIDROC. In general terms, funding has ranged from \$10,000 up to \$20,000 per annum, with additional costs being borne around specific projects that may have been undertaken.

As detailed earlier in this report, being a member of a JO may well see regional grant funding being available for the JO to apply for. At this stage there is no specific indication as to what these broader regional funding programs may be, but it is anticipated that they will be based around supporting priority projects as detailed in the JO Regional Strategic Plan. As more information comes to light on such funding, further information will be provided to Councillors.

Further to the above, it is possible that at some point into the future there may be functions of the JO that provide cost savings to member Councils. These cost savings may flow from things like the implementation of shared services; joint procurement or successful joint applications for grant funding etc; however it is too early to know what likely cost savings may ultimately flow from the JO back to member Councils.

It is also worth noting that at the 6 March 2018 MIDROC Board meeting (as detailed earlier in this report), the Board resolved the following as part of a broader resolution around JOs:

That MIDROC advocate to the NSW State Government for a longer term sustainable funding model for the ongoing operation of Joint Organisations.

It is not clear how receptive the government will be to calls from local government to provide longer term, ongoing funding for JOs, however advocacy will take place on this issue in the coming months.

Attachments

- 1 [View](#). Council Report - 21 February 2018 - Joint Organisation of Mid North Coast Councils
- 2 [View](#). Joint Organisation Legislation
- 3 [View](#). Letter from the Office of Local Government - Joint Organisation Nomination Reminder
- 4 [View](#). OLG Circular 18-02 - 16 February 2018
- 5 [View](#). Joint Organisation - Emerging Directions Submission - October 2015
- 6 [View](#). Correspondence - General Manager Port Macquarie-Hastings Council to Tim Hurst OLG - 2018 02 22
- 7 [View](#). Joint Organisation Questions & Responses - PMHC & OLG - 28 February 2018
- 8 [View](#). Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018

Item: 09.03

Subject: JOINING REGIONAL CITIES NSW

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

1.2.1 Promote Council participation and build linkages in local, state and federal initiatives, forums and opportunities to support Council's continued planning for the growth of the region.

RECOMMENDATION

That Council:

- 1. Note the information contained within the Joining Regional Cities NSW report.**
- 2. Note that the Mayor and the General Manager will attend a further meeting of the Inland Forum in Sydney on 31 May 2018 to gain further insights into the benefits or otherwise of joining the proposed Regional Cities NSW group.**

Executive Summary

A report was tabled at the 21 February 2018 Council meeting relating to an invitation extended to Council to consider joining a group called Regional Cities NSW. The purpose of this report is to provide further information relating to the new group following attendance by the Deputy Mayor and the General Manager at a meeting held in Sydney on Thursday 1 March 2018.

Discussion

At the 21 February 2018 Council meeting, Council resolved the following in relation to an invitation to join Regional Cities NSW:

09.03 INVITATION TO JOIN REGIONAL CITIES NSW

RESOLVED: Intemann/Hawkins

That Council:

- 1. Note the information contained within the Invitation to Join Regional Cities NSW report.*
- 2. Note that the Deputy Mayor and the General Manager will attend a meeting of the Inland Forum in Sydney on 1 March in an effort to understand the benefits or otherwise of accepting the invitation to join Regional Cities NSW.*
- 3. Request the General Manager table a report at the 21 March 2018 Council meeting detailing relevant information and outcomes of the Inland Forum*

meeting in Sydney, in order for Council to give further consideration to joining Regional Cities NSW.

CARRIED: 8/0

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

AGAINST: Nil

The Council report as tabled at the 21 February 2018 Council meeting is attached for information.

As per the second Council resolution as detailed above, the Deputy Mayor and the General Manager attended a meeting of the Inland Forum on Thursday 1 March 2018 in Sydney. The purpose of this meeting was to discuss with other Councils the Regional Cities NSW initiative.

As per the third Council resolution as detailed above, this report details additional information gathered from attendance at the above-mentioned meeting held in Sydney, noting that there is not a lot of further information available at this stage.

Present at the meeting in Sydney were representatives from the following Councils:

- Port Macquarie-Hastings Council;
- Coffs Harbour City Council;
- Griffith City Council;
- Queanbeyan-Palerang Council;
- MidCoast Council (via teleconference);
- Albury City Council;
- Dubbo Regional Council;
- Tamworth Regional Council;
- Wagga Wagga City Council;
- Orange City Council;
- Bathurst Regional Council;
- Armidale Regional Council;

In addition to the Councils in attendance, the following were also present:

- Mr Don Murray – Executive Director, Office of the Regional Infrastructure Coordinator.
- Mr Harry Henderson – Director, Office of Regional Infrastructure Coordinator;
- The Hon. Rick Colless MLC – Parliamentary Secretary for Natural Resources and Western NSW.

This meeting was officially a meeting of the Inland Forum, with the issue of Regional Cities NSW simply the first item on the agenda,

The Mayor and General Manager of Tamworth Regional Council presented information to the meeting around the proposed Regional Cities NSW group. Following this presentation and general discussion around the issues the following actions were minuted:

- All participants would be provided with a copy of the presentation (noting that at the time of writing this report, this presentation has not yet been received by Council);

- That Tamworth Regional Council will undertake to develop a scope and fee estimate for the development of a strategic planning framework which will inform the business case and a draft terms of reference for the proposed group;
- That attendees are to provide any further questions to Tamworth Regional Council for response and circulation to all participants;
- The Chair to invite the Deputy Premier (via The Hon Rick Colless) to attend the next meeting (31 May 2018) and provide a detailed briefing on the Regional Cities NSW draft proposal.

As can be seen from the above, there is currently no draft terms of reference for the proposed group, nor any information available as yet in relation to the cost of joining the group, as all this work is yet to be developed and completed. As such, there is little further to report on this until such time as the draft terms of reference etc are finalised.

There were broad discussions around the proposed group and the powerful voice that a group of up to 14 regional cities could have when dealing with the State and Federal governments, particularly in relation to policy development, funding and the like. There was also discussion on how the proposed group would interact with the currently proposed Joint Organisations (JO) that are to be established from 1 July 2018. It is fair to say that there was no true understanding of how this proposed group would work with JO's, noting that not all members of a JO will be members of any future Regional Cities NSW group.

As noted in the minutes above, the next meeting will be held in Sydney on 31 May 2018 and it is the intention of the Mayor and General Manager to attend Sydney for this meeting of the Inland Forum.

Options

Council can choose to resolve in line with the recommendation as included in this report or choose to resolve in some other manner.

Community Engagement & Internal Consultation

There has been no community engagement undertaken in the development of this report, nor any internal consultation.

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 other than the cost of travel to Sydney for the meeting on 31 May 2018 for the Mayor and General Manager.

Attachments

[1View](#). Council Report - Invitation to Join Regional Cities NSW - 21 February 2018

Item: 09.04**Subject: INVESTMENTS - FEBRUARY 2018****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 February 2018.

Executive Summary

- Total funds invested as at 28 February 2018 equals \$268,619,899.
- Interest for the month of February was \$603,411.
- The year-to-date investment income of \$5,275,347 represents 83.33% of the total annual investment income budget of \$6,330,600.
- Council's total investment portfolio performance was 1.28% above the benchmark (3.02% against 1.74%). Benchmark being the Bank Bill reference rate as at 28 February 2018 as identified on www.bloombergindices.com.
- Council has engaged an investment advisor during the month of February and they have provided the attached investment report.

Discussion

Council has engaged Imperium Markets to provide both an investment management platform and investment advisory service. This decision was based on the need to provide more rigour and transparency around investment choices and to provide a sound framework to support the need for increased financial sustainability into the future.

The attached investment report and portfolio provides detailed information on the performance of council's investment portfolio.

Overview

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

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

- Water and Sewer services;
- Waste services;

- Port Macquarie Regional Airport;
- Cemeteries;
- Roads and Bridges;
- Various Recreation and Cultural facilities.

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

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

An independent analysis was conducted on Council's financial reserves. The review found:

- The Port Macquarie-Hastings local government area has experienced an unprecedented level of development activity. Whilst this has increased the level of reserves held through developer contributions, councils experiencing a high level of development activity require relatively high levels of reserves in order to adequately cope with the required levels of infrastructure spending.
- Council's reserve levels to be broadly appropriate and reasonable in light of Council's circumstances. In particular... that Council has successfully maintained a prudent buffer to prepare against potential financial risks associated with the predicted high development activity.

The full report is available on Council's website:

<http://www.pmhc.nsw.gov.au/About-Us/What-Council-Does/Corporate-Planning-Reporting-Budgets/Financial-Reports?BestBetMatch=financial%20reserves|cddb291-68a4-4d81-8aee-b3733958e5ca|bd0cff62-3134-4e81-9f7e-de4e65feb428|en-AU>

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 28 February 2018, comply with this Act.

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

As at 28 February 2018, the investments held by Council totalled \$268,619,899 and were attributed to the following funds:

General Fund	117,847,424
Waste Fund	15,704,795
Water Fund	83,409,077
Sewer Fund	50,362,172
Sanctuary Springs Fund	37,578
Broadwater	1,258,853
	<hr/>
	268,619,899

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.

Options

This is an information report.

Community Engagement & Internal Consultation

Council uses the services of an independent financial advisor, on an ongoing 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. 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 28 February 2018 is 1.38% above the benchmark (3.13% against 1.75%) and year to-date income is 83.33% 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.

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

- 1[View](#). February Investment Portfolio
- 2[View](#). February Investment Report

Item: 09.05

Subject: PROJECT MANAGEMENT FRAMEWORK

Presented by: Corporate Performance, Rebecca Olsen

RECOMMENDATION

That Council note the implementation, operation and effectiveness to date of the Project Management Policy.

Alignment with Key Functions

- 2.5.3 Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated.

Discussion

At the 15 February 2017 Ordinary Council meeting, Council requested that a report be presented in relation to the Project Management, the following was resolved:

09.03 PROJECT MANAGEMENT

RESOLVED: Hawkins/Alley

That Council:

- 1. Adopt the Project Management Policy, as attached to the Project Management report.*
- 2. Rescind the:*
 - a) Project Management and Gateway Policy.*
 - b) Project Management Guidelines Policy.*
- 3. Request the General Manager table a report at the October 2017 meeting of the Audit, Risk and Improvement Committee on the implementation, operation and effectiveness to date of the Project Management Policy.*
- 4. Request the General Manager table a report at the November 2017 Council meeting on the implementation, operation and effectiveness to date of the Project Management Policy, incorporating the views of the Audit, Risk and Improvement Committee.*

CARRIED: 9/0

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

AGAINST: Nil

Whilst the original resolution (Item 3) requested a report to the Audit, Risk & Improvement Committee to the October 2017 meeting, this report was deferred pending finalisation of Project Management Framework delivery training which occurred in November 2017 following improvements and refinements made following pilot training.

The report noted in item 3 was presented to the 8 February 2018 Audit, Risk and Improvement meeting with an update. The Committee resolved the following:

11 PROJECT MANAGEMENT FRAMEWORK

The Group Manager Governance and Procurement addressed the Committee and answered questions.

RESOLVED: Intemann/Parkinson

The Audit, Risk and Improvement committee note the implementation, operation and effectiveness to date of the Project Management Policy.

CARRIED: 5/0

FOR: Hawkins, Intemann, Marchant, O'Rourke and Parkinson

AGAINST: Nil

The rest of this report specifically relates to item 4 of the 15 February 2017 Ordinary Council meeting resolution (above). With the timing in reporting to the Audit, Risk & Improvement Committee, this has consequently led to a delay in this report to Council.

Update

The Project Management Framework procedure and templates were adopted by the Executive in December 2016.

The Project Management Policy was adopted by Council at the February 2017 Ordinary Council meeting.

A cross functional working group, the Project Management Framework Review Group (PMRG) have been providing oversight in relation to the implementation of the Project Management Framework (PMF).

The implementation of the PMF has been supported by the following initiatives:

- PMF Intranet site
 - A PMF Intranet site has been implemented that provides intuitive process based access to the policy, procedure, templates and process maps and Frequently Asked Questions to support employees when using the PMF.
- PMF brochure
 - A PMF brochure that provides an overview of information in the PMF policy and procedure has been designed, published and provided to employees.
- PMF Training

- An external training provider (Institute of Project Management (IPM)) was engaged to design and develop PMF training.
- IPM delivered pilot training to select employees in August 2017.
- Training needs analysis and feedback from the pilot training resulted in training being designed for distinct groups of employees based on their use of the PMF and their prior experience applying project management techniques. This was also aligned to the scalability of the PMF (Standard and Detailed).
- The refined training was delivered to 117 employees over 2 weeks in November 2017. Two more days of training were delivered in February 2018 to 36 employees. Resulting in 153 employees being trained.
- Council is currently in discussions with IPM in relation to e-learning training being made available to employees.
- PMF Divisional Champions
 - Divisional champions have been established to provide support to employees in using the PMF. The Divisional champions are in place to provide specific Divisional advice regarding the PMF.
- PMF Continuous Improvement Register
 - To support continuous improvement of the PMF a PMF Continuous Improvement Register has been implemented, capturing issues or identified areas of improvement for the PMF. This register is considered by the PMRG at each of their meetings.

Implementation, operation and effectiveness- quantitative

To quantitatively measure the implementation, operation and effectiveness of the PMF, assessment sheets were completed by trainees before and after training (during the November training sessions).

The questions in the assessment sheets aligned to implementation, operation and effectiveness of the PMF. Answers were provided on a scale of strongly disagree to strongly agree (1-5).

Graphs relating to the data gathered from the assessment sheets are at attachment 1 and 2, Standard and Detailed respectively. The data is also presented in the table below.

Table 1: Percentage assessment indicating agree (3) and above.

	Standard training		Detailed Training	
Implementation	Before	After	Before	After
I am familiar with the project lifecycle and how it applies to the projects I am involved in	64%	96%	91%	95%
I understand the roles of key stakeholders, including the project sponsor, manager and team	69%	98%	95%	95%
I know how to apply the project management framework at the different level of governance (standard/detailed/steering committee)	34%	94%	84%	99%

	Standard training		Detailed Training	
I have a good understanding of project management best practice	50%	90%	78%	100%
Operation	Before	After	Before	After
I know how to create and manage project records in TRIM	58%	94%	73%	92%
I am confident in the use of the project management documents and templates	59%	94%	74%	92%
I can balance the needs of multiple stakeholders, maintaining and documenting communication throughout a project	65%	96%	86%	98%
I have a good understanding of common project risks and how to manage them	61%	95%	69%	95%
I am confident in tracking and reporting project progress, managing and controlling change	64%	98%	87%	95%
I know how to properly close projects and capture lessons learned.	55%	96%	81%	93%
Effectiveness	Before	After	Before	After
I believe the project management framework enables me to better manage my projects	74%	100%	92%	98%
I believe the project management framework enables PMHC to better manage its projects	73%	98%	95%	97%
I am confident that I know what is expected of me in a project team	64%	98%	95%	97%

The data clearly indicates that the training has improved employees' knowledge and ability in relation to the PMF and therefore supporting the implementation, operation and effectiveness of the PMF. Answers to the questions moved further from the strongly disagree end of the scale to the strongly agree end of the scale, pre and post training.

A further survey using these questions is planned in the coming months to keep measuring the implementation, operation and effectiveness of the PMF against the current data that has been gathered.

Implementation, operation and effectiveness- qualitative

Supporting the data, internal stakeholder feedback is indicating that qualitatively the PMF is implemented, improving operationally and allowing Council to deliver projects more effectively by:

- Increasing the broader awareness of project management and governance across the organisation, providing a common and understood project management language.
- Supporting better project change control processes and therefore improving project scope and project cost control through the implementation of project change requests.
- Serving as the catalyst for the initiation of improvement to critical section and process interfaces with the Infrastructure Delivery, Procurement & Governance, and Economic Development & Communications sections.

- The formal incorporation of the lessons learnt section into project planning templates has made the aspect of project planning more consistent and yielding benefit generating continuous improvement approach to project management by considering lessons learnt from previous projects.
- Increased project transparency and recording with a consistent document management approach.

Attachments

1 [View](#). Assessment Graphs- Standard training group

2 [View](#). Assessment Graphs- Detailed training group

Item: 09.06

Subject: SIX MONTHLY DELIVERY PROGRAM 2017 - 2021 - PROGRESS
REPORT (JULY 2017 TO DECEMBER 2017)

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.1.4 Provide easy to understand and accessible community reporting.

RECOMMENDATION

That the information in the six monthly Delivery Program 2017-2021 progress report (July to December 2017) be noted.

Executive Summary

Six monthly progress reports on the Delivery Program are a legislated requirement of the NSW Government's Integrated Planning and Reporting Framework.

The progress report allows Council and the community know what action has been undertaken relative to the objectives contained within the Delivery Program 2017-2021.

The Delivery Program progress report is a reference document that can be used by Councillors and the community as an assessment of what has been delivered across the local government area. It provides information on actions, activities and projects and outlines achievements against the set objectives. This report is a snapshot of Council's progress in the first six months of the 2017-2021 Delivery Program.

Council adopted the Integrated Planning and Reporting suite of documents including the new Delivery Program 2017-2021 on 21 June 2017, hence this is the first six monthly progress report against the new Delivery Program.

Discussion

Delivery Program 2017-2021: six monthly progress report (July to December 2017)

The 2017-2021 Delivery Program was developed by Council within the legislated nine month timeframe, following elections in September 2016. It is reviewed annually to ensure that the objectives align with the Community Strategic Plan. It details objectives that are to be addressed over a four-year period.

The document outlines the Councillors' commitments to the Port Macquarie-Hastings community during their four-year term of office. Objectives in the Delivery Program represent what the Council aims to deliver and they serve as a guide for Council executive and staff when developing the annual Operational Plan. The Operational

Plan sets out the actions and activities that will be undertaken each financial year to deliver the overall objectives in the Delivery Program and ultimately contribute to achieving the vision and goals outlined in the long term Community Strategic Plan.

In a broad context, the Delivery Program enables Council to deliver the community's aspirations for the future, as described in the Towards 2030 Community Strategic Plan.

Six monthly reporting allows Council and the community to see the progress made in delivering outcomes to achieve the Delivery Program objectives.

The Delivery Program objectives appear in each of the four Community Themes outline below:

- Community Theme 1 – Leadership and Governance
- Community Theme 2 – Your Community Life
- Community Theme 3 – Your Business and Industry
- Community Theme 4 – Your Natural and Built Environment

Each of the themes in the Delivery Program describes what the expected result will be if the overall objectives are achieved and detail what the intended outcome will be.

This six monthly reporting phase focuses on what progress has been made to date on actions, activities and projects that have been undertaken during the July to December 2017 period. It provides a snapshot against the Delivery Program implementation, assessing the first six months of the 2017-2018 Operational Plan.

Attachment A to this report details actions/activities and projects that are experiencing delays in delivery as reported to the Ordinary Council Meeting in February 2018.

A snapshot of projects across the region

Wauchope/Rural/surrounds

- The Hastings Regional Sporting Facility has pre-construction works progressing to schedule
- Bulli Creek Bridge replacement on Comboyne Road has construction planning finalised with bridgework commenced
- The Small Town Sewerage Scheme's for Comboyne, Long Flat and Telegraph Point are progressing with the review of environmental factors and tender documentation underway
- Beechwood Road preconstruction upgrades
- Playground upgrades are underway or planned to commence in the coming months for Lasiandra Reserve Cameron St, Long Flat Sports and Recreation grounds, Sancrox Reserve Colvin St and Pioneer Park Comboyne
- Hyndmans Creek Bridge upgrades complete

Laurieton/Camden Haven/surrounds

- Designs are progressing for Southern Arm Trunk Main
- Camden Haven River Recreational Boating improvements are ongoing with boat ramp upgrades planned to follow the busy summer boating season

- Stormwater detention facility at Black Swan Terrace has initial concept plans received with review undertaken
- The sewerage upgrade at Area 15 for Lakewood/Kew is complete
- Shared path between Miala St and Lake Cathie Medical Centre at Ocean Dr is complete
- Playground replacements are due to commence in the coming months for Laura Place Reserve and Laurieton Oval Castle St
- Houston Mitchell Drive construction of Stages 2 and 3 complete
- Lake Cathie Accessible Fishing Platform complete

Port Macquarie

- Port Macquarie Airport terminal upgrade has progressed to the detailed design phase of the project
- Kingfisher Waste Depot expansion has detailed designs commenced with construction expected to take place in 2018-19
- Hastings River Recreational Boating improvements progressing
- Westport Park – Riverwall and pathway upgrade - designs commenced
- Concept designs for construction of Granite Street Reservoir are being finalised and will be ready for tender in February/March 2018
- Port Macquarie Coastal Walk master plan was adopted
- Town square upgrades complete
- Town Green (east) upgrades complete
- Dual carriageway construction upgrades to Gordon and Horton Street to Lake Road has complete
-

Summary by Community Theme, Council Service and Delivery Program Objective

Achievement highlights are listed below by Theme, Council Service, Delivery Program Objective and commentary on action taken and/or progress made. The information below supports the overall achievement outcomes and highlights 'how we know we are progressing' against the set Delivery Program objectives.

Community Theme 1 – Leadership and Governance

What are we trying to achieve

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

What the result will be

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

How we know we are progressing

- > Improving levels of community participation at community engagement activities
- > Ongoing Council participation in regional Local Government initiatives
- > Council financial management that is communicated to the community

Service: Customer interactions

Delivery Program Objective: 1.4.3 Deliver a customer focused service that provides the community a consistent experience of Council

- Over 53,600 calls received through the customer call centre. 78% of calls answered within the set service standard exceeding the target of 75%
- 92% of initial customer interactions were dealt with at the first point of contact
- Over 54,200 counter enquires were processed and over 14,600 e-mails were handled

Service: Community Place

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

- Community members were involved in a variety of community engagement activities. Projects included Lake Rd upgrade, the Boom Reserve off-leash dog park, Lake Cathie Foreshore and Kew Main St Master Plans.
- Registered users on the "Have your Say" online portal as at 31 December 2017 was 3,317. An increase from 3,127 users as at 30 June 2017 helping keep the community informed of current projects
- A wide range of methods are being used to engage with the community to encourage community participation on a range of topics, some of which included, Community forums, online engagement, face to face discussions and Council presences at community events

Service: Communications

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

- Over 500 Media releases, statements, alerts and announcements were issued during July – December 2017
- Over 365,100 people visited the corporate website
- Facebook likes increased from 6,475 as to 30 June 2017 to 7,346 as at 31 December 2017 extending Council's reach using digital channels
- A range of communication tools were used to keep the community up to date with council activities including use of consistent media channels such as social media, newspaper advertising, Weekly Mayoral messages and weekly radio interviews

Service: Governance and Procurement

Delivery Program Objective: 1.1.6 Continue to promote access by the community to Councillors.

- The Ordinary Council Meeting in October was held in Laurieton as part of the Take the Council to the Community Program

- The Engaging and Communicating with the Community Program saw a meeting held in October at Bonny Hills

Delivery Program Objective: 1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values

- The annual Government Information Public Access (GIPA) report was submitted in line with required timeframes
- The annual Disclosure of Interests Returns were presented to the Ordinary Council Meeting in November 2017
- Review of the Payment of Expenses and Provisions of Facilities for Councillors Policy was completed
- The annual report for Public Interest Disclosures (PID) was submitted in line with required timeframes
- Implementation of the Procurement Strategy action items is progressing
- Ongoing conversation were held with other levels of government included meetings with State and Federal members and participation in Mid North Coast Regional Organisations of Councils (MIDROC)

Service: Digital Technology

Delivery Program Objective: 1.4.1 Provide efficient technology and inclusive digital systems that are easy to use and easy to access

- Renewing technology infrastructure is ongoing with a number of upgrades complete and underway

Service: Financial Management

Delivery Program Objective: 1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information

- Annual audited financial statements lodged with the Office of Local Government in line with legislation
- Monthly investment reports prepared and presented to Council in accordance with required timelines
- Quarterly budget review statements prepared and presented to Council in accordance with required timelines
- Development and preparation of the annual operational budget is underway

Service: Commercial Business Units - Glasshouse and Property and Leasing

Delivery Program Objective: 1.5.3 Develop, manage and maintain Council Business Units through effective commercial management.

- 12 performing arts events held and nine visual arts events presented at the Glasshouse for the July to December 2017 period
- The Glasshouse biannual report was presented to the August 2017 Ordinary Council meeting
- 155 commercial leases and 70 community leases are current and operating

Service: Integrated Planning and Reporting

Delivery Program Objective: 1.1.4 Provide easy to understand and accessible community reporting

- The 2016-17 Annual Report was presented to the Ordinary Council Meeting on 15 November 2017 in line with legislation

- The 2016-2017 Community Report Card was produced providing an easy to read document for the community, which outlined Council's achievements
- Development of the annual 2017-18 Operational Plan is underway with the public exhibition period planned for March 2018

Service: Business Improvement Office

- The Business Improvement office has completed Phase 3: Business Improvement of the Service Review project with a presentation to Councillors on the outcomes planned for February 2018

Service: Asset Management

Delivery Program Objective: 1.5.3 Develop, manage and maintain Council Business Units through effective commercial management.

- The Property Investment Policy was adopted at the Ordinary Council Meeting held in December 2017
-

Service: Human Resource Management

Delivery Program Objective: 1.3.4 Manage our workforce to deliver community outcomes.

- Implementation of Workforce Management Strategy action items is ongoing
- The review of Work, Health and Safety Strategy is currently under underway
- Implementation of staff survey actions from the Employee Engagement Survey ongoing
- Improvements as a result of the Employee Engagement Program will be implemented in the first half of 2018

Community Theme 2 – Your Community Life

What are we trying to achieve

A healthy, inclusive and vibrant community

What the result will be

- > 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 know we are progressing

- > Community facilities are established that encourage social activities and interactions
- > Community safety initiatives are recognised and supported
- > Open spaces, recreational and community facilities are provided for a range of social, health and wellbeing activities.
- > The community is supported through a range of programs based on social issues
- > A range of community activities, programs and events are supported and implemented

We know we are progressing on delivering outcomes to the community against the Delivery Program objectives as achievement highlights can be seen below against specific council services

Service: Sports and Recreation

Delivery Program Objective: 2.1.1 Support Community Safety initiatives

- Lifeguard services were operational at Town, Flynns, Lighthouse, Lake Cathie, Rainbow and North Haven beaches
- The Surf Education Program reached over 3,600 students with over 54 separate presentations undertaken during Term 4 of the 2017 school year.

Delivery Program Objective: 2.3.2 Provide a range of inclusive sporting and recreational opportunities and facilities to encourage a healthy and active lifestyle

- Regional Master Planning for recreational facilities has commenced, with the Lake Cathie Foreshore Master Plan on exhibition. Flynns Beach Master Plan community engagement scheduled to commence in February 2018.
- Stage 1 community engagement conducted for PMQ swimming pool. Further community engagement will continue into 2018 to inform the design of the strategic concept plan and site selection
- The Port Macquarie Coastal Walk Master Plan was adopted by Council
- Community engagement underway for the Leash Free Dog facility in Port Macquarie
- Camden Haven Recreational Boating Improvements is ongoing. The Boat Ramp upgrade is planned to follow the busy summer boating season. Full scope of works for the upgrade of Dunbogan and Bruce Porter Reserve to be confirmed pending funding applications through Roads and Maritime Services
- Hastings River Recreational Boating Improvements is progressing

Delivery Program Objective: 2.3.3 Develop and implement management of operational and maintenance programs for open space, recreational and community facilities

- The Playground equipment replacement program is underway with Laura Place, Laurieton Oval and Long Flat playgrounds planned to start construction in March. Lasiandra and Foreshore Reserve starting April, River Street, Sancrox and Pioneer Park starting May/June 2018
- The Recreational walkway replacement program underway with the pathway at Binbilla Reserve Bonny Hills complete and Flagstaff walkway renewal designs underway

Delivery Program Objective: 2.3.4 Plan, investigate, design and construct open spaces, recreational and community facilities

- The Master Plan has been developed for the Port Macquarie Coastal Walk and was adopted by Council with detailed designs to be completed
- Town Green improvements complete
- Town Square construction complete
- The Hastings Regional Sporting Facility has pre-construction works progressing to schedule
- Mrs Yorks Garden – Construction of Woodlands Walk. Allman Hill stairs to commence in late January 2018
- Lake Cathie Accessible Fishing Platform complete

Service: Compliance

Delivery Program Objective: 2.1.3 Conduct regulatory and educational activities, which safeguard public and environmental health, and ensures compliance with planning and building standards

A range of activities have been conducted to support the outcomes of this Delivery Program objective, some of which include:

- 231 pool inspections undertaken
- 517 risk based audit inspections relating to on-site sewage undertaken
- 138 inspections relating to development approvals and building, environmental, public health and on-site sewage standards undertaken
- 23 fire safety inspections undertaken

Service: Environmental Testing

Delivery Program Objective: 2.1.3 Conduct regulatory and educational activities which safeguard public and environmental health, and ensures compliance with planning and building standards

- Sampling, analysis and reporting of operational and regulatory requests have been undertaken in accordance with required service standards
- National Association of Testing Authorities (NATA) corporate accreditation has been maintained

Service: Community Place

Delivery Program Objective: 2.2.1 Support and advocate for all community sectors

- The Youth Advisory Committee involved in Youth Week planning
- Implementation of identified actions from the Aboriginal Awareness and Understanding Strategy ongoing
- Round 1 of the Community Grants Program complete with Round 2 to open in February 2018
- A number of key events have been held across the region including Moonlight Movie events in Bonny Hills and Wauchope, the School Holiday Program at local Libraries, Author Talk at the Library and installation of the Pappinbarra Playground project, Waves and Melodies at Town Beach and Rainbow Rhythms at Bonny Hills

Delivery Program Objective: 2.3.1 Ensure access to community facilities and activities: including access to natural environment

- Implementation of the Disability Inclusion Action Plan ongoing

Delivery Program Objective: 2.3.5 Plan and deliver innovative Library Services which cater for new technology and growing population.

- Library membership up from 32,167 (July) to 33,339 (December 2017).
- Graffiti Blasters Program ongoing with additional work conducted in Bonny Hills in December 2017

Delivery Program Objective: 2.4.1 Work with the community to identify and address community needs, to inform Council processes, services and projects

- The Volunteer Program has seen work undertaken with key volunteer groups for Beach to Beach, School to School and the Lions Club

Service: Building Maintenance

Delivery Program Objective: 2.3.3 Develop and implement management of operational and maintenance programs for open space, recreational and community facilities

- Scheduled and reactive maintenance programs of all Council-owned buildings including office furniture replacement is being undertaken according to the works program
- Building rectification works have been undertaken in line with Council Asset Management
-

Community Theme 3 – Your Business and Industry

What are we trying to achieve

The Port Macquarie-Hastings region is a successful place that has vibrant, diversified and resilient regional economy for people to live, learn, work, play and invest

What the result will be

- > 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, tourism, recreational and/or community hubs
- > A region that attracts investment
- > Partnerships that maximise economic return and create an efficient and effective business environment

How we know we are progressing

- > There is growth and development of new industries and business
- > Tourism and major events contribute to increased economic activity
- > There are greater opportunities for investment across the region
- > Council is recognised for its role in fostering partnerships that contribute to business and industry growth

Service: Economic Development

Delivery Program Objective: 3.1.1 Assist the growth of local business and industry, ensuring this is a central consideration of Council activities

- Implementation of the Economic Development Strategy is ongoing with a report on implementation presented to Council in November 2017
- The annual business confidence survey was undertaken in August with results indicating that local business conditions are stable and expected to improve further

Delivery Program Objective: 3.1.3 Implement Major Events Strategy

- Implementation of actions within the Major Events Strategic action plan are underway, with distribution of the Event Sponsorship funding finalised and reported to the October 2017 Council Meeting

Delivery Program Objective: 3.1.4 Implement the Destination Management Plan

- Implementation of actions within the Destination Management Plan are underway
- New monthly visits to the destination website increased by 19.59% exceeding the set target of 15%

Delivery Program Objective: 3.4.2 Support local business networks

- Ongoing meetings attended on a monthly basis with Camden Haven, Port Macquarie and Wauchope Chamber of Commerce to support initiatives
- Meetings attended with the Business Hub to support local business networks

Delivery Program Objective: 3.4.3 Encourage innovation that will support our growth as a regional city including smart community technology

- Implementation of actions from the Digital Strategy is ongoing

Service: Airport

Delivery Program Objective: 3.3.1 Develop, manage and maintain Port Macquarie Airport as a key component of the regional transport network and continue to grow the airport's contribution to the regional economy

- Port Macquarie Airport Terminal upgrade has progressed to the detailed design phase of the project
- Over 115,500 passengers have been recorded for the Airport with over 408 aircraft movements recorded
- Port Macquarie Airport Master Plan including development of the Airport Business Park is ongoing

Delivery Program Objective: 3.1.2 Optimise the use of appropriately zoned land for business uses

- Preparation of the Local Environmental Plan and Development Control Plans in relation to the business park near the Port Macquarie Airport are ongoing, with a draft Council report completed pending the biodiversity certification for Council Airport land

Service: Strategic Land Use Planning

Delivery Program Objective: Optimise the use of appropriately zoned land for business uses

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

Community Theme 4 – Your Natural and Built Environment

What are we trying to achieve

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

What the result will be

- > 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 to 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 know we are progressing

- > We have water, waste, and sewer systems that are efficient, maintained and environmentally compliant
- > Consideration, is given to climate change impacts and potential mitigation
- > Programs are implemented to support, the condition of the natural environment
- > The road and transport network is well planned and maintained
- > The transport network, recreational facilities, and open spaces, reflect community priorities
- > Coordinated urban development is, well planned to meet projected population growth
- > We successfully preserve local flora and fauna
- > Renewable energy options are, promoted

Service: Water Supply

Delivery Program Objective: 4.1.1 Plan, investigate, design and construct water supply assets ensuring health, safety, environmental protection and security of supply for the future growth of the region

- Over 390 new water supply services have been installed to residential and business properties to cater for new development during July to December 2017
- Concept designs for construction of Granite Street Reservoir are being finalised and will be ready for tender in February/March 2018
- The first stage of construction of the reclaimed water trunk main at Area 14 is nearing completion
- Land acquisition and concept designs are currently being finalised for the Thrumster reclaimed water reservoir project
- Designs are nearing completion for Beechwood Rosewood Reservoir

Service: Sewerage

Delivery Program Objective: 4.1.3 Plan, investigate, design and construct sewerage assets ensuring health, safety, environmental protection and the future growth of the region

- Designs are underway for the Port Macquarie Sewer Pump Station 71
- The upgrade of the Port Macquarie Reclaimed Water Treatment Plant is ongoing
- The sewerage upgrade at Area 15 for Lakewood/Kew is complete
- New sewer main connections at Stingray Creek Bridge is complete
- Dunbogan Sewerage Treatment Plant sewer rising main extensions have designs underway

Delivery Program Objective: 4.1.4 Develop and implement annual maintenance and preventative works program for sewerage assets

- Programmed replacement and maintenance of sewerage assets including, sewer pumps, electrical switchboards, membrane replacement, odour control installations, minor extensions and pipelines are on target and ongoing

Delivery Program Objective: 4.8.1 Ensure all Council operations comply with environmental standards and regulations

- Operating and maintaining sewerage treatment plants in accordance with environmental licences, adopted maintenance programs and safety requirements is on target

Service: Stormwater and Drainage

Delivery Program Objective: 4.1.5 Work towards planning, investigation, design, construction of stormwater assets

- Designs are underway for stormwater drainage at Lake and Jindalee Road Port Macquarie
- Designs are underway for stormwater drainage at Gordon and Owen Street Port Macquarie
- Piped drainage – Stage 1 works at Batar Creek Road and Laurel Street Kendall has commenced
- Stormwater detention facility at Black Swan Terrace has initial concept plans received with review undertaken and is pending concept plan amendments
- Stormwater remediation works at Calwalla Crescent has project planning ongoing

Delivery Program Objective: 4.1.6 Develop and implement annual maintenance and renewal programs for stormwater assets

- The stormwater maintenance and repairs program including inspections, cleaning, clearing, minor drainage remediation/improvements condition assessments are underway to confirm total scope of works
- Settlement Shores and Broadwater canal maintenance are ongoing
- The Settlement Shores hydrographic survey and maintenance planning has been completed with the maintenance plan adopted at the Ordinary Meeting of Council in October 2018
- The stormwater renewal program including works for stormwater Remediation; 10 Dilladerry Cr - Port Macquarie, Lincoln Rd/ Racewyn Close, drainage improvement work has project planning finalised

Service: Roads, Bridges and Transports

Delivery Program Objective: 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

- North South Link Road has Stage 3 (final stage) of the project underway
- Footpath construction has been completed at Sherwood Road and Park Street Port Macquarie and Bain Street Wauchope, various other footpaths to follow
- Bulli Creek Bridge replacement on Comboyne Road has construction planning finalised with bridgework commenced
- Construction of improved pedestrian amenity on Wauchope Main Street, Stage 1 has confirmation of funding confirmed by Roads and Maritime Services. Project planning is also underway for engagement of Roads and Maritime Services project manager for Wauchope Main Street – Stage 1
- Replacement bridge over Hartys Creek on Comboyne Road is expected to commence in April 2018
- Preconstruction works for the duplication of Greenmeadows Drive south to Matthew Flinders Drive has designs complete
- Beechwood Road (segments 20,40 and 50) preconstruction upgrades had the design contract awarded at the December Ordinary Council Meeting

- Lake Road upgrade to widen the westbound carriageway between Toorak Court and Oxley Highway has construction commenced
- Beechwood Road reconstruction designs for stages 5 and 6 has design planning ongoing
- Hastings River Drive – Newport Island Road roundabout has construction planning ongoing
- Houston Mitchell Drive construction of Stages 2 and 3 complete
- Upgrade to Ocean Drive from Mountain View Road to Fairwinds Avenue is nearing completion
- Pedestrian amenity improvements – Kew to Laurieton along Ocean Drive and Bold Street has preconstruction planning underway
- Structural repairs for Kindee Bridge has Stage 1 complete and Stage 2 planned for early 2018
- The Roads Maritime Service (RMS) grant funding relating to the Safety Program and Active Transport Program have projects commenced where funding was clarified in December 2017. Projects included Wauchope Main Street and Beach to Beach, however timelines for delivery revised based on funding advice
- Hyndmans Creek Bridge replacement on Comboyne Road is complete
- Albert Street (single lane) timber bridge replacement has the construction tender awarded with construction planned for early 2018
- O’Neills Bridge - Batar Creek Road replacement has construction design and construction tender awarded
- Shared path between Miala Street and Lake Cathie Medical Centre at Ocean Drive is complete
- Dual carriageway upgrades to Gordon and Horton Street to Lake Road has construction complete. Project was extended to include upgrades to Hay and Hayward Streets
- Pedestrian crossing at Bold Street Laurieton has detailed design underway
- The broad analysis of priorities for sealing of unsealed roads has discussions ongoing for program development

Delivery Program Objective: 4.4.2 Develop and implement annual maintenance and renewal programs for transport assets

- The annual unsealed road maintenance program, sealed road maintenance program and bridges and culverts maintenance program are all ongoing
- Road resealing and rehabilitation has been undertaken in the following locations
 - Glen Haven Dr, Lakewood
 - Captain Cook Bicentennial, Laurieton
 - Diamond Head Rd, Dunbogan
 - Ocean Drive, Lakewood
 - King Creek Rd, Wauchope
 - Sarahs Cres, Wauchope (final seal to be applied)
 - Stoney Creek Rd, Wauchope
 - Redbank Rd, Wauchope (final seal to be applied)
 - Pembroke Rd, Pembroke
 - Beechwood Rd, Beechwood
 - Blackbutt Rd, Port Macquarie
 - Hill St (Lake Rd to Lord St), Port Macquarie
 - Rollands Plains Rd, Rollands Plains

- Beechwood Rd (Oxley Hwy), Wauchope
- Houston Mitchell Dr, Lake Innes
- Wauchope local streets included Nelson, Parker, Campbell, Waugh, Young, Mackay, Johnstone, Cowdery and Webb
- Reseal Programme included:
 - West Haven/Lakewood, Asphalt Rejuvenation
 - Rocks Ferry Area, Wauchope, Bitumen Reseal
 - Riverbreeze Area, Wauchope, Asphalt Rejuvenation
 - Redbank Rd, Wauchope, Bitumen Reseal
 - Stoney Creek Rd, Wauchope, Bitumen Reseal
 - Old King Creek, Wauchope

Delivery Program Objective: 4.4.3 Develop and implement traffic and road safety programs

- The Road Safety Action Plan is being delivered in accordance with Transport of NSW Roads and Maritime Services guidelines
- The report on the Area Wide Traffic Study has been received and is currently under review

Service: Strategic Land Use Planning

Delivery Program Objective: 4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development

- Project planning is completed for facilitating development in the Major Innes Road/Charles Sturt University Precinct, including the Port Macquarie Hospital Precinct
- The Urban Growth Management Strategy public exhibition period is complete and will be provided to Council for review
- Review of the Port Macquarie-Hastings Local Environmental Plan (LEP) 2011 is ongoing
- Review of the Port Macquarie-Hastings Development Control Plan (DCP) 2013 is ongoing
- LEP and DCP amendments for the proposed Yippin Creek urban release area to the west of Wauchope has the project charter complete with work to commence in February 2018 to gauge landowner interest in rezoning

Delivery Program Objective: 4.5.2 Plan for infrastructure that supports population growth

- Review of the Development Contribution Plan for open space is scheduled to be presented to the Ordinary Council Meeting in February 2018 and then placed on public exhibition in March and April 2018

Delivery Program Objective: 4.6.1 Develop and implement a range of programs for the environmental management of lands within the local government area

- Draft Koala Plan of Management adopted at the Ordinary Council Meeting in December 2017 and will proceed for state review

Service: Natural Resource Management

Delivery Program Objective: 4.2.1 Develop and implement Coastal, Estuary, Floodplain, and bushfire management plans

- The annual maintenance program for bushfire risk mitigation works on Council land is being undertaken in accordance with the Bush Fire Risk Management Plan

Delivery Program Objective: 4.6.1 Develop and implement a range of programs for the environmental management of lands within the local government area

- Over 540ha of land have been treated for invasive weeds and over 600kms of weed dispersal routes treated as part of the Weed Management Program
- Feral animal control has been undertaken on Council-controlled land at Kingfisher Tip, North Shore, Christmas Bells and North Haven and Port Water catchment supply area
- Ongoing education of residents, industry and community group on Council's tree management requirements with the Port Macquarie-Hastings 2013 tree management Development Control Plan is ongoing
- Riparian restoration works are ongoing with over 30km of lineal control undertaken
- Over 900 customer requests relating to tree matters have been handled during July to December 2017, including those relating to public, private and illegal tree works
- Tree maintenance works including pruning or removal of high-risk trees has been undertaken as scheduled. Current status of total work is:
804 trees listed for works and of those
Very High Risk (Priority 1) – 18,
High Risk (Priority 2) – 290,
Moderate/Low Risk (Priority 3-6) – 496

Delivery Program Objective: 4.8.2 Increase community awareness and enable access to the natural environment

- Delivering Bushfire preparedness programs to the community are ongoing. Joint support with the Rural Fire Service to prepare the Bush Fire Risk Management Plan (BFRMP) community engagement strategy, which is planned for public engagement during January and February 2018

Delivery Program Objective: 4.8.3 Promote Biodiversity Programs

- The draft Biodiversity Strategy was adopted to the Ordinary Council Meeting in December 2017 and is planned to be placed on public exhibition in January/February 2018

Service: Asset Management

Delivery Program Objective: 4.1.6 Develop and implement annual maintenance and renewal programs for stormwater assets

- Condition assessment works have commenced on a representative sample of stormwater assets to inform the future works program

Service: Building Maintenance

Delivery Program Objective: 4.7.1 Promote renewable energy outcomes within Council

- Installation of the solar energy system at the Council Office and Library in Laurieton is progressing
- LED lighting upgrades for the Port Macquarie-Hastings Council office building is ongoing

Service: Development Assessment

Delivery Program Objective: 4.3.1 Undertake transparent and efficient development assessment in accordance with relevant legislation

- Over 950 Development Applications, s96 Modifications, Construction Certificates and Complying Development Certificates were determined within agreed processing times for the July to December 2017 period
- No legal appeals relating to Development Applications have been received in relation to processing

Service: Waste Management

Delivery Program Objective: 4.1.7 Develop and implement effective waste management strategies

- Details designs have commenced for the King Fisher Waste Depot expansion
- The education program relating to residential, commercial and industrial waste separation is ongoing. The delivery methods are currently under review

Options

It is a statutory requirement under the Integrated Planning and Reporting legislation to report on what has been delivered against the Delivery Program on a six monthly basis.

Community Engagement & Internal Consultation

- Planning and Reporting Officer
- Integrated Planning and Reporting Development Officer
- Group Manager Corporate Performance
- The General Manager, Directors, Group Managers and staff reporting against annual 2017-2018 Operational Plan which provides supporting data for the Delivery Program Progress Report

Planning & Policy Implications

This report is aligned with legislative obligations under the Local Government Act and Regulation and the requirements of the NSW Integrated Planning and Reporting Framework.

Financial & Economic Implications

There are no direct financial implications from this report. Quarterly budget review statements (QBRs) align with the reporting period referenced in this report. The QBRs was tabled at the February 2018 Ordinary Meeting of Council.

Attachments

- 1 [View](#). Attachment A - 2017-2021 Delivery Program and 2017-2018 Operational Plan Exception Report as at 31 December 2017

Item: 09.07

**Subject: DRAFT INTEGRATED PLANNING AND REPORTING (IP&R)
DOCUMENTS FOR PUBLIC EXHIBITION**

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Place the following Integrated Planning and Reporting (IP&R) documents on public exhibition for a period of 28 days from 22 March to 22 April 2018:**
 - a) Draft Delivery Program 2017-2021 (Revised 2018) and Draft Operational Plan 2018-2019**
 - b) Draft Fees & Charges 2018-2019**
 - c) Draft Revenue Policy 2018-2019**
 - d) Rating Maps 2018-2019**
- 2. Note that a further report will be tabled at the June 2018 meeting of Council for the adoption of the 2018-19 IP&R documents, detailing the submissions received from the public during the exhibition period.**

Executive Summary

It is a Local Government statutory requirement for NSW Councils to develop the Integrated Planning and Reporting (IP&R) suite of documents, and for them to be endorsed by Council, by 30 June in year following a Council election. The legislation (Section 404 and 405 of the Local Government Act (1993)) also requires the IP&R documents be placed on public exhibition for a minimum of 28 days before being endorsed by the Council.

On the 21 June 2017 Council adopted the entire IP&R suite of documents which included the 2017-2021 Delivery Program (DP) that details the priorities of Council during their term of office. For each year of the Four Year Delivery Program, Council is required to review the Delivery Program and develop a one year Operational Plan which outlines the activities, performance measures, and budgets that will be undertaken for 2018-2019 to achieve the commitments made in the Delivery Program.

The total 2018-2019 budgeted expenditure (excluding depreciation and infrastructure asset write-offs) will be \$215.0m, with total revenues expected to be \$193.3m. The difference between the income and expenditure is funded from a combination of loans and money previously allocated to reserves for specific purposes. This results in a net cash shortfall position for 2018-2019 of \$411k. Further information relating to

the draft 2018-2019 budget can be found under the Financial & Economic Implications section of this report, and in the attached documents.

The 2018-2019 financial year will see Council continue to deliver/commence some major infrastructure works such as the Hastings Regional Sporting Facility, Port Macquarie Airport Terminal Upgrade, Port Macquarie Coastal Walk, Southern Arm Trunk Main, Hartys Creek Bridge Replacement, Hastings Regional Sporting Facility, Small Town Sewerage Schemes, Bago Road Pavement Rehabilitation along with Road Resealing and other works.

In addition to delivering some major projects, Council will continue to deliver services such as water and sewer, library, cultural services and waste.

The purpose of this report is to seek approval to engage the community and other stakeholders, over the minimum 28 day exhibition period (22 March to 22 April 2018) to provide their feedback on the draft 2018-19 IP&R documents.

Following this period of consultation, a further briefing will be held with Councillors to discuss the community feedback. As a result, some changes may be made. Legislatively, the final planning documents are required to be presented to Council for adoption no later than 30 June 2018.

Discussion

In 2009, the NSW Government adopted a new Integrated Planning and Reporting (IP&R) framework within the Local Government Act (1993) which legislates the way councils draw their plans together in consultation with their community, while also preserving local identity and working towards a sustainable future.

The framework included the development and review of IP&R suite of documents every four years following a council election. To comply with legislation Port Macquarie-Hastings Council has completed a review and developed its suite of planning documents following the September 2016 council election.

The Integrated Planning suite of documents consisted of:

- Community Strategic Plan (CSP)
- Four year Delivery Program (DP)
- Resourcing Strategy (RS) consisting of the Long Term Financial Plan (LTFP), Workforce Management Plan and Asset Management Strategy and Plan
- Annual Operational Plan (OP) including Fees and Charges, Revenue Policy and Rating Maps

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

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

- Leadership and Governance;
- Your Community Life;

- Your Business and Industry; and
- Your Natural and Built Environment.

Being the first year of the elected council, a review and update of the following IPR documents was conducted by council in preparation for the minimum 28 days public exhibition.

Delivery Program 2017-2021(Revised 2018) and 2017-2018 Operational Plan

This combined document includes:

Four Year Delivery Program (DP)

Developed by Councillors for their four year term the DP is Council's commitment to undertake principal activities under each of the community themes as established by the CSP within the resources available under the Resourcing Strategy. The DP includes the intended outcomes, how performance will be assessed and a four year financial plan. Council reviews its Delivery Program each year when preparing the Operational Plan in compliance with legislation.

One Year Operational Plan (OP)

Supporting the DP is the one year OP which includes individual projects and actions which will be undertaken during the 2018-19 financial year. This document is organised by the community themes that are consistent throughout the integrated council suite of documents.

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

The proposed 2018-19 capital works program is included within the body of the Operational Plan towards the end of each Community Theme and totals \$87.1m.

Some of the major commitments in capital works and operational priorities for 2018-19 include:

Across the region

- Road resealing works throughout the Local Government Area - \$2,000,000
- Construction of footpaths in the Local Government area - \$500,000
- Local roads proactive transport program - \$1,000,000
- Stormwater Renewal Program \$646,930

Laurieton, Camden Haven and surrounds

- Southern Arm Trunk main – Pacific Hwy to Bonny Hills \$7,000,700
- Continue Camden Haven River Recreational Boating improvements
- Lake Street Laurieton - Stormwater Remediation works- \$320,000
- Small Town Sewerage scheme - Comboyne - Provision of centralised sewerage systems\$6,646,900
- Playground/Reserve upgrades
 - Pilot Beach Reserve - Replacement of public amenities \$100,000
 - Kendall Local Park - Replacement of Skate Park - \$150,000

- Wall Reserve, The Parade - Playground Replacement - \$84,950
- Riverfront Reserve - Reserve Improvements - \$30,000

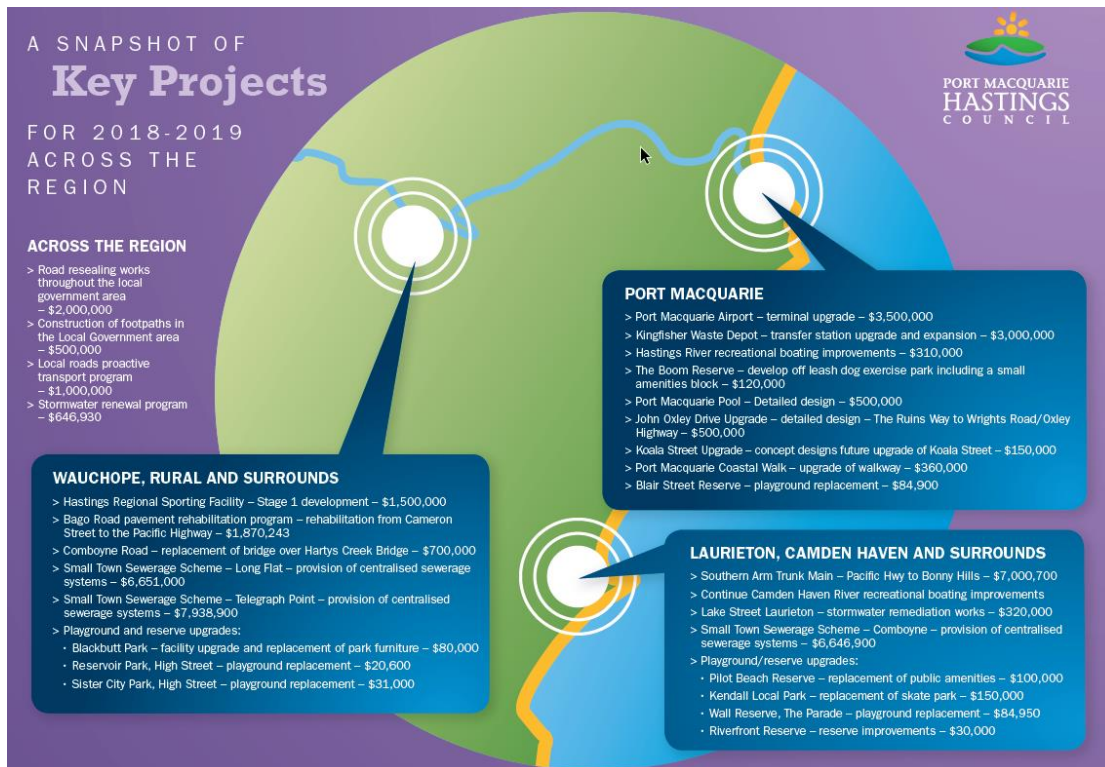
Port Macquarie

- Port Macquarie Airport - terminal upgrade - \$3,500,000
- King Fisher Waste Depot - Transfer Station upgrade and expansion - \$3,000,000
- Hastings River Recreational Boating Improvements - \$310,000
- The Boom Reserve - Develop off leash dog exercise park including a small amenities block - \$120,000
- Port Macquarie Pool - Detailed design - \$500,000
- Construction of Granite Street Reservoir - \$ 5,007,800
- John Oxley Drive Upgrade - Detailed Design - The Ruins Way to Wrights Road (Oxley Highway - \$500,000
- Koala Street Upgrade - Concept Designs future upgrade of Koala Street - \$150,000
- Port Macquarie Coastal Walk - Upgrade of Walkway - \$360,000
- Blair Street Reserve - Playground Replacement - \$84,900

Wauchope, Rural and surrounds

- Hastings Regional Sporting facility - Stage 1 development - \$1,500,000
- Bago Road Pavement Rehabilitation Program - rehabilitation from Cameron Street to the Pacific Highway - \$ 1,870,243
- Comboyne Road - Replacement of bridge over Hartys Creek Bridge - \$700,000
- Small Town Sewerage scheme - Long Flat - Provision of centralised sewerage systems \$6,651,000
- Small Town Sewerage scheme - Telegraph Point - Provision of centralised sewerage systems \$7,938,900
- Blackbutt Park - Facility upgrade and replacement of park furniture \$80,000
- Reservoir Park, High Street - Playground Replacement - \$20,600
- Sister City Park, High Street - Playground Replacement - \$31,000

A snapshot of key projects across the region is shown below:



Supplementary documents

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

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

Fees and Charges and Revenue Policy

Council delivers a wide range of chargeable services to the community. In determining the appropriate level of fees to be charged, a range of issues are considered such as what is fair and equitable, and how much the service costs to provide.

Taking this principle into account, the 2018-2019 fees and charges for services in a number of categories have included an increase reflecting CPI. These increases apply to categories where the individual costs are met by the user of the service, where Council operates in a competitive marketplace or Council provides services on a commercial basis.

Rates

The Local Government Minister's allowable increase for the 2018-2019 financial year has been set at 2.3% and has been applied in full.

Water Charges

Water charges will continue to be charged under the current two-tier water pricing tariff structure. The annual water charge and usage charges are proposed to increase by 2.3% for the 2018-2019 financial year. Reclaimed water will be charged at 50% of the potable water charge.

Sewer Charges

All properties connected or capable of connection, to the sewerage system will be subject to an annual charge. In addition, properties such as major regional shopping centres, caravan parks, flats, retirement homes, motels, clubs, hotels, schools and backpacker hostels will be required to pay an additional charge based on the amount of water consumed. The annual sewerage charge has been increased by 2.3% in line with the general fund rate peg approved by IPART.

Onsite Effluent charges

Properties with an on-site effluent management system will be charged an on-site effluent management fee based on the risk of the system. This fee has been increased by 2.3% for 2018–2019.

Stormwater charges

Council charges a stormwater levy on all urban properties (except vacant land) that are in the residential and business rating categories and where a stormwater management service is provided. The base stormwater levy has remained unchanged since it was introduced by the State Government in 2006-2007.

Domestic Waste Management charges

The charges to apply to domestic waste management are determined in accordance with the Reasonable Cost guidelines issued by the Office of Local Government. All properties with a domestic waste management services available to their property will be charged an annual charge under Section 496 of the *Local Government Act 1993*.

Other Waste Management charges

All properties with a non-domestic waste management service will be charged an annual charge under Section 501 of the *Local Government Act 1993*.

All waste management charges have been increased for 2018–2019 by 2.3%.

Options

Council could adopt the recommendation as proposed.

Council could seek additional information on the content of the IP&R suite of documents prior to placing on exhibition noting this would delay the proposed minimum 28 days exhibition period (22 March - 22 April 2018) and potentially impact ability to meet legislative timeframes for adoption of the planning suite of documents.

Community Engagement & Internal Consultation

In line with legislative requirements Councils are required to place the draft Integrated Planning and Reporting documents on public exhibition for a minimum of 28 days, allowing for public submissions to be received during this time.

The purpose of this engagement is to ensure that all stakeholders including the Port Macquarie-Hastings community, Councillors and Council staff, are able to access, and provide feedback on the development, implementation and review of the draft 2018-19 IP&R documents which are the:

- Draft Delivery Program 2017-2021(Revised 2018);
- Draft Operational Plan 2018-2019;
- Draft Fees & Charges 2018-2019;
- Draft Revenue Policy 2018-2019; and
- Draft Rating Maps 2018-2019;

Feedback gathered through this engagement will be used to inform Council when finalising the IP&R suite of documents which will be presented to Council for adoption in June 2018.

The ways in which Council will engage with the community during the public exhibition period are described in Table 1 and align to Councils Engagement Policy.

For this engagement it has been deemed appropriate to inform and consult with the community using a variety of methods as detailed in table 1.

Table 1

Engagement Level	Method	Purpose
Inform <i>To provide stakeholders with balanced and objective information to assist in understanding the problem, alternatives, opportunities and/or solutions.</i>	Fact sheets	Provide information on the process, draft information and ways in which the community can provide feedback
	Community newsletter	Article included to inform the community of the process and engagement activities taking place
	Communications: <ul style="list-style-type: none"> • Media releases • E news • Social media • PMHC Website 	Inform wider community of, process exhibition and opportunities to have a say.
Consult <i>To obtain stakeholder feedback on analysis alternatives and/or decisions. To work directly with stakeholders throughout the process to ensure that the stakeholders' concerns are consistently</i>	Draft documents to view	The draft suite of documents will be available to view and make a submission at the Council offices and Libraries.
	Online forum	Council's 'Have Your Say' website will have a dedicated discussion page to provide information, view the draft documents and the opportunity for the community to lodge a submission.

Engagement Level	Method	Purpose
<i>understood and considered.</i>	Information Stands	Information stands will take place across the region throughout late March to mid April 2018 to provide the community with the opportunity to view the draft documents ask questions and make a submission.

The public exhibition period is 22 March to 22 April 2018. All submissions received during this period will be acknowledged, considered and reviewed in a workshop with Councillors.

All community members that made a submission will receive a response, following the June 2018 Council meeting.

Internal consultation has taken place with:

- Councillors;
- Executive; and
- Group Managers

Ongoing work is occurring internally to forecast the year end 2017/18 position and this may inform the 2018/2019 works program. A review is currently underway to better understand the expected end of year position for the program and forecast carry over work load and budgets. Concurrently, resource planning and scheduling relating to delivery of these programs is also underway.

A review of the Glasshouse Strategic Plan is also underway.

The results of these reviews, in addition to submissions received through the consultation period, will be discussed with Councillors prior to final documentation being prepared for consideration at the June 2018 Ordinary Meeting of Council.

Planning & Policy Implications

This report is aligned with Council's obligations under the NSW Integrated Planning and Reporting Framework legislative requirements.

Financial & Economic Implications

The Resourcing Strategy, Revenue Policy and Fees and Charges documents contain a detailed explanation of the financial implications associated with the 2018-2019 Operational Plan.

In summary, the 2018-2019 budget forecasts a shortfall budget of \$411k as shown in Table 2.

Table 2

Budget Summary Table Surplus/(Shortfall)	
	2018 - 2019 Draft Budget \$'000
Operating Budget	
Operating Income	186,806 ^
Developer Provided Asset Contributions	6,533 ^
Operating Expenses (ex Interest Expense, ex Depreciation, ex Loss on disposal of assets)	(107,240) *
Interest Expense	(2,994) *
Net Operating Budget	83,105
Capital Items	
Net transfers from reserves	19,774
New Loans	1,500
Purchase of Assets	(87,143) *
Developer Provided Assets	(6,533) *
Loan Principal Repayments	(11,114) *
Net Capital Result	(83,516)
Budget Result surplus/(shortfall)	(411)

Excluding depreciation and infrastructure asset write-offs the total expenditure is \$215.0m which includes the items in Table 1 marked with an *. These are:

- \$107.2m operational costs
- \$3.0m interest expense
- \$87.1m in capital works
- \$6.5m in developer provided assets
- \$11.1m in loan repayments

Total projected income is \$193.3m consisting of items in Table 2 marked with an ^. These are:

- \$186.8m in operating income
- \$6.5m in developer provided asset contributions

It should be noted that the 2018-2019 draft budget includes grant funding from the Federal Government in the form of Financial Assistance Grants. The budget has assumed a small uplift from the 2017-2018 levels. Any reduction to this funding could impact upon Council's ability to deliver services.

Attachments

1[View](#). Draft Delivery Program 2017-2021 (Revised 2018) and Draft Operational Plan 2018-2019

2[View](#). Draft Fees and Charges 2018-2019

3[View](#). Draft Revenue Policy 2018-2019

4[View](#). Draft Rating Maps 2018-2019

Item: 09.08**Subject: MONTHLY FINANCIAL REVIEW FOR FEBRUARY 2018****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 February 2018.

Executive Summary

This report will detail the monthly budget adjustments to 28 February 2018.

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 \$64,023. The budget adjustments included in this report will maintain the budget position at 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
December Review	-	-
January Review	Balanced	\$0
February Review	Balanced	\$0
Forecast budget position for 30 June 2018	Shortfall	(\$64,023)

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	\$76,600
Reserve Transfers	2	Reserve	\$257,400
Transfer between projects	3	Revenue	\$81,993
Council Report	4	Reserve	\$600,000
Additional Income	5	Revenue	\$70,000
S94 Funding	6	S94	\$498,508
Contributions Received	7	Contributions	\$20,000
Deferrals/Deletions	8	Reserve/Grant	(\$33,981,879)
Total			(\$32,377,378)

1. *Grant funding.*

The total **increase** in project value for 2017-2018 is **\$76,600**.

Council project	Grant provider	Amount	Funding	Comments	Section
Better Waste & Recycling Fund	NSW Office of Environment and Heritage	\$64,000	Grant	Total grant received is \$111,103. \$47,103 will be expended in the 18/19 financial year	Waste Management
Multi Unit Dwellings Organics Recovery Project	NSW Environmental Trust	\$12,600	Grant	Total grant received is \$253,600. The project will be completed over 3 years and this amount is the	Waste Management

				expected expenditure in 2017/18.	
TOTAL		\$76,600			

2. Reserve Transfers

Additional reserve funding has been used this month to fund the following projects.

Project Name	Reserve	T/f from (reduction) T/f To (increase)	Other Funding	Reserve Amount	Comments
Airport – Carparking System Upgrade	Airport	T/f from	Nil	\$35,000	This is to cover the purchase of new credit card readers and provide Paywave functionality for the carpark at the airport.
Asset revaluations – Water and Sewerage	Water & Sewer	T/f from	Nil	\$4,400	The revaluation of water and sewerage assets was undertaken in the 2016/17 financial year. This adjustment is to cover the final invoice for those revaluations.
Chemical Dosing System Upgrade	Water	T/f from	Nil	\$200,000	This is to cover conversion of liquid sodium hypochlorite dosing systems to chlorine gas and chemical dosing instrument upgrades.
Building and Operational Land Revaluation	Asset Revaluati ons	T/f from	Nil	\$18,000	Council undertook an RFQ for the revaluation of all Council operational land and buildings as required by the Local Government Code of Accounting Practice. The successful applicant's price is above the current budget. There is sufficient funds in the revaluation reserve to cover this.
Net Transfer from reserves				\$257,400	

3. *Transfer between projects*

Project Name – Funds transferred to	Project Name – Funds Transferred from	Budget	Funding	Comments
Communications	Economic Development	\$81,993	Revenue	This adjustment is to better reflect the costs of the communications section for work carried out by the Manager of Economic Development and Communications.
Total		\$81,993		

4. *Council Reports*

Two adjustments due to Council reports have been included this month.

1. The following was resolved at the 13 December 2017 Council meeting.

12.10 WAYFINDING SIGNAGE STRATEGY

MOTION: Turner/Cusato

That Council note the recent development of a Port Macquarie-Hastings Wayfinding Signage Strategy for implementation.

CARRIED: 7/0
FOR: Cusato, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

The following was included in the financial and economic implications.

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 grant approval was received on the 6 February 2018 and as such the above adjustments have been included in this review.

2. The following was resolved at the 21 February 2018 Council meeting.

12.14 LAKE CATHIE DREDGING - RESCUING OUR WATERWAYS GRANT

RESOLVED: Dixon/Turner

That Council:

1. *Note the information contained within the Lake Cathie Dredging – Rescuing our Waterways Grant Report*
2. *Re-allocate \$53,000 of funding from the Maintenance of 4WD Access Points Reserve for use in dredging of Lake Cathie*
3. *Accept the grant from the Department of Industries – Lands and supplement the balance of Council's required project contribution from the following funding sources:*
 - a) *Lake Cathie Dredging Reserve.*
 - b) *Floodplain Management Strategy.*
 - c) *Climate Change Strategy.*
 - d) *Riparian Vegetation.*

CARRIED: 8/0

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

AGAINST: Nil

A total budget of \$350,000 has been included in this review, \$175,000 in grant funds and \$175,000 funded by Council.

5. *Additional Income*

Council is expecting to receive income from its public halls in the amount of \$70,000 this financial year. All of this income has been applied to the maintenance of the halls.

6. *S94 Funding*

S94 funding has been allocated to the following project.

Project	S94 Plan	Amount	Comment
Shelly Beach Corridor Environmental Management	VPA	\$11,931	This is part of a voluntary planning agreement
King Creek Road Upgrade	King Creek	\$486,577	S94 funding is available within the King Creek S94 plan. This project is being completed to make use of those funds.
Total		\$498,508	

7. *Contributions Received*

On occasion Council receives contributions from the public towards capital works. The following contribution has been received.

Project	Received From	Amount
Long Flat Sport & Recreation Grounds – Playground Replacement	Long Flat Pre-school	\$20,000

8. *Deferrals*

A number of projects within the water and sewerage sections have been deferred or deleted in this review.

Project Name	Amount Budget Reduced	Funding	Comments
Sewerage Fund			
Small Towns Sewerage Schemes	\$5,988,000 \$15,248,800	Grant Sewerage Reserves	The majority of the budget for the three Small Towns Sewerage Scheme projects (Long Flat, Comboyne, Telegraph Point) have been transferred to 2018/19.
Area 15 Sewerage Upgrade	\$3,721,575	Section 64	The budget has been reduced to cover project management for the STP upgrade.
SRM Extension to the Dunbogan STP Inlet Works	\$60,000	Sewerage Reserves	The budget has been reduced to cover 2017/18 anticipated expenditure.
Reclaimed Water - Area 14 Reclaimed Trunk Main - Inlet	\$850,000	Sewerage Reserves	The budget has been reduced to cover costs of finalisation of preconstruction and commencement of construction works.
Technical Instruments - Sewer	\$18,000	Sewerage Reserves	Budget reduced to cover 2017/18 anticipated expenditure.
Total Sewerage Fund	\$25,886,375		
Water Fund			
Flowmeter Installations & Upgrading	\$97,100	Water Reserves	Budget reduced due to resourcing constraints and flow meter upgrade works primarily being a maintenance activity.
Granite Street No 2 25ML Reservoir - Demolition of existing reservoir	\$100,000	S64 Contributions	This project has been deferred until 2020/21.
Koree Island HV Incoming Electrical Upgrade (33kv)	\$123,000	Water Reserves	Contractor has left the LGA and not honoured their commitment which has led to delays in the project. New project to be added to the 19/20 financial year.
Reclaimed Water - Area 14 Reclaimed Trunk Main (Outlet)	\$850,000	Water Reserves	This budget has been reduced to allow for the pre-construction to be finalised and construction commenced.

Project Name	Amount Budget Reduced	Funding	Comments
Reclaimed Water - Thrumster Reclaimed Reservoir including land acquisition	\$30,400	Water Reserves	Reduced to \$50k to cover land acquisition and project management. The land acquisition process is reliant on development approval for an adjoining subdivision.
Southern Arm Truckmain	\$340,000	S64 Contributions	This reduction will allow the initial project development. The contract will be awarded in May 18 with establishment in August 2018.
Thrumster Reclaimed Water Interim Supply Rising Main to Thrumster Reservoir	\$450,004 \$4,505,000	S64 Contribs Water Reserves	This reduction will cover project management. The pre-construction has not commenced as it is awaiting on design.
Beechwood Rosewood Reservoir - Beechwood Connection	\$1,600,000	Water Reserves	Budget has been reduced to cover project management and partial construction. Preconstruction planning is underway, bore component will be outsourced, internal delivery of pipelaying.
Total Water Fund	\$8,095,504		
TOTAL	\$33,981,879		

Options

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

Planning & Policy Implications

There are no planning and policy implications.

Financial & Economic Implications

Attached to the report for information is each individual budget adjustment by Division and Section. The budget movements within this report maintain the current budget 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](#). February 2018 Budget Review

Item: 09.09**Subject: BUSINESS IMPROVEMENT STRATEGY****Presented by: Corporate Performance, Rebecca Olsen**

Alignment with Delivery Program

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

RECOMMENDATION

That Council endorse the Business Improvement Strategy.

Executive Summary

Council, through its Business Improvement Office in consultation with various stakeholders have prepared a Business Improvement Strategy (the Strategy) attached to this report. The Strategy has been developed to continue the progress made from the Services Review Project and drive a continuous improvement culture across the organisation.

The continuous improvement approach outlined in the Strategy focuses on building a culture of improvement, quicker review timeframes, measuring improvements consistently and reporting on those measures. The continuous improvement approach will be complemented by a service planning process outlined in the Strategy. Service Planning will provide a mechanism for staff to plan for the future and be prepared to deliver effective services in the best possible way to meet community expectations moving forward.

The purpose of this report is to seek endorsement of the Strategy to allow for implementation.

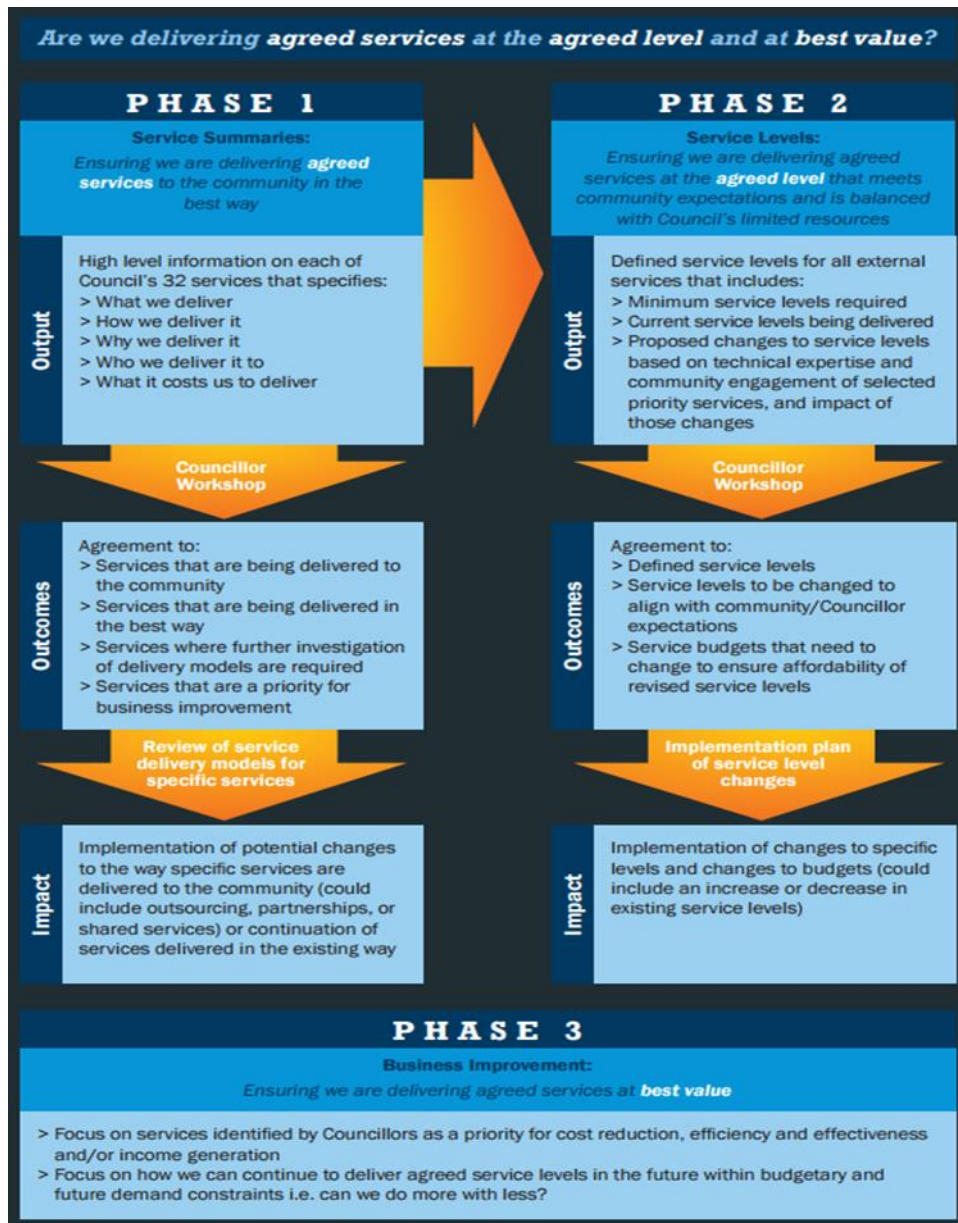
Discussion

To maintain the balance of rising costs and meeting community expectations Port Macquarie-Hastings Council (PMHC) has recognised the importance of having an in-house service to develop, plan and facilitate improvement initiatives. The Business Improvement Office was established with the objective of ensuring PMHC was delivering agreed services at the agreed level and at best value.

The Business Improvement Office over recent years have coordinated the Services Review Project which was broken down into three phases. A report has been prepared for Council at the commencement of each phase of the Services Review Project, the most recent report considered by Council was the Phase 3: Business Improvement methodology which is attached to this report.

Each phase of the Services Review Project was designed to collect and report information on Council services to the Executive and Councillors and determine

areas for improvement based on that information. A diagram to illustrate the different phases of the Services Review Project is shown below.



The Services Review Project came to a completion towards the end of 2017. A presentation on the outcomes of the final stage, Phase 3: Business Improvement as well as other improvement activities completed within the Business Improvement Office was delivered to Councillors on 9 February 2018. A table of the Phase 3: Business Improvement outcomes is attached this report.

The Strategy is an evolution of the Services Review Project provides a forward facing framework by which Council will perform business improvement activities.

The Business Improvement Strategy will allow Council to:

- Focus on embedding a continuous improvement culture;
- Introduce a Performance Evaluation Framework;
- Define the improvement processes that will be used; and

- Establish a governance framework to monitor performance against the strategy.

Roberta Ryan from the University of Technology Centre for Local Government (UTS:CLG) peer reviewed the Strategy during its development and provided feedback to ensure the Business Improvement Strategy was in line with current best practice continuous improvement approaches in Local Government.

Options

1. That Council endorse the Business Improvement Strategy.
2. That Council note Business Improvement Strategy and request more information.

Community Engagement & Internal Consultation

Consultation has taken place with the following:

- Business Improvement Office;
- General Manager;
- Directors;
- Group Managers;
- Audit, Risk & Improvement Committee; and
- University of Technology Centre for Local Government (UTS:CLG)

Planning & Policy Implications

There are no planning or policy implications as a result of this report.

Financial & Economic Implications

There are no financial and/or economic implications as a result of this report.

Attachments

1[View](#). Business Improvement Strategy

2[View](#). Services Review Project - Phase 3: Business Improvement (Previous Report)

3[View](#). Phase 3: Business Improvement Outcomes

Item: 09.10

**Subject: VILLAGE SEWERAGE SCHEME STEERING GROUP CHARTER
AMENDMENT**

Presented by: Infrastructure, Alex Fisher

Alignment with Delivery Program

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

RECOMMENDATION

That Council adopted the amended Village Sewerage Scheme Steering Group Charter.

Executive Summary

This report tables an amended Village Sewerage Scheme Steering Group Charter incorporating changes made to provide the appropriate level of oversight in the planning and delivery of the project.

Discussion

At the Ordinary Council Meeting held on 14 December 2016 Council resolved to adopt the Village Sewerage Scheme Steering Group Charter. The Village Sewerage Scheme project has now progressed to the stage of tendering for the works. The Steering Group has decided to review the Charter of the Group and make amendments to improve the effectiveness of overseeing the planning and delivery of the Village Sewerage Scheme project. The key amendments to the existing charter relate to the composition of the Voting Members. Currently, Membership of the Group consists of:

3.0 MEMBERSHIP

3.1 Voting Members

- Councillor, Major Projects Portfolio
- Director Infrastructure & Asset Management
- Group Manager Water & Sewer
- Water & Sewer Planning Manager
- Water & Sewer Investigations Engineer
- Group Manager Infrastructure Delivery

The following amendments are proposed:

3.0 MEMBERSHIP**3.1 Voting Members**

- Councillor, Major Projects Portfolio
- Director Infrastructure & Asset Management
- Group Manager Water & Sewer
- ~~Water & Sewer Planning Manager~~
- ~~Water & Sewer Investigations Engineer~~
- Group Manager Infrastructure Delivery
- Add:
 - Group Manager Community Place

Options

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

Community Engagement & Internal Consultation

Internal consultation has been undertaken with all current and proposed members of the current Village Sewerage Scheme Steering Group including:

- Councillor, Major Projects Portfolio
- Director Infrastructure
- Group Manager Water & Sewer
- Water & Sewer Planning Manager
- Water & Sewer Investigations Engineer
- Group Manager Infrastructure Delivery
- Group Manager Community Place

Planning & Policy Implications

Advice and recommendations to Council from the Steering Group will assist in delivering the Village Sewerage Schemes for Long Flat, Comboyne and Telegraph Point.

Financial & Economic Implications

There are no direct financial implications as a result of this report, however the advice and recommendations from the Steering Group will assist Council in ensuring that the Village Sewerage Scheme project is delivered to the community in a cost effective manner.

Attachments

- 1 [View](#). DRAFT Village Sewerage Scheme Steering Group Charter - March 2018
- 2 [View](#). Amendments-track changes to Village Sewerage Scheme Steering Group Charter - adopted 14/12/2016

2 Your Community Life

What we are trying to achieve

A healthy, inclusive and vibrant community.

What the result will be

We will have:

- Community hubs that provide access to services and social connections
- A safe, caring and connected community
- A healthy and active community that is supported by recreational infrastructure
- A strong community that is able to identify and address social issues
- Community participation in events, programs, festivals and activities

How we will get there

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

Item: 10.01

**Subject: RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND
SUB-COMMITTEE - FEBRUARY 2018**

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. Phoebe Bentley, the amount of \$250.00 to assist with the expenses that will she will incur travelling to and competing at the 2018 NSW Country Swimming Championships to be held at Sydney Olympic Aquatic Centre from 23 – 25 February 2018 inclusive.**
- 2. Annika Toohey, the amount of \$1000.00 to assist with the expenses she will incur representing Australia as a member of the School Sport Australia Girl's Hockey Team to compete in South Africa from 28 June to 14 July 2018 inclusive.**

Executive Summary

The Mayor's Sporting Fund Sub-Committee met on 22 February 2018, reached consensus on Item 8 (attached) and submits the above recommendation for Council's consideration.

Attachments

1 [View](#). Extract Item 8 - MSF February 2018 Minutes

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: RACEWYN CLOSE, PORT MACQUARIE STORMWATER
DRAINAGE WORKS AS MATERIAL PUBLIC BENEFIT - REVISED
APPLICATION**

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

5.5.6 Plan, investigate, design and construct stormwater assets.

RECOMMENDATION

That Council:

- 1. Subject to the applicant entering into a Works in Kind Agreement, approve the revised application to undertake works involving the construction of stormwater infrastructure at Racewyn Close Port Macquarie on the basis that the work will provide material public benefit pursuant to s7.11(5)(b) of the Environmental Planning and Assessment Act 1979 (as amended).**
- 2. Delegate authority to the General Manager to execute the Works in Kind Agreement in item 1.**

Executive Summary

In October 2016 Council approved an application to undertake works with a material public benefit, in lieu of payment of developer contributions in association with a development application for multi-unit housing at No.5 Tulloch Road, Port Macquarie. The works involved the upgrade of a section of stormwater drainage in Racewyn Close, Port Macquarie.

As Council does not have a contributions plan for stormwater works, an offset against development contributions for roads and a partial offset for open space contributions was approved.

The application has been revised because the works have been redesigned to achieve a better outcome and the cost of the works is now higher. An increase in offset against open space contributions has been requested.

The works will provide a significant improvement in stormwater drainage in an identified 'hotspot' area for stormwater. The revised works in kind application and increased offset amount is recommended for approval.

DiscussionPublic Benefit

The development site is located in a precinct that is considered a stormwater 'hotspot' area. Racewyn Close is largely un-serviced by public stormwater drainage infrastructure and is subject to overland flooding from the adjoining under capacity upstream street drainage systems in Oxley Hwy, Sherwood Rd, Tulloch Rd and street flooding in the western end of the Racewyn Close cul-de-sac. The provision of stormwater infrastructure described further below would alleviate the risk of local flooding and provide for the orderly development of the precinct.

The Original Application

At the meeting of 19 October 2016 Item 13.04 Council resolved as follows:

That Council:

1. *Subject to the applicant entering into a Works in Kind Agreement, approve the application to undertake works involving the construction of stormwater infrastructure at Racewyn Close Port Macquarie on the basis that the work will provide material public benefit pursuant to s94(5)(b) of the Environmental Planning and Assessment Act 1979 (as amended).*
2. *Delegate authority to the General Manager to execute the Works in Kind Agreement in item 1.*

CARRIED: 9/0

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

AGAINST: Nil

Under the original application the developer proposed to undertake stormwater drainage works in Racewyn Close as material public benefit in lieu of the payment of Section 94 contributions for roads and open. Section 94 is now known as Section 7.11 of the Environmental Planning & Assessment Act 1979 (as amended). The contributions were required to be paid in connection with Development Application (DA) 2015/845 for multi-unit housing at No.5 Tulloch Road, Port Macquarie.

The stormwater works included 107 metres of new 600mm diameter stormwater pipe and associated gully pits to be constructed in the road reserve generally between the eastern boundary of No.4 Racewyn Close and the end of the cul-de-sac, connecting into the existing public stormwater pit adjacent to No.12 Racewyn Close.

The proposed stormwater drainage works were considered to provide the following public benefit:

- Provide properties 5, 7 & 9 Tulloch Rd and 4, 6 & 8 Racewyn Close with a direct point of connection to an adequately sized public drainage system. Doing so will support and encourage the orderly development of the precinct.
- Provision of additional kerb inlet pits in Racewyn Close will remove minor stormwater flows from the street during relatively frequent storm events, improving amenity and lessening the potential for further water damage to the road pavement.

- Based on analysis undertaken by Council's Senior Stormwater Engineer, the provision of a 600mm stormwater pipeline will provide Council with a cost effective future works option to divert a large part of the existing upstream catchment area located north east of Racewyn Close through the proposed pipe network. Such a diversion will significantly reduce potential for flooding of Tulloch Rd and the adjoining properties at Numbers 3B and 5.

The original works were costed at \$85,868. This was reduced by the amount of \$16,225 being the cost to the developer to construct alternative stormwater to serve their development only. Council does not have a contributions plan for stormwater. As such, the offset must be provided from other contributions plans and ultimately results in a shortfall of funding for roads as it is unplanned work. The total approved offset associated with DA 2015/845 at October 2016 was \$69,643 made up of:

- \$45,416.70 in lieu of the full amount of the roads contributions
- \$24,226.30 as a partial offset of the estimated open space contributions.

The Revised Application

Following further discussions with Council's development assessment and stormwater network teams, the design of the stormwater was amended and the works were re-costed.

The new design is equivalent in function and performance to that previously presented to Council, however has been amended to include a change in pipe type for part of the works and the provision of additional junctions along the length of the drainage system to facilitate future connection to the upgraded system by adjoining residents. In relation to the change in pipe type, the lower 44m length of the proposed works has been changed from the previously proposed 600mm diameter concrete pipeline to 900 x 300mm concrete box culverts. This change was necessary due to a clash with the location of an existing Council gravity sewer main, which the newly proposed box culverts must pass over.

The total cost of the revised work is now estimated at \$122,296.00 (ex GST). The total offset proposed under the new application would be \$83,941.20 as indexed to March 2018 and made up of:

- \$47,079.90 in lieu of the full amount of the roads contributions
- \$36,861.30 in lieu of the full amount of the open space contributions.

The developer would be required to fund the cost of the stormwater works over \$83,941.20 being estimated at \$38,354.80 and will still be required to pay the Administration Levy of 2.2% of the original total \$7.11 contributions amount.

While the proposed new works are not included in any contributions plan, they would provide the public benefits as described above in connection with the original application and assist in protecting road assets. Council's Development Contribution Register will note the loss of income to the Open Space Contributions Plan which will be repaid at a later date from roads contributions. Note that as previously determined, the works are a material public benefit and were not planned. As such there will ultimately be a shortfall in anticipated roads funding.

A formal Works in Kind agreement (WIK) will need to be executed to formalise the developer's application following determination of the DA. A WIK would not be

entered into if the development is not approved. The design, assessment and construction of the stormwater works would be subject to Council's normal procedures for construction and acceptance of public infrastructure. Provision will also be included to allow for standard rise and fall variations in the cost of the work which will need to be verified by Council's Stormwater Engineer.

Options

Council could resolve to approve the revised application to undertake works as material public benefit or reject the application.

Where the application is rejected, the original offset of total roads contributions \$45,416.70 (plus CPI update being \$47,079.90 at March 2018) and partial open space contributions of \$36,861.30 open space contributions as approved at the meeting of 19 October 2016 would apply.

Community Engagement & Internal Consultation

The Group Manager Transport and Stormwater Networks has been consulted and supports the construction of upgraded stormwater facilities at Racewyn Close and the offset of local roads and open space contributions in this case. The Group Manager Recreation and Buildings is also in support of the proposal including the increase from partial offset to full offset of open space contributions.

Planning & Policy Implications

The proposal conforms to Council's Works in Kind Policy.

Financial & Economic Implications

The proposal will allow for stormwater infrastructure upgrade works to the value of \$122,296 (ex GST) to proceed in the short term without any significant impact on Council's financial position. The value of the public works to be offset against developer contributions (\$83,941.20) is considered to be insignificant in the context of the contributions plan works programs and will provide a tangible positive impact by resolving a current unfunded stormwater problem.

Attachments

1 [View](#). Racewyn Close Stormwater Works Plan

Item: 12.02

Subject: PLANNING PROPOSAL FOR DIAMOND DRIVE, PORT
MACQUARIE

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development.

RECOMMENDATION

That Council:

1. Prepare a draft planning proposal as described in this report in relation to Lot 22 DP 1229697 and Nos 19-31 Diamond Drive, Port Macquarie, pursuant to section 3.33 of the *Environmental Planning and Assessment Act 1979*, for the amendment of *Port Macquarie-Hastings Local Environmental Plan 2011*.
2. Forward the draft planning proposal to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to sections 3.34, 3.35 and clause 4 of Schedule 1 of the Act.
3. Request that the Director General of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 3.36 of the Act in respect of the planning proposal.

Executive Summary

Part of a previous 'Miscellaneous Amendments LEP' Planning Proposal included adjustments of LEP zone and other map boundary lines over some residential lots on Diamond Drive, Port Macquarie and part of the Emerald Downs Golf Course. At its meeting on 21 October 2015 Council considered a report relating to this Planning Proposal, and deferred this particular matter as it was associated with related Voluntary Planning Agreement negotiations.

The offer to enter into a planning agreement has now been withdrawn by the developer, who has advised that the 'development is now being completed in accordance with the original conditions issued with DA 89/477.'

On this basis, it is recommended that action be taken to complete the rezoning.

Discussion

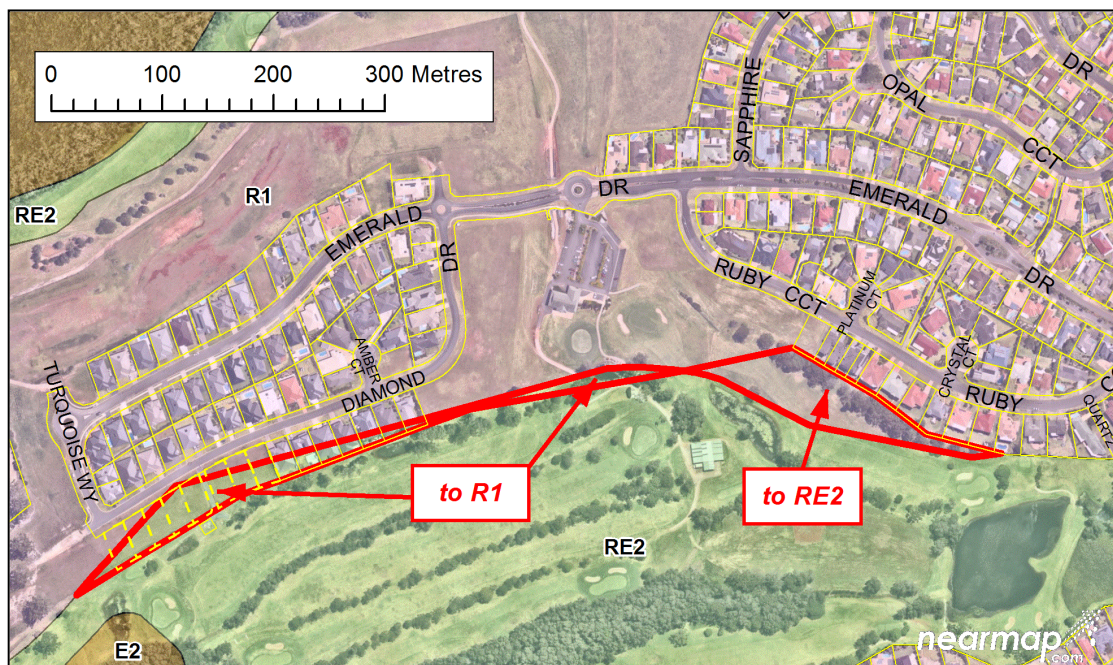
Development consent for the staged subdivision creating the Emerald Drive estate was originally granted in January 1990. Maps and subdivision plans were not

produced with the same precision as today, and over the years various anomalies have arisen, along with the need to clarify various conditions of consent.

In September 2013 King and Campbell Pty Ltd, acting for the developer wrote to Council proposing actions to resolve a range of issues with the development, including an adjustment to the boundary of several LEP maps affecting some current and proposed residential lots on Diamond Drive.

While negotiations proceeded on a Voluntary Planning Agreement relating to the other issues, the amendment to the LEP maps was included in a 'Miscellaneous Amendments LEP' Planning Proposal. This was exhibited in July 2015.

The exhibited zoning changes are shown below. Associated changes also applied to the Lot Size Map, Floor Space Ratio Map and Height of Buildings Map.



The post-exhibition report to Council's Ordinary Meeting on 21 October 2015 (refer Attachment 1) stated in part:

Issue 12, relating to split zonings on properties in Diamond Drive, Port Macquarie is also recommended to be deferred pending preparation and public exhibition of a related planning agreement. At that time, the proposed planning agreement and planning proposal to amend the zone boundaries will be reported to Council.

The planning agreement in question has been proposed by the proponent in conjunction with the rezoning of the lots in Diamond Drive to address development contribution payments for the remainder of the subdivision and infrastructure requirements associated with the original consent for the Emerald Downs subdivision. A draft agreement has been prepared for review.

The Council minutes record:

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 7.07pm.

Mr Robert Dwyer, representing the Laurieton United Services Club, addressed Council in support of the recommendation.

Ms Sonya Hume addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Paul Rowlandson, King and Campbell Pty Ltd, representing the applicant, addressed Council in opposition of the recommendation.

MOVED: Roberts/

That Council:

1. *Defer Issues 4 and 6 from the draft Local Environmental Plan 2011 (Amendment No 34).*
2. *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 34) as outlined in the report.*

LAPSED FOR WANT OF A SECONDER

RESOLVED: Turner/Intemann

That Council:

1. *Defer Issues 4, 6 and 12 from the draft Local Environmental Plan 2011 (Amendment No 34).*
2. *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 34) as outlined in the report.*
- w3. *Request the General Manager to provide a briefing to Councillors in relation to issue no. 12 during December 2015.*

CARRIED: 7/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 7:43pm.

Following lengthy negotiation regarding the proposed Planning Agreement and outstanding conditions of consent, King & Campbell has recently withdrawn the offer to enter into a planning agreement. King & Campbell has advised that the 'development is now being completed in accordance with the original conditions issued with DA 89/477.' (Refer Attachment 2).

Council staff have met with the landowner and King & Campbell regarding development consent conditions and contributions planning and agreed in principle to resolve a number of issues in future stages of subdivision.

In this context, it is recommended that Council now proceed with the proposed amendments to the Land Zoning Map and corresponding changes to the other maps:

Map	Residential area	Golf Course area
Land Zoning Map	R1 General Residential	RE2 Private Recreation
Lot Size Map	450 sqm minimum	40 ha minimum
Floor Space Ratio Map	0.65:1 maximum	No maximum
Height of Buildings Map	8.5 m maximum	No maximum

The Department of Planning & Environment has advised that, given the time elapsed, it will be necessary to commence a fresh planning proposal.

For efficiency, it is proposed to include this item as part of the new grouped LEP amendment reported to Council in February 2018.

Options

Council can opt to not proceed with the proposed amendments to the Land Zoning Map and other map changes or to proceed with the proposed amendments in a different form.

It is recommended that Council proceed with the proposed LEP changes, as discussed in this report.

Community Engagement & Internal Consultation

Ongoing consultation is proposed with the developer.

Community engagement will occur consistent with the requirements of the Act, the Gateway determination from DP&E, and Council's policies.

If objections are received a further report will be brought to Council.

Planning & Policy Implications

Apart from a minor correction and adjustment to LEP mapping boundaries, there are no planning and policy implications in relation to this report.

Please note that the recommendation in this report refers to recently updated section numbering in the Environmental Planning & Assessment Act.

Financial & Economic Implications

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

Attachments

1 [View](#). Council report and minutes, 21 October 2015

2 [View](#). King & Campbell letter, 15 January 2018

Item: 12.03

Subject: UPDATE ON SITE SPECIFIC PLANNING PROPOSAL REQUESTS

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development.

RECOMMENDATION

That Council:

- 1. Note the current status of site specific Planning Proposal requests as described in this report.**
- 2. Take the necessary steps to discontinue Planning Proposal request PP2009-1.1 in relation to Nos 302, 304 and 340 Ocean Drive, and 10 Mission Terrace, Lakewood, as the information required for Council to support an amendment to Port Macquarie Hastings LEP 2011 has not been provided.**
- 3. Receive a further update in six months regarding the progress of all other site specific Planning Proposal requests.**

Executive Summary

Council, at its meeting on 16 August 2017, considered a report on the status of current Site Specific LEP Amendments and new Planning Proposal requests (Item 12.04) and resolved to continue assessing a total of fourteen (14) site specific Planning Proposal requests.

The report presented to Council provided a summary of the eleven (11) current site specific Planning Proposal requests, and also provided details of three (3) new requests for Planning Proposals which had been received.

In accordance with Council's resolution of 16 August 2017, the purpose of this report is to provide an update on the status of the fourteen (14) site specific Planning Proposal requests and to determine whether to progress all of these requests in the context of the Council's Strategic Land Use Planning Program and priorities.

This report on 16 August 2017 highlighted to Council that there were three existing requests for Planning Proposals where little progress had been made over a number of years, being Ruins Way, Port Macquarie, 11 Mumford Street, Port Macquarie and 340 Ocean Drive, Lakewood and recommended that Council discontinue these Planning Proposals.

The proponents for these requests have been notified regarding Council's resolution and given additional time (until 16 February 2018) to provide further information in support of their requests for Local Environmental Plan (LEP) 2011 to be amended.

In relation to one of these matters, no further information has been received from the proponents, despite a number of requests being made by Council staff.

It is recommended that Council continue to assess all of the Planning Proposal requests to amend LEP 2011, with the exception of the Planning Proposal request in relation to Nos 302, 304 and 340 Ocean Drive, and 10 Mission Terrace, Lakewood which is recommended to be discontinued. The proponent has indicated on 5 March 2018 an intention to withdraw this application.

A further update report on the progress of the remaining thirteen (13) site specific Planning Proposals will be presented to Council in September 2018.

Discussion

Council's Strategic Land Use Planning Program

Council's Strategic Land Use Planning Program is based on priorities and actions identified in the *2011 Port Macquarie Hastings Urban Growth Management Strategy* (UGMS). Projects currently being prioritised in the program include:

- Finalisation of the *Draft Urban Growth Management Strategy 2017-2036*: review of submissions, Council reporting and adoption of the UGMS
- Administrative reviews and update of Port Macquarie Hastings LEP 2011
- Yippin Creek Urban Release Area: Planning Proposal, LEP, DCP, Section 94 Plan
- Airport Business Park Precinct: Biodiversity Certification, Planning Proposal, LEP and DCP
- Planning for the Health and University Precinct
- Preparation of a Comprehensive Koala Plan of Management
- Comprehensive review of Council's development control plans
- Preparation of a new policy for Site Specific Planning Proposals
- Input to development of a Regional City Action Plan (Priority action under the *North Coast Regional Plan 2036*)
-

Additional priority projects will be identified in the finalisation of the *Urban Growth Management Strategy*.

Planning Proposals

In addition to the above projects, the review, assessment and reporting of Planning Proposal requests to amend the LEP 2011 are undertaken by Council's Strategic Planning staff. These Planning Proposals are predominately initiated by proponents (being land owners, consultants and/or their representatives) and seek to amend the planning controls applying to their land. For example, the land use zone, height of buildings, floor space ratio or minimum lot size.

There is a need to balance and prioritise the amount of staff resource allocated to progress these site specific Planning Proposals, against the need to progress the larger scale strategic planning projects, which have greater significance to the community, delivering community, economic or environmental outcomes.

Council, at its meeting on 16 August 2017, considered a report on the status of current Site Specific LEP Amendments and new Planning Proposal requests (Item 12.04) and resolved:

That Council:

1. *Note the current status of the eleven site-specific planning proposals considered at the Ordinary Meeting of 15 March 2017 as described in this report.*
2. *In relation to the requests to rezone land at Ruins Way Port Macquarie, Mumford Street Port Macquarie and Ocean Drive Lakewood, Council continue to assess these matters but notify the proponents that the proposals will be discontinued if the necessary information has not been submitted for Council to support a planning proposal by 16 February 2018.*
3. *Commence investigation of three additional requests for site-specific planning proposals in High Street, Wauchope, the proposed Highway service centre, Sancrox, and The Chimneys at Homedale Road in Kew as part of Council's strategic land use planning work program.*
4. *Note the additional resource requirements placed on staff as a result of recommendations 2 & 3 above and allow the general Manager to resource this increased program appropriately.*
5. *Commence the preparation of a Policy in relation to site-specific planning proposals within the Port Macquarie-Hastings LGA, to provide guidance regarding the roles and responsibilities of Proponents and Council in such matters.*
6. *Request the General Manager to provide six monthly reports to Council on the progress of existing site specific planning proposals.*
 -
 - **CARRIED: 7/0**
 - **FOR: Cusato, Dixon, Griffiths, Hawkins, Intemann, Pinson and Turner**
 - **AGAINST: Nil**

Refer to Attachment 1 for a copy of the Council report and the minutes.

Current Site Specific Planning Proposal requests

This report provides an update on fourteen (14) Site Specific Planning Proposal requests as listed below.

1. Lot 245 DP 1227796, Ruins Way, Port Macquarie
2. 11 and 33 Mumford Street, Port Macquarie
3. Part Lot 623 DP 1228345, Crestwood Drive, Port Macquarie
4. 37 Lincoln Road, Port Macquarie
5. Lot 7 DP 1142473, Reading Street, Port Macquarie
6. Bundaleer Aged Care Centre, 4-8 Johnstone Street and 67 High Street, Wauchope
7. Proposed Highway Service Centre: 1179 Oxley Highway, Sancrox
8. Part Lot 39 DP 1191701, Frogs Road, Sancrox
9. The Chimneys, Lot 1 DP1161722, 47 Homedale Road, Kew
10. Lot 202 DP 1133171 and Crown Land, Homedale Road, Kew
11. Nos 302, 304 and 340 Ocean Drive, and 10 Mission Terrace, Lakewood
12. Lot 2 DP 771931, Mission Terrace, Lakewood

13. Lot 2 DP 1091253, Beach Street, Bonny Hills
14. Lot 14 DP240042, Pioneer Street, North Haven

The table below provides a summary by locality of the status of each site specific Planning Proposal request to amend the LEP 2011. Please note that a key to the Status Category is provided below the table.

File No.	Property	Summary of requested amendments to LEP 2011	Status Category (August 2017)	Status Category (March 2018)
Port Macquarie				
PP2011-9.3	Lot 245 DP 1227796, Ruins Way, Port Macquarie	Rezone land from RU1 Primary Production to R1 General Residential	4	5
PP2014-10.1	Nos 11 and 33 Mumford Street, Port Macquarie	Rezone land from R1 General Residential and part E2 Environmental Conservation to Business Zone	4	5
PP2017-4.1	Part Lot 623, DP 1228345, Crestwood Drive, Port Macquarie	Rezone land from RU1 Primary Production to R1 General Residential	4	No change
PP2014 -8.1	37 Lincoln Road, Port Macquarie	Rezone land for residential, environmental and stormwater infrastructure purposes and associated changes to Floor Space Ratio, Building Height and Lot Size maps	12	14
PP2016-3.1	Lot 7 DP 1142473, Reading Street, Port Macquarie	Rezone land for residential and environmental conservation purposes and associated changes to Floor Space Ratio and Lot Size maps	12	14
Wauchope				
PP2017-6.1	Bundaleer Aged Care Centre, Nos 4-8 Johnstone Street and No	Increase maximum building height from 8.5m to 14.5m and increase floor space ratio from 0:65:1 to	3	5

File No.	Property	Summary of requested amendments to LEP 2011	Status Category (August 2017)	Status Category (March 2018)
	67 High Street, Wauchope	1:1.41 to enable redevelopment of the site for aged care development and a new Sub-Acute Care Centre		
Sancrox				
PP2017-10.1	Proposed Highway Service Centre, 1179 Oxley Highway, Sancrox	Amendment to Schedule 1 (Additional permitted uses) to permit development for the purpose of a highway service centre	3	5
PP2017-3.1	Part Lot 39 DP 1191701, Frogs Road, Sancrox	Rezone land from RU1 Primary Production to IN1 General Industrial for employment purposes	3	No change
Bonny Hills				
PP2016-10.1	Lot 2 DP 1091253, Beach Street, Bonny Hills	Rezone land from RU1 Primary Production to part E2 Environmental Conservation and part R1 General Residential	8	12
Kew				
PP2017-11.1	The Chimneys – Lot 1 DP1161722, Homedale Road, Kew	Rezone land from RU1 Primary Production to R1 General Residential	3	No change
PP2014-12.1	Lot 202 DP 1133171 and Crown Land, Homedale Road, Kew	Rezone land from RU1 Primary Production to R1 General Residential and E2 Environmental Conservation	8	9
Lakewood				
PP2016-11.1	Lot 2 DP 771931, Mission Terrace, Lakewood	Rezone land from RU1 Primary Production to part R1 General Residential	4	9

File No.	Property	Summary of requested amendments to LEP 2011	Status Category (August 2017)	Status Category (March 2018)
		and part E3 Environmental Management and amend associated development standards		
PP2009-1.1	Nos 302, 304 and 340 Ocean Drive, and 10 Mission Terrace, Lakewood	Rezone land from RU1 Primary Production to part R1 General Residential, part E2 Environmental Conservation and part E3 Environmental Management	2	No change
North Haven				
PP2014-9.1	Lot 14 DP 240042, 14 Pioneer Street, North Haven	Rezone land from RU1 Primary Production to part R1 Residential, part RU1 Primary Production and part E2 Environmental Conservation	7	9

Table: Status of Site Specific Planning Proposal requests (as at March 2018)

Key to Table: Status Category

Category	Stage in the Planning Process
1	Written request received
2	Internal review and discussion with proponent
3	Report to Council for decision whether to include in Strategic Land Use Planning Program for the coming year
4	If included, pre-lodgement meeting held; additional information or amended requirements
5	Additional information received, under assessment and negotiations with proponent
6	Assessment report to Council for decision to support a Planning Proposal and proceed to Gateway (or not)
7	Submitted to Department of Planning & Environment (DPE) for Gateway determination
8	Gateway determination issued by DPE

Category	Stage in the Planning Process
9	Government agency consultation; additional studies/ investigations (required by conditions of Gateway determination)
10	Preparation for public exhibition
11	Public exhibition of Planning Proposal
12	Post-exhibition report to Council – Consideration of submissions and finalisation
13	Finalisation of Planning Proposal/ LEP Amendment
14	LEP Amendment made and published on NSW Legislation website

Planning Proposal requests - Additional information required

As Planning Proposal requests are initiated by proponents, being a land owner, developer and/or their representatives, it is their responsibility to provide information to Council in support of their request to amend the LEP. The NSW Department of Planning & Environment's (DP&E) – *A Guide to preparing planning proposals* provides that a Planning Proposal must demonstrate the strategic merit of the proposed LEP amendment and provide enough information to determine whether there is merit in the proposal proceeding to the next stage of the plan making process. Further to this, the guideline provides that the Planning Proposal should contain enough information to identify relevant environmental, social, economic and other site specific considerations.

It is important that timeframes are met by proponents for the submission of additional information to Council in the early stages of the planning process, so that a determination can be made if the Planning Proposal has strategic and site-specific merit and they can be progressed to the next stage of the process in a timely manner. This includes the addition of the project to the Strategic Planning Work Program and allocation of staff resources.

As shown in the table above, most of the Site Specific Planning Proposal requests have progressed to the next stage in the planning process since this matter was last reported to Council on 16 August, 2017.

Specifically it is noted that additional information has been received from the proponent (February 2018) in relation to requests for Ruins Way and 11 Mumford Street Port Macquarie, in accordance with Council's resolution. Also, the Planning Proposal request for Mumford Street has been amended by the proponent to include the adjoining property at 33 Mumford Street. This new information is being assessed by Council staff and further discussions undertaken with the proponent, prior to Council receiving an assessment report on each of the requests to amend the LEP 2011.

There has however been no progress made in respect of the following Planning Proposal requests, as no additional information has been submitted by the proponents since this matter was last reported to Council in August 2017:

- **PP2009-1.1:** Nos 302, 304 and 340 Ocean Drive, and 10 Mission Terrace, Lakewood
- **PP2017-3.1:** Part Lot 39 DP 1191701, Frogs Road, Sancrox
- **PP2017-4.1:** Part Lot 623 DP 1228345, Crestwood Drive, Port Macquarie
- **PP2017-11.1:** The Chimneys, Lot 1 DP1161722, Homedale Road, Kew

It is recommended in the case of Planning Proposal requests for Frogs Road Sancrox (PP2017-3.1), Crestwood Drive Port Macquarie (PP2017-4.1) and The Chimneys (PP2017-11.1) that Council continue to assess these matters as they were only added to the Strategic Land Use Planning Program in 2017. Correspondence has also been received from the proponent for The Chimneys Planning Proposal, which advises that significant preliminary investigation works are being undertaken to facilitate the proposed rezoning of the land. A further update on the progress of these proposals will be provided to Council in 6 months' time.

In relation to the Planning Proposal request for Ocean Drive and Mission Terrace, Lakewood (PP2009-1.1), it is recommended that the preparation of a Planning Proposal to amend the LEP 2011 be discontinued. A summary of the status of this matter was provided in a report to Council at its meeting on 16 August 2017 (refer Attachment 1), which advised that the matter has been ongoing since 2009 and remains in the very early stages of the planning process. Despite a written request for further information being forwarded to the proponent following the Council meeting on 16 August 2017, no additional information has been provided by the proponent.

The proponent has written to Council on 5 March 2018 to advise that *"the best path for us to take is to withdraw the application and reapply under current legislation"*.

If discontinued, the option remains open for the proponent to lodge a new Planning Proposal request for the land upon completion of the required supporting studies when they are ready to proceed. Requests for site specific Planning Proposals are considered by Council as part of the Strategic Land Use Planning Program, and further reports are expected in 2018/19 to determine priorities.

Next Steps

Council at its meeting of 16 August 2017 resolved to commence the preparation of a Policy in relation to site-specific planning proposals within the Port Macquarie-Hastings LGA, to provide guidance regarding the roles and responsibilities of proponents and Council in such matters.

Work is currently underway on developing the policy and this matter will be separately reported to Council, prior to public exhibition of the policy being undertaken. Consultation is proposed with local planning consultants to help inform the preparation of this draft policy.

An assessment report will be required to Council on each Planning Proposal for Council's decision as to whether to support an amendment being made to the LEP, and the forwarding of the Planning Proposal to the Department for a Gateway Determination.

The time taken for the completion of a Planning Proposal will depend on the complexity of the matter, the nature of any additional information that may be required (by Council or as a condition of a Gateway determination) and the need for state agency and community consultation. It should be noted that where there are environmental constraints or hazards such as flooding, the workload and time taken can increase significantly. Once Council has resolved to support the preparation of a Planning Proposal, a project timeline will be included in the document identifying an anticipated timeframe for completion of key stages of the planning process.

Options

Council could opt to continue with all of the Site Specific Planning Proposal requests detailed in this report or to discontinue other matters in addition to the Planning Proposal request for Ocean Drive, Lakewood (PP2009-1.1).

Given the length of time that has elapsed in relation to the Ocean Drive request (PP2009-1.1), it is proposed that it is discontinued, as recommended in this report. The proponent has indicated on 5 March 2018 an intention to withdraw this application.

Requests for site specific Planning Proposals are considered by Council as part of the Strategic Land Use Planning Program, and further reports are expected in 2018/19 to determine priorities.

Community Engagement & Internal Consultation

Consultation has been undertaken between Council staff and proponents in relation to each Site Specific Planning Proposal request. Further community consultation consistent with the requirements of the *Environmental Planning and Assessment Act 1979* will occur where a Planning Proposal is supported by Council and a Gateway determination is received.

Planning & Policy Implications

As discussed in this report, Council's consideration of requests for Planning Proposals is governed by the Environmental Planning & Assessment Act 1979 (as amended). A Council policy regarding requests for Planning Proposals is currently being prepared.

Financial & Economic Implications

Council fees consistent with the 2017/18 Fees and Charges will apply to each of the Planning Proposal requests to amend the LEP 2011.

Attachments

1 [View](#). Council Report Item 12.04 - 16 August 2017 - Site Specific LEP Amendments Update

Item: 12.04

Subject: PORT MACQUARIE TOWN SQUARE PLANNING PROPOSAL

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

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

RECOMMENDATION

That Council, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979, make the Local Environmental Plan 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.

Executive Summary

The purpose of this report is to consider a Planning Proposal in respect to the Port Macquarie Town Square, Horton Street Port Macquarie to change the zoning of the land to B3 Commercial Core.

The draft Planning Proposal has been placed on public exhibition from 14 to 28 February 2018. One submission was received during the exhibition of the Planning Proposal, which is considered in this report.

It is recommended that Council make the Plan.

Discussion

On 15 November 2017, Council resolved as follows:

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

The Site

The site is within the public road reserve of Horton Street Port Macquarie, between Clarence Street and the Hastings River. Adjoining land to the east, south and west is zoned B3 Commercial Core and developed for commercial purposes. Land to the north is known as the Town Green and is zoned RE1 Public recreation.

Figure 1 shows the location of the site in relation to the surrounding locality.



Figure 1 – Site Context

The Proposal

The proposal involves an amendment to the Port Macquarie-Hastings Local Environmental Plan (PMHLEP) 2011 to rezone part of the road reserve from RE1 Public Recreation to B3 Commercial Core, consistent with the surrounding development.

Figure 2 shows the existing and proposed zones.

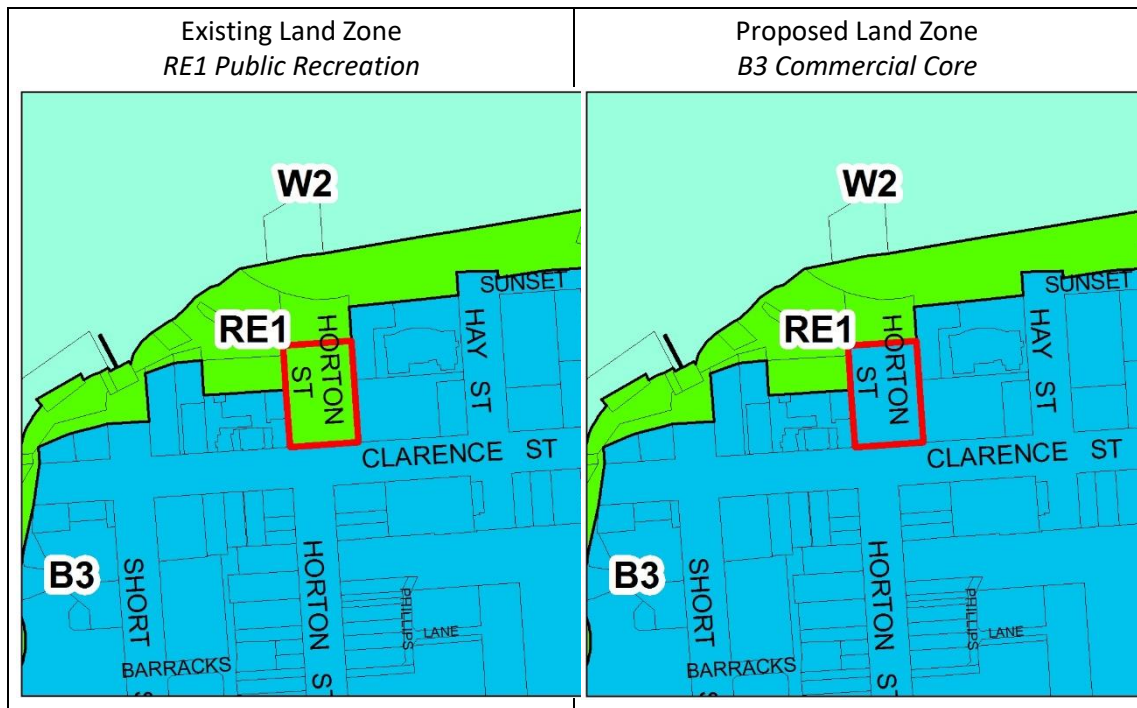


Figure 2 – Existing and Proposed Zones

Town Square Redevelopment

Over the last 20 years the streetscape and landscape in the CBD have been upgraded significantly due to the implementation of the Town Centre Master Plan (TCMP) which outlines improvements throughout the town.

The 2013 review of the TCMP identified the northern end of Horton Street as an opportunity to create a Town Square that could enliven the streets, draw people through to the Town Green and waterfront and be a gathering space for visitors and residents.

Key changes included significantly wider footpaths to encourage al fresco dining.

The use of the footpath within the road reserve for outdoor dining is Exempt development where it is associated with a lawful food and drink premises. However, recent development proposals have highlighted that, where the outdoor dining is associated with a pub, the development requires consent. The existing zone of RE1 Public Recreation prohibits pubs, meaning that alfresco dining areas associated with a pub are prohibited within the Town Square.

Having regard to the existing zones adjoining the land, it is considered that the B3 Commercial Core zone should include the area of the Town Square redeveloped to encourage al fresco dining.

Options

Council's options are to:

1. Do nothing (the land would remain as public recreation zone).
2. Amend the exhibited Planning Proposal, noting that the Planning Proposal would need to be re-exhibited if the amendment is significant.
3. Resolve to make the Local Environmental Plan 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.

Option 3 is the preferred option for the reasons described in this report.

Community Engagement & Internal Consultation

The Gateway Determination required a minimum 14 day public exhibition period. The Planning Proposal was exhibited from 14 to 28 February 2018.

One submission was received.

Submission		Issue
1.	Country Women's Association of NSW (CWA)	Impact on the ability to operate the Devonshire Tea outlet (open Monday to Friday mornings) from their premises in the Quay North Building. The impact of the rezoning to allow pop-up shops and kiosks to set up around the CWA Rooms.
	Response/ Comment:	Council acknowledges the important role of the CWA in the community and the longstanding presence of the Association adjacent to the Town Green. It is therefore important to consider the ongoing operations of the CWA, whilst also providing for the use of the surrounding public spaces as a key activity hub for the community. The Town Square is intended to provide a venue for alfresco dining for adjoining businesses and also provide for special events to set up adjacent the Town Green. This is currently permissible in the existing zone except for alfresco dining associated with a pub use. The proposed change in zone will largely maintain the status quo in terms of use of the Town Square and will potentially improve attractiveness and vibrancy of the Town Square. On balance, it is expected that the proposed change to the LEP will not have a significant impact on the operations of the CWA

		and that there may actually be a positive impact for the CWA associated with increased vibrancy and activation of the Town Square.
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Planning & Policy Implications

The Planning proposal aims to amend the zoning to permit all types of alfresco dining within the Town Square, consistent with the Port Macquarie Town Centre Master Plan.

Financial & Economic Implications

The preparation of the planning proposal has been prepared as part of Council's Strategic Planning program.

Council generates modest income from the leasing of road reserve space in the Town centre for al fresco dining, which is used to help fund Town Centre Master Plan improvements.

Attachments

- 1[View](#). Port Macquarie Town Square Planning Proposal - exhibition version
- 2[View](#). Submission - Country Women's Association of NSW

Item: 12.05

Subject: THE BOOM RESERVE DOG OFF-LEASH PARK

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 The Boom Reserve Dog Off-leash Park Report.**
- 2. Defer the concept for the dog off-leash park in The Boom Reserve to allow for further investigation on whether the proposal can provide for off-street parking to support use of the facility.**
- 3. Request the General Manager investigate whether there are more suitable alternatives for an off-leash dog park in Port Macquarie.**
- 4. Request the General Manager provide a report to the Ordinary Council Meeting scheduled for June 2018 outlining the findings of points 2 and 3 above.**

Executive Summary

In 2011 Council resolved to locate off-leash dog parks in our regions' three major population centres, Port Macquarie, the Camden Haven and Wauchope. Following a period of community consultation, The Boom Reserve was selected as an appropriate site in Port Macquarie.

The design of the dog off-leash area at the Boom Reserve has been included in the 2017/18 Operational Plan. A diagram showing approximate proposed location for a dog park in the Boom Reserve was placed on community exhibition from 6 December 2017 to 9 February 2018. Exhibition techniques included Have Your Say, social media, media releases and a letterbox drop to 130 residents surrounding the Reserve.

Formal submissions were largely positive (36 out of 47 respondents were positive) however some local residents expressed strong objection.

One local resident submitted a petition which included 180 signatures opposing the park.

A concept plan has been developed (Attachment 1). The concept plan takes into account ideas provided by those in support of the park. These include 2 enclosures to allow for smaller dogs to be separated, a range of dog agility equipment, shade tree plantings, drinking fountains with dog bowls, bins with dog waste bag dispenser

and signage with rules and regulations. The plan also shows a footpath extending from The Boom to the enclosure to improve access. The park is enclosed with a 1.2 metre high fence with controlled access gates via an airlock arrangement.

The concept plan relies on visitors to park their cars on the surrounding street network when visiting the dog off-leash park. Following community consultation and further site inspections, this is considered to be a limitation with the proposal and is likely to result in traffic and parking problems. It is considered appropriate to defer adoption of the concept plan until further investigations are undertaken on whether off street car parking can be provided to support the facility or whether there may be a more suitable site for the dog off-leash park in Port Macquarie.

Discussion

The benefits of providing dog off-leash parks for community use are well documented. Dog parks can provide benefits for dogs, their owners and the broader community.

Benefits for dogs include:

- Physical and mental exercise for dogs. Dog parks can provide opportunities where dogs can get physical and mental exercise. Well exercised dogs are less likely to behave in a destructive or annoying way such as excessive barking.
- Socialisation for dogs. Dog parks can provide opportunities for dogs to have frequent interaction with other dogs and people. Dogs that are well socialised and exercised are healthier and happier as well as less likely to be aggressive.
- They provide a safe environment for dogs to play. Off-leash dog parks can provide a secure environment where dog owners can exercise their dog off-leash and not encounter cars, bikes and other obstacles.

Benefits for people include:

- They provide opportunities for dog owners to socialise. Dog off-leash parks can provide a public space where dog owners can interact with each other and form community bonds. It has been established that pets 'act as a lubricant or social contact' and pet owners are more likely to exchange favours with neighbours, to be involved in community issues and to have higher levels of social capital.
- Social well-being and mental health. Dog parks can provide a space where dog owners can feel connected with other human beings improving their mental and emotional health (Planning Institute of Australia, 2013).
- Dog parks can provide people with limited access such as the elderly and disabled with opportunities to exercise their dog and provide ongoing social contact.

Benefits for the community include:

- Responsible dog ownership. Dog parks can reduce the likelihood of dog owners letting their dog's off-leash in other recreational areas and infringing on the rights of other community residents and park users. They can also provide opportunities to educate dog owners about animal health and welfare and dog park etiquette.

- Affordable recreation option. A trip to the dog park is a free, outdoor activity where the family can take both their children and their pet (provided they are both under supervision by adults).

Background – site selection

The Ordinary Council Meeting of 20 April 2011 resolved:

1. *That Council adopt the draft policy, Dogs in Public Open Spaces.*
2. *That Council establish three (3) leash-free dog exercise areas on reserves at:*
 - *The Boom Reserve, Port Macquarie;*
 - *Henry Kendall Reserve, Laurieton; and*
 - *Wilbur Trotter Reserve, Wauchope.*
3. *That Council prioritise the delivery of each of the proposed leash-free dog exercise areas and consider funding options as part of future Operational Plans.*

The report noted the following about the selection of the Boom Reserve:

“The proposed site is community land classified as park land and is currently under-utilised. The area is partially covered in appropriate shade trees which could be incorporated into the site therefore saving on the cost to provide shade. There is appropriate access to the site which would only require the construction of a formalised footpath. Car parking would be on-street only with sufficient available spaces. Minimal preparation works would be required with the area already well grassed and level. Although the area is bounded by residential development there were no objections received against the proposal. Minor objections were received regarding the Tuffins Lane site, with some support for the John Fraser Place site. The Boom Reserve site is the most cost effective of the three proposed sites in Port Macquarie. Although there were more submissions in favour of the John Fraser Place site, through further discussions with the Council's Manager Parks and Recreation, it is considered that the Boom reserve is the preferred option due to location, cost, parking and accessibility. The fact that the John Fraser site was located in close proximity to a major arterial road was a concern when deciding on the preferred site”.

Options

Options include:

1. The draft concept plan is adopted for implementation in the 2018/19 financial year without further community consultation.
2. The draft concept plan be deferred and alternative sites in Port Macquarie are investigated for the dog off-leash park.
3. That changes are made to the draft concept plan to provide for off-street car parking to support the facility.

Community Engagement & Internal Consultation

A plan showing an approximate location and footprint of a dog off-leash park at the Boom Reserve was exhibited from 6 December 2017 to 9 February 2018.

A letter box drop was made to 130 surrounding residents. 3 social media posts and 1 media release was made. The plan was displayed on Have Your Say for 51 days.

A Media Release on 21 December resulted in a newspaper article in the Port News on 22 December: "Have a Say on Dog Park Plan for The Boom Reserve in Port Macquarie".

An article on 2 February in the Port News was triggered by local residents: "Residents ask council to reconsider off-leash dog park proposed at The Boom Reserve".

Prime 7 News ran a segment on the park on 10 January. They posted the video to Facebook where it received 25 positive comments and reached 5,109 people.

3 Facebook posts were made by Port Macquarie-Hastings Council on 21 December, 11 January and 5 February. These reached 3873, 4655 and 2431 people respectively receiving mainly positive responses.

47 Formal submissions were made via email, letter and Have Your Say (refer to Attachment 2 which lists all submissions in full). Statistics from Have Your Say are shown below.

Visitors Summary**Highlights**

TOTAL VISITS	719	MAX VISITORS PER DAY	112
NEW REGISTRATIONS	26	ENGAGED VISITORS	28
		INFORMED VISITORS	164
		AWARE VISITORS	626

A number of common themes emerged from the engagement. Responses to the submissions are therefore grouped by theme below.

Those in favour of the park made some suggestions that have been considered in development of the concept plan:

1. Provide separate enclosures to separate larger and smaller dogs.
This has been included within the plan.
2. The facility will require shade.
Shade has been provided with the addition of groups of shade trees in key locations such as around seating and entries.
3. Agility Equipment
Eight (8) pieces of agility equipment have been included with natural and recycled elements. These are concrete water pipe tunnel, tyre tunnel, raised tunnel, slalom poles, ramp and platform, jumping/ balancing logs x 2 and bar jump.
4. Bins and waste bag dispenser
Bins and waste bag dispensers have been included near entries.
5. Seating and taps
These have been included in groups to allow for socialization of dog owners. Bubblers include a bottle refill and dog bowl.
6. Signage displaying rules
The inclusion of regulatory and general information notice boards to promote responsible pet ownership, park rules and pet events is included

The main concerns can be summarised under the topics listed below in order of prevalence:

1. Impacts on koalas, other wildlife and environmental values

Most of the vegetation in the park is an endangered ecological community of broad-leaved paperbark forest and mixed eucalypt swamp forest complex. The dog park will be built outside this vegetation in an open grassed area so that it will not be impacted. Additional trees will be included in the dog park to provide shade for users. This will add to the canopy cover of the park.

Correspondence was received from the Koala Preservation Society expressing concern for the koala population that reside in the park.

Some submissions expressed concern for impact on other wildlife such as ducks and bees and environmental values.

The proposed off-leash dog park can be used to educate dog owners and the public about the importance of cohabitating with koalas. Strict rules for owners of dogs will be signposted so that it is clear that the dog park is the only place for off-leash activity. The area will be monitored by Council for compliance and the park will also include educational signposting about koalas and their importance for our region.

Providing a designated fenced area for dogs will protect local fauna by containing the dogs. It will also have a positive impact by reducing the number of people using areas outside the fence in this park and many others because there are currently no off leash parks in Port Macquarie.

It should be noted that dogs are currently permitted within The Boom Reserve provided they are on leash. On this basis, residents are already using this space to exercise dogs.

If Council adopts the attached draft plan for further consultation, additional discussions will be held with the Koala Preservation Society about the detailed design of signage, educational programs and compliance prior to any final recommendation is reported back to Council.

2. Lack of parking and traffic issues

The dog off-leash park will increase traffic movements and on-street parking in the surrounding residential area.

Correspondence was received from Busways expressing concern for the narrowness of The Boom which will cause constriction on their bus route. Ten (10) submissions commented on the potential for parking issues and 9 noted that traffic would increase and may cause conflict for such a narrow road (average 7m wide). People currently park on both sides of The Boom which causes cars and larger vehicles to have to slow down and take care.

The reserve has a number of street access points including connections from The Jib, The Binnacle, Newmarket Grove, and The Bulkhead. This does allow for signage to be installed to encourage visitors to park in a number of different streets to disperse parking impacts. However, noting that the dog park will be a destination and represent a significant embellishment of the reserve it is considered that off-street parking opportunities should be further investigated.

3. The proposed off-leash area limits park activity

Rather than limiting park activity, the provision of a dog off-leash park diversifies the range of recreational activities that can be accommodated within the reserve.

The dog off-leash area has been located closer to a bank of trees on the northern side of a large open space. This still allows for a large area between the existing children's playground and proposed dog park which will be available for recreational pursuits. The will require some drainage works such as the addition of an agricultural drain at the base of the existing swale to improve drainage within the enclosure.

4. Miscellaneous comments including dog waste, disease, decrease in property value, residential area.

Management of dog faeces is a major concern to dog owners and non-owners and the inclusion of waste bins and bags is an important element of the design. The Council waste section will empty the bins on a more regular cycle than a standard waste bin. The level of service will be monitored and tailored to meet demand.

In addition to waste management, staff will develop a facility maintenance plan to ensure the area is well maintained. Key considerations of this plan will include:

- Re-supplying dog waste bags
- Fixing broken or weathered signs
- Filling holes dug by dogs

- Park mowing
- Pruning of plants
- General cleaning and deodorising
- Maintaining and replacing surface materials
- Repairing perimeter fencing and gate locks
- Repairing, replacing, park furnishings and dog equipment.

It is considered difficult to associate the proposed dog park with a reduction in surrounding property values. The provision enhance recreational infrastructure and options arguably increases the attractiveness of an area.

Off leash dog parks provide opportunity for the promotion of responsible pet ownership. Council will have an ongoing role in guiding the use of off leash dog parks to ensure the safety of all users and compliance with the Companion Animals Act 1998. This will involve:

- Regulatory signage to enable prosecution of unlawful behaviour and actions
- Community education through Council's website, media releases and brochures
- Random patrols and registration (microchip scan) checks by Council Rangers
- Special events such as regular free micro chipping days, activities and demonstrations e.g. Pets Day Out

Site signage outlining dog park rules & etiquette could be similar to those used Belconnen Dog Park, Lake Ginninderra, ACT:

Please Do

- *Keep walking - this will reduce territorial behaviour*
- *Stay alert and focused on your dog at all times*
- *Keep your dog under effective control and leave if it becomes aggressive*
- *Bring plastic bags and clean up after your dog – bins are provided*
- *Limit dogs you bring to two per owner if possible*

Please Don't

- *Come into the park if your dog is unvaccinated, aggressive or on heat*
- *Bring puppies that have not completed their vaccinations*
- *Come into the enclosure if it is already crowded*
- *Bring in food and toys*
- *Bring in children without careful adult supervision.*

Petition

The petition received during the initial public exhibition period included 180 signatories. A large number of the signatories were from the surrounding area however a significant number are from residents further afield.

Reasons for opposing the development of a dog off-leash park in The Boom Reserve included:

- Parking impact on local traffic
- It will cause anxiety for pets in adjacent backyards
- Dog faeces will smell and attract flies

- Presence of dogs will negatively impact on koalas and birdlife
- The facility will decrease the desirability and values of adjacent properties.

Planning & Policy Implications

The draft plan is in accordance with Councils Dogs in Public Open Spaces Policy.

Embellishments identified in the draft concept plan are considered 'Development permitted without consent' in accordance with State Environmental Planning Policy (Infrastructure) 2007. On this basis, a Review of Environmental Factors will be undertaken for the scope of works prior to commencement of works (pending approval to proceed).

Financial & Economic Implications

An allocation of \$120,000 is included within the draft 2018/19 Operational Plan to allow delivery of the dog off-leash park.

Attachments

- 1[View](#). Concept Plan - The Boom Reserve Dog Off-Leash Park
- 2[View](#). Have Your Say Responses - The Boom Reserve Dog Off-Leash Park
- 3[View](#). The Boom Reserve - Petition against proposed dog off-leash park

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-18-05 Supply, Installation and Maintenance of Network Microwave Equipment

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-18-08 Supply and Delivery of One (1) Pipeline Inspection Unit and Equipment

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-17-53 Organisational Wide Customer Interactions Review

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

Item 14.04 T-17-57 Investigation and Design of Trunk Water Main Augmentation Between Sancrox Reservoir and Wauchope

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

Item 14.05 T-17-58 Flynn's Beach Seawall (Stage 1) - Design & Construct

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

Item 14.06 Audit, Risk and Improvement Committee Chair

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

Item 14.07 Boundary Adjustment

This item is considered confidential under Section 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.

Item 14.08 Request for Compensation from Local Business

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 14.09 Minor Plant Review

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

Item 14.10 Replacement of Budget and Reporting Tool

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 14.11 Appointment of New Member to the Economic Development Steering Group

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

Item 14.12 IRONMAN Australia Hosting Agreement

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

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-18-05 Supply, Installation and Maintenance of Network
Microwave Equipment**
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-18-08 Supply and Delivery of One (1) Pipeline Inspection Unit
and Equipment**
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-17-53 Organisational Wide Customer Interactions Review**
This item is considered confidential under Section 10A(2)(d(i)) of
the Local Government Act 1993, as it contains commercial
information of a confidential nature that would, if disclosed,
prejudice the commercial position of the person who supplied it.

RECOMMENDATION

- Item 14.04 T-17-57 Investigation and Design of Trunk Water Main
Augmentation Between Sancrox Reservoir and Wauchope**
This item is considered confidential under Section 10A(2)(d(i)) of
the Local Government Act 1993, as it contains commercial
information of a confidential nature that would, if disclosed,
prejudice the commercial position of the person who supplied it.

RECOMMENDATION

- Item 14.05 T-17-58 Flynns Beach Seawall (Stage 1) - Design & Construct**
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 14.06 Audit, Risk and Improvement Committee Chair**
This item is considered confidential under Section 10A(2)(c) of the
Local Government Act 1993, as it contains information that would,
if disclosed, confer a commercial advantage on a person with

whom the Council is conducting (or proposes to conduct) business.

RECOMMENDATION**Item 14.07 Boundary Adjustment**

This item is considered confidential under Section 10A(2)(b) of the Local Government Act 1993, as it contains discussion in relation to the personal hardship of a resident or ratepayer.

RECOMMENDATION**Item 14.08 Request for Compensation from Local Business**

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 14.09 Minor Plant Review**

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RECOMMENDATION**Item 14.10 Replacement of Budget and Reporting Tool**

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RECOMMENDATION**Item 14.11 Appointment of New Member to the Economic Development Steering Group**

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RECOMMENDATION**Item 14.12 IRONMAN Australia Hosting Agreement**

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RECOMMENDATION