



PORT MACQUARIE-HASTINGS
COUNCIL



Ordinary Council

Business Paper

date of meeting: Wednesday 18 July 2018

location: Council Chambers
17 Burrawan Street
Port Macquarie

time: 5.30pm

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

Community Vision

A sustainable high quality of life for all

Community Mission

Building the future together
People Place Health Education Technology

Council's Corporate Values

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

Community Themes

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

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

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

These are:

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

You can request to address Council by completing the:

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

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

Requests can also be lodged on-line at:

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

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

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

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

Ordinary Council Meeting

Wednesday 18 July 2018

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

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

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

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

Item: 03**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

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

RECOMMENDATION

1. That the Minutes of the Ordinary Council Meeting held on 20 June 2018 be confirmed.
2. That the Minutes of the Extra-Ordinary Council Meeting held on 4 July 2018 be confirmed.

PRESENT

Members:

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

Other Attendees:

General Manager (Craig Swift-McNair)
Director Corporate Performance (Rebecca Olsen)
Director Development and Environment (Melissa Watkins)
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 Mayor opened the Meeting with an Acknowledgement of Country and welcomed all in attendance in the Chamber.

02 LOCAL GOVERNMENT PRAYER

Reverend Stuart Webb from the Anglican Church delivered the Local Government Prayer.

03 APOLOGIES

RESOLVED: Levido/Cusato

That the apology received from Councillor Dixon be accepted.

CARRIED: 8/0

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

AGAINST: Nil

04 CONFIRMATION OF MINUTES

RESOLVED: Levido/Intemann

That the Minutes of the Ordinary Council Meeting held on 16 May 2018 be confirmed.

CARRIED: 8/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Alley declared a Non-Pecuniary, Less Than Significant Interest in Item 09.01 - 2018 Local Government NSW Annual Conference, the reason being that Councillor Alley is one of the subjects of this report.

Councillor Griffiths declared a Special Disclosure of Pecuniary Interest under Section 451(4) & (5) of the Local Government Act 1993 in relation to Item 12.07 - Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036.

Councillor Griffiths declared a Pecuniary Interest in Item 14.04 - T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators, the reason being that Councillor Griffiths has a business in Wauchope and a number of the tenderers are customers.

Councillor Levido declared a Pecuniary Interest in Item 14.04 - T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators, the reason being that Councillor Levido is a partner in the Port Macquarie law firm, Donovan Oates Hannaford Lawyers and acts for some of the tenderers the subject of the report.

Mayor Pinson declared a Pecuniary Interest in Item 14.03 - T-18-16 Provision of Legal Services, the reason being that Councillor Pinson has had business dealings with tenderers for this item.

Mayor Pinson declared a Pecuniary Interest in Item 14.04 - T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators, the reason being that Councillor Pinson has had business dealings with tenderers for this item.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Pinson

That the Mayoral Discretionary Fund allocations for the period 2 May to 6 June 2018 inclusive be noted.

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

06.02 DEVELOPMENT & ENVIRONMENT DIVISION - WELCOME AND THANK YOU TO STAFF

RESOLVED: Pinson

That Council:

1. Welcome Melissa Watkins to Council on her formal commencement with Council on 18 June 2018 as the new Director of Development & Environment.
2. Acknowledge and thank Dan Croft for his dedication and commitment whilst acting in the position of Director Development & Environment for the past eight months.
3. Acknowledge and thank Clinton Tink for his efforts whilst relieving in the position of Group Manager Development Assessment for the past eight months.

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

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

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

08 PUBLIC FORUM

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

1. Mr Colin Hardwick regarding the importance of volunteers.

RESOLVED: Levido/Alley

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

CARRIED: 8/0

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

AGAINST: Nil

08.01 IMPORTANCE OF VOLUNTEERS

Mr Colin Hardwick addressed Council in regard to the importance of volunteers and answered questions from Councillors.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

- Item 10.02 – Mr Glenn Dick in support of the recommendation.
- Item 12.07 – Ms Donna Clarke in opposition of the recommendation.
- Item 12.07 – Mr Maurice Driscoll in support of the recommendation.
- Item 12.07 – Mr Tony Thorne in opposition of the recommendation.
- Item 12.07 – Mr Michael Mowle in support of the recommendation.
- Item 12.07 – Mr Daniel Bessell in opposition of the recommendation.
- Item 12.07 – Ms Michelle Love in support of the recommendation.
- Item 12.07 – Ms Susan Proust in opposition of the recommendation.
- Item 12.08 – Ms Veronica Knudsen in support of the recommendation.

RESOLVED: Alley/Hawkins

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

CARRIED: 8/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Cusato/Alley

That Standing Orders be suspended to allow Items 10.02, 12.07 and 12.08 to be brought forward and considered next.

CARRIED: 8/0

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

AGAINST: Nil

10.02 RECOMMENDED ITEM FROM CULTURAL STEERING GROUP - (GENERAL BUSINESS ITEM) - SURF MUSEUM - TOWN BEACH NORTH

Mr Glenn Dick, Vice President/Secretary of the Port Macquarie Surfing History Association Inc., addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Intemann/Turner

1. That Council consider the unsolicited proposal for a Port Macquarie Surf Museum as a submission to the Reviewed Cultural Plan when it is on exhibition.
2. That Council congratulate the Port Macquarie Surfing History Association Inc. for initiating the surf museum on behalf of the community.

CARRIED: 8/0

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

AGAINST: Nil

12.07 PORT MACQUARIE-HASTINGS URBAN GROWTH MANAGEMENT STRATEGY 2017-2036

Councillor Griffiths declared a Special Disclosure of Pecuniary Interest under Section 451(4) & (5) of the Local Government Act 1993 and left the meeting, the time being 6:07pm.

The Director Strategy and Growth tabled an updated Attachment 3 and provided a summary of the changes:

- UGMS Vol 1. pp.32-35: Now includes a note on each summary map (e.g. See replacement Summary Map for Lake Cathie/Bonny Hills in Appendix 1 of this Attachment).
- On p.2 of Appendix 1 in Attachment 3, the contents page has been amended to list the replacement summary maps.
- On pp.38-41 of Appendix 1 in Attachment 3, the replacement summary maps have been inserted.

Ms Donna Clarke, Land Dynamics Australia, representing a number of clients, addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Maurice Driscoll, Axelle Pty Ltd, representing the Le Clos Sancrox Lot Owners, addressed Council in support of the recommendation.

Mr Tony Thorne, King and Campbell Pty Ltd, representing Expressway Spares, addressed Council in opposition of the recommendation.

Mr Michael Mowle, Hopkins Consultants, addressed Council in support of the recommendation and answered questions from Councillors.

Mr Daniel Bessell addressed Council in opposition of the recommendation and answered questions from Councillors.

Councillor Cusato left the meeting, the time being 06:43pm.

Councillor Cusato returned to the meeting, the time being 06:46pm.

Ms Michelle Love, Love Project Management, representing a number of property owners in the Sancrox area, addressed Council in support of the recommendation and answered questions from Councillors.

Councillor Turner left the meeting, the time being 07:00pm.

Councillor Turner returned to the meeting, the time being 07:04pm.

Ms Susan Proust, representing the Hastings Birdwatchers, addressed Council in opposition of the recommendation and answered questions from Councillors.

RESOLVED: Hawkins/Turner

That Council:

1. Note the submissions received and recommended amendments to the draft Urban Growth Management Strategy contained in the attached Consultation Report.
2. Adopt the revised Urban Growth Management Strategy attached to this report.
3. Submit the revised Urban Growth Management Strategy to the Director General of the NSW Department of Planning for approval.
4. Delegate to the General Manager the authority to make minor amendments and corrections to the Strategy during referral to the Department of Planning.
5. That Council receive an annual update report in relation to the implementation and status of the Urban Growth Management Strategy actions during preparation of Council's annual Operational Plans.
6. That Council amend the revised Urban Growth Management Strategy attached to this report to address an ambiguity and ensure the body of the Strategy is consistent with Key Action #6, as follows: Page 62 be updated to reflect the combination of Fernbank Creek and Sancrox such that the wording is amended as follows: "*The priority order for long term*

*investigations around Port Macquarie in terms of land capability and suitability is Fernbank Creek **and** Sancrox, and then Lake Innes."*

7. Note the resolution from the Ordinary Council Meeting of February 2015 that the General Manager is to provide a report to Council on the Greater Sancrox Area after the Urban Growth Management Strategy is endorsed/adopted by Council.
8. Request that the report be presented at or before the Council Meeting of September 2018 and that the report consider in more detail the timing of investigations and the resourcing requirements to achieve an earlier commencement.

CARRIED: 7/0

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

AGAINST: Nil

Councillor Griffiths returned to the meeting, the time being 7:38pm.

12.08 THE BOOM RESERVE DOG OFF-LEASH PARK

Ms Veronica Knudsen addressed Council in support of the recommendation.

RESOLVED: Alley/Pinson

That Council:

1. Note the information contained within the The Boom Reserve Dog Off-leash Park Report.
2. Rescind a resolution made at the Ordinary Council Meeting held on 20 April 2011 to establish a leash-free dog exercise area at The Boom Reserve, Port Macquarie.
3. Commence community engagement for the establishment at Stuart Park of Port Macquarie's Dog Off-leash Park.

CARRIED: 8/0

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

AGAINST: Nil

09.01 2018 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

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

RESOLVED: Intemann/Pinson

That Council:

-
1. Grant approval for Mayor Peta Pinson, Councillor Peter Alley and Councillor Sharon Griffiths to attend the 2018 Local Government NSW Annual Conference to be held in Albury from 21 to 23 October 2018.
 2. Determine that Mayor Peta Pinson, Councillor Peter Alley and Councillor Sharon Griffiths be Council's voting delegates at the Conference.
- CARRIED: 8/0
- FOR: Alley, Cusato, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner
- AGAINST: Nil
-

09.02 VOTING DELEGATES - VICE PRESIDENT LOCAL GOVERNMENT NSW BOARD

RESOLVED: Levido/Cusato

That Council nominate Mayor Peta Pinson, Deputy Mayor Intemann, Councillor Hawkins and Councillor Alley as voting delegates to vote for the current vacancy to the LGNSW Board role of Vice-President (Rural/Regional councils).

CARRIED: 8/0

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

AGAINST: Nil

09.03 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Intemann/Cusato

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

CARRIED: 8/0

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

AGAINST: Nil

09.04 DISCLOSURE OF INTEREST RETURN

RESOLVED: Levido/Hawkins

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

1. Bridges and Structures Engineer.

CARRIED: 8/0

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

AGAINST: Nil

**09.05 MAKING OF RATES AND CHARGES FOR 2018/2019, ADOPTION OF
THE FEES AND CHARGES AND REVENUE POLICY FOR 2018/2019**

RESOLVED: Alley/Hawkins

That Council:

1. Make an Ordinary Rate – Residential, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.27861 cents) in the dollar with a Base Amount of \$583.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Residential Defined Urban Centres’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 49.31%.
2. Make an Ordinary Rate – Residential, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.29615 cents) in the dollar with a Base Amount of \$483.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Residential Other’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 39.2%.
3. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.58793 cents) in the dollar with a Base Amount of \$583.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Business Defined Urban Centres’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 20.1%.
4. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (2.28888 cents) in the dollar with a Base Amount of \$583.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Business Port Macquarie CBD’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 5.11%.
5. Make an Ordinary Rate – Business, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.51241 cents) in the dollar with a Base Amount of \$483.00 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Business Other’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 30.55%.
6. Make an Ordinary Rate – Farmland, pursuant to Section 494 of the Local Government Act, for 2018/2019 of (0.29574 cents) in the dollar with a Base Amount of \$583.30 for all rateable land in the Port Macquarie-Hastings LGA categorised as ‘Farmland’. In accordance with Section 537 of the Act the percentage to be raised by the base amount will be 26.78%.
7. Make a Special Rate – Residential, pursuant to Section 495 of the Local Government Act, for 2018/2019 of (0.06927 cents) in the dollar for all rateable land within the Broadwater Special Rate area outlined in the attached rating maps.
8. Make a Special Rate – Residential, pursuant to Section 495 of the Local Government Act, for 2018/2019 of (0.15433 cents) in the dollar for all rateable land within the Sanctuary Springs Special Rate area outlined in the attached rating maps.
9. Make an Annual Charge for Waste Management Services – Domestic, pursuant to Section 496 of the Local Government Act, for 2018/2019 on all rateable land, categorised as Residential or Farmland, to which a domestic

waste service is (or able to be) provided. The Domestic Waste Annual Charge will be based on the type of service received:

Type of Service	Charge for 2018/19
Standard service – 240 litre fortnightly general waste	\$435.00
Minimiser service – 140 litre fortnightly general waste	\$382.00
Excess Service – 240 litre weekly general waste	\$644.00
Half standard service – 240 litre fortnightly general waste (multi-unit dwellings only)	\$240.00
Half excess service – 240 litre weekly general waste (multi-unit dwellings only)	\$345.00
Half minimiser service - 140 litre fortnightly general waste (multi-unit dwellings only)	\$213.00
Half special weekly service (multi-unit dwellings only)	\$292.00
Availability charge on vacant land	\$75.00
Availability charge on land not receiving full charge (multi-unit dwellings only)	\$135.00
Additional recycling service – 240 litre fortnightly	\$63.00
Additional organics service – 240 litre weekly	\$93.00
Additional weekly garbage service – 240 litre general waste	\$338.00
Additional weekly garbage service – 140 litre general waste (multi-unit dwellings only)	\$257.00
On application only special weekly service – 140 litre weekly general waste	\$538.00
Minimum waste charge – single dwellings	\$382.00

10. Make an Annual Charge for Waste Management Services – Other, pursuant to Section 501 of the Local Government Act, for 2018/2019 on all rateable land, categorised as Business, to which a waste service is (or able to be) provided. The Other Waste Annual Charge will be based on the type of service received:

Type of Service	Charge for 2018/19
Commercial weekly service – 140 litre general waste	\$538.00
Commercial excess Service – 240 litre weekly general waste	\$644.00
Commercial half weekly service – 140 litre fortnightly general waste (shared)	\$292.00
Commercial half excess service – 240 litre weekly general waste (shared)	\$345.00
Availability charge on vacant land – business properties	\$75.00

Commercial availability charge on land not receiving full charge	\$75.00
Commercial additional recycling service – 240 litre fortnightly	\$63.00
Commercial additional organics service – 240 litre weekly	\$93.00
Commercial additional weekly garbage service – 240 litre general waste	\$338.00
Commercial additional weekly garbage service – 140 litre general waste	\$257.00
Waste management access charge	\$29.00

11. Make an Annual Charge for Water Availability and a charge per kilolitre for Water Usage, pursuant to Section 501 and 502 of the Local Government Act, for 2018/2019 on all rateable land, to which a water service is (or able to be) provided. The Water Annual Charge will be based on water meter size:

Size of water meter connection	Charge for 2018/19
20 mm including vacant properties and equivalent tenants	\$205.00
25 mm	\$319.00
32 mm	\$526.00
40 mm	\$820.00
50 mm	\$1,284.00
80 mm	\$3,280.00
100 mm	\$5,123.00
150 mm	\$11,534.00
200 mm	\$20,499.00
Fire service – 50 mm	\$642.00
Fire service – 80 mm	\$1,640.00
Fire service – 100 mm	\$2,561.50
Fire service – 150 mm	\$5,767.00
Fire service – 200 mm	\$10,249.50
Step 1 usage charges – per kilolitre	\$2.86
Step 2 usage charges – per kilolitre	\$5.72

12. Make an Annual Charge for Sewer Availability, pursuant to Section 501 of the Local Government Act, for 2018/2019 on all rateable land, to which a sewer service is (or able to be) provided. Make a usage charge for sewerage usage, pursuant to Section 502 of the Local Government Act, for 2018/2019 on Caravan Parks, Retirement Homes, Motels, Clubs, Hotels, Schools, Backpacker Hostels, Flats, Major Regional Shopping Centres. The Sewer charges are as follows:

Service	Charge for 2018/19
Pressure Sewer	\$829.50
Connected or available (excluding churches and halls)	\$859.50
Non-rateable (other than churches & halls S555)	\$684.20

Non-rateable (S556)	\$859.50
Unconnected (S548a)	\$551.60
Non-rateable (churches & halls S555)	\$551.60
Usage Charge - per kilolitre	\$1.29

13. Make an Annual Charge for Reclaimed Water Availability, pursuant to Section 501 of the Local Government Act, for 2018/2019 on Port Macquarie urban area business/commercial/council facilities where a reclaimed water service is provided. Make a usage charge for reclaimed water usage, pursuant to Section 502 of the Local Government Act, for 2018/2019 where a reclaimed water service is provided. The reclaimed water annual charges are based on meter size:

Reclaimed Metre size	Charge for 2018/19
20 mm	\$102.50
25 mm	\$159.50
32 mm	\$263.00
40 mm	\$410.00
50 mm	\$642.00
80 mm	\$1,640.00
100 mm	\$2,561.50
150 mm	\$5,767.00
200 mm	\$10,249.50
Usage Charge - per kilolitre	\$1.43

14. Make an Annual Charge for Stormwater Management Services, pursuant to Section 496A of the Local Government Act, for 2018/2019 on each parcel of rateable land for which the service is available. The stormwater annual charges are as follows:

Service	Charge for 2018/19
Residential	\$25.00
Residential - Strata	\$12.50
Business - Strata	\$12.50
Business – 0m2 to 350m2	\$25.00
Business – 351m2 to 700m2	\$50.00
Business – 701m2 to 1,000m2	\$75.00
Business – 1,001m2 to 1,400m2	\$100.00
Business – 1,401m2 to 1,750m2	\$125.00
Business – 1,751m2 to 2,100m2	\$150.00
Business – 2,101m2 to 2,450m2	\$175.00
Business – 2,451m2 to 2,800m2	\$200.00
Business – 2,801m2 to 3,200m2	\$225.00
Business – 3,201m2 to 3,500m2	\$250.00
Business – 3,501m2 to 3,850m2	\$275.00
Business – 3,851m2 to 4,200m2	\$300.00
Business – 4,201m2 to 4,600m2	\$325.00
Business – 4,601m2 to 4,900m2	\$350.00
Business – 4,901m2 to 5,200m2	\$375.00

Business – 5,201m2 to 5,600m2	\$400.00
Business – 5,601m2 to 5,950m2	\$425.00
Business – 5,951m2 to 6,300m2	\$450.00
Business – 6,300m2 to 6,600m2	\$475.00
Business > 6,601m2	\$500.00

15. Make an Annual Charge for Onsite Effluent Services, pursuant to Section 501 of the Local Government Act, for 2018/2019 on each parcel of rateable land for which the service is provided. The Onsite Effluent annual charge are based on the risk of the system:

System	Charge for 2018/19
Low risk system	\$37.00
Medium risk system	\$73.00
High risk system	\$104.00
Small commercial	\$208.00
Large commercial	\$260.00

16. Adopt the following Integrated Planning and Reporting (IPR) documents:

- Fees & Charges 2018-2019
- Revenue Policy 2018-2019
- Rating Maps 2018-2019

17. Set the interest rate on overdue rates and charges at 7.5% from 1 July 2018 in accordance with the Office of Local Government directive.

CARRIED: 8/0

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

AGAINST: Nil

09.06 INTEGRATED PLANNING AND REPORTING (IPR) DOCUMENTS

RESOLVED: Turner/Griffiths

That Council:

- Adopt the following Integrated Planning and Reporting (IPR) documents:
 - Delivery Program 2017-2021 (Revised 2018); and
 - Operational Plan 2018-2019.
- Note the 2018-2019 budget position of a \$511,873 shortfall which will be reported to Council monthly during the financial year.
- Enter into total borrowings of \$1.5 million as outlined in the Financial Implications section of the report for playing fields at Wauchope.
- Transfer \$5,500,000 from the Playing Fields reserve to the Regional Roads Infrastructure reserve as Council's contribution towards the Ocean Drive duplication project.
- Transfer \$337,967 to the Regional Roads Infrastructure Reserve as Council's general fund contribution to the Lighthouse Road East project.
- Transfer \$2,000,000 into the Regional Road Infrastructure Reserve as Council's contribution for Maria River Road subject to grant funding being

successful and also subject to matching funds from Kempsey Shire Council, noting that this funding will come from a combination of the following:-

- a) A one off transfer of \$162,033 into the Regional Road Infrastructure Reserve;
- b) A transfer of savings from the 2017-2018 financial year up to a maximum of \$1,837,967;
- c) In the event that b) cannot be achieved that borrowings are entered into for the balance required.

CARRIED: 8/0

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

AGAINST: Nil

09.07 MONTHLY FINANCIAL REVIEW FOR MAY 2018

RESOLVED: Hawkins/Intemann

That Council:

1. Adopt the adjustments in the "Financial & Economic Implications" section of the Monthly Financial Review Report for May, 2018.
2. Note the Report from the May, 2018 Audit, Risk and Improvement Committee that "PMHC is well positioned in terms of Audit Committee related issues."
3. Request the General Manager to consider budgets for infrastructure road programs rather than individual infrastructure road project budgets during the compilation of the 2019/2020 budget.

CARRIED: 8/0

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

AGAINST: Nil

09.08 INVESTMENTS - MAY 2018

RESOLVED: Alley/Hawkins

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

CARRIED: 8/0

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

AGAINST: Nil

09.09 TOWN CENTRE MASTER PLAN SUB-COMMITTEE - MEMBERSHIP

RESOLVED: Cusato/Hawkins

That Council:

1. Extend current tenure of each member by twelve months from September 2018.
2. Due to the current vacancy on the Sub Committee following the resignation of Mr Michael Mowle, invite Mr John McGuigan to be a voting member for a twelve month period.
3. Consider a report detailing the revised Town Centre Master Plan Charter at the March 2019 meeting.

CARRIED: 8/0

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

AGAINST: Nil

10.01 KENDALL MAIN STREET MASTER PLAN

RESOLVED: Alley/Griffiths

That Council:

1. Note the information contained within the Community Engagement & Internal Consultation section of this report.
2. Adopt the Kendall Main Street Master Plan as presented for future implementation.

CARRIED: 8/0

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

AGAINST: Nil

Item - 10.02 Recommended Item from Cultural Steering Group - (General Business Item) - Surf Museum - Town Beach North - has been moved to another part of the document.

10.03 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - MAY 2018

RESOLVED: Pinson/Intemann

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. That Connor Cook be granted the amount of \$150.00 to assist with the expenses he would have incurred competing at the NSW State Cricket Challenge held in Campbelltown Sydney from 15 – 18 April 2018 inclusive.
2. That Madelaine Goodridge be granted the amount of \$300.00 to assist with the expenses she would have incurred competing at the 2018 Georgina Hope Australian Age Swimming Championships held in Sydney from 21–28 April 2018 inclusive.

CARRIED: 8/0

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

AGAINST: Nil

10.04 ARTWALK 2018 - POST EVENT REPORT

RESOLVED: Turner/Griffiths

That Council:

1. Note the information in the ArtWalk 2018 – Post Event Report.
2. Request the Cultural Steering Group work with staff on the ongoing development of future ArtWalk events.

CARRIED: 8/0

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

AGAINST: Nil

10.05 CULTURAL PLAN REVIEW

MOTION

MOTION: Turner/Hawkins

That Council:

1. Acknowledge the Cultural Steering Group's review and endorsement of the Draft 2018 – 2021 Cultural Plan and place the draft plan on public exhibition for a period of 30 days between 25 June and 20 July 2018.
2. Refer the submissions to the Cultural Steering Group for consideration prior to the finalisation of the Plan and reporting to Council.

AMENDMENT

MOTION: Intemann/Alley

1. Acknowledge the Cultural Steering Group's review and endorsement of the Draft 2018 – 2021 Cultural Plan and place the draft plan on public exhibition for a period of 30 days between 25 June and 20 July 2018.
2. Amend for exhibition the wording on page 4 of the draft document to read "Our region is recognised internationally as an innovative leader of creativity and culture".
3. Refer the submissions to the Cultural Steering Group for consideration prior to the finalisation of the Plan and reporting to Council.

EQUAL: 4/4

FOR: Alley, Cusato, Intemann and Pinson

AGAINST: Griffiths, Hawkins, Levido and Turner

CASTING VOTE: Pinson: FOR

THE AMENDMENT BECAME THE MOTION AND WAS PUT

1. Acknowledge the Cultural Steering Group's review and endorsement of the Draft 2018 – 2021 Cultural Plan and place the draft plan on public exhibition for a period of 30 days between 25 June and 20 July 2018.
2. Amend for exhibition the wording on page 4 of the draft document to read "Our region is recognised internationally as an innovative leader of creativity and culture".
3. Refer the submissions to the Cultural Steering Group for consideration prior to the finalisation of the Plan and reporting to Council.

CARRIED: 6/2

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

AGAINST: Griffiths and Hawkins

11 Your Business and Industry – no reports for this section.

**12.01 ACQUISITION OF LAND AND EASEMENT - LONG FLAT SEWERAGE
SCHEME**

RESOLVED: Intemann/Alley

That Council:

1. Pay the negotiated amount of \$101,250.00 (GST free) for compensation and the reimbursement of design review and negotiation costs to the owners of Lot 22 DP818173 and Lot 1 DP1042541, PJ & M L O'Neill, for the acquisition of land generally shown as Lot 2 in Mark Rogers' draft plan of survey reference 17380DP02 and the acquisition of an easement for the drainage of sewage 3 metres wide as shown in Mark Rogers' draft plan of survey reference 17380DP04.
2. Pay the owner's legal costs for the property conveyance.
3. Delegate authority to the General Manager to sign:
 - a) Deed of Acquisition / Contract for the Sale of Land;
 - b) Deed of Agreement;
 - c) Land Registry Services Transfer Forms;
 - d) Revenue NSW Purchaser Declaration;
 - e) Letter to Revenue NSW seeking exemption from the payment of stamp duty.

CARRIED: 8/0

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

AGAINST: Nil

**12.02 REGIONAL TRANSPORT INFRASTRUCTURE STEERING GROUP
MEMBERSHIP AMENDMENT**

RESOLVED: Levido/Cusato

That Council:

1. Appoint the Engineering Planning Manager, Transport and Stormwater Network as a voting member of the Regional Transport Infrastructure Steering Group in lieu of the Group Manager Transport and Stormwater Network
2. Endorse the amended Regional Transport Infrastructure Steering Group Charter reflecting the membership changes.

CARRIED: 8/0

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

AGAINST: Nil

**12.03 STORMWATER STRATEGY DEVELOPMENT UPDATE - INTEGRATING
COUNCIL'S STORMWATER STRATEGY WITH THE INTEGRATED
WATER CYCLE MANAGEMENT STRATEGY**

RESOLVED: Intemann/Alley

That Council note:

1. The key objectives, priorities and initiatives underpinning the development of Council's stormwater strategy as outlined in this report.
2. That, based on the stormwater strategy planning work to date, a number of stormwater flood mitigation projects are currently underway, which have been funded by the Water Fund Dividend.
3. That the forward development, community and stakeholder engagement, and formal adoption of the stormwater strategy will be included within the development of Integrated Water Cycle Management Strategy.
4. That the development and adoption the final Integrated Water Cycle Management Strategy, including the stormwater strategy, is a key operational activity within the 2018/19 Operational Plan.

CARRIED: 8/0

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

AGAINST: Nil

**12.04 GARDEN CRESCENT, PORT MACQUARIE CAR PARKING WORKS AS
MATERIAL PUBLIC BENEFIT**

RESOLVED: Intemann/Griffiths

That Council:

1. Approve the application to undertake works involving the construction of 46 car parking spaces at Garden Crescent, 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), subject to the applicant entering into a 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 Item 1, due to extenuating circumstances, as described in the report.
3. Delegate authority to the General Manager to execute the Works in Kind Agreement in item 1 above.

CARRIED: 8/0

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

AGAINST: Nil

12.05 OPEN SPACE CONTRIBUTIONS PLAN

RESOLVED: Levido/Cusato

That Council:

1. Approve the Open Space Contributions Plan 2018 with the alterations detailed in the report.
2. Give public notice of the approval of the Open Space Contributions Plan 2018 to commence on 31 July 2018.

CARRIED: 8/0

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

AGAINST: Nil

12.06 DEFERRAL OF STRATA DEVELOPMENT CONTRIBUTIONS

RESOLVED: Levido/Pinson

That Council:

1. Note the issues and risks identified in the review of the Development Contributions Deferral Service, as described in this report.
2. Request the General Manager provide a report to the November 2018 Ordinary Council meeting following a detailed review of the existing Deferral Scheme, addressing but not limited to the funding shortfall in administration costs currently identified.
3. Defer consideration of an additional investigation to expand the scheme to include Major Strata Developments until a formal review of the existing scheme is completed.

CARRIED: 8/0

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

AGAINST: Nil

Item - 12.07 Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 - has been moved to another part of the document.

Item - 12.08 The Boom Reserve Dog Off-Leash Park - has been moved to another part of the document.

12.09 CLASSIFICATION OF LAND TRANSFERRED TO COUNCIL FOR SEWER PURPOSES

RESOLVED: Levido/Cusato

That Council classify Lot 72 Deposited Plan 1239695 (land off Major Innes Road, Port Macquarie) as operational land.

CARRIED: 8/0

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

AGAINST: Nil

12.10 CLASSIFICATION OF LAND ACQUIRED BY COUNCIL - STINGRAY CREEK

RESOLVED: Levido/Griffiths

That Council classify Lot 1 Deposited Plan 1234044 as operational land.

CARRIED: 8/0

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

AGAINST: Nil

12.11 LOW RISE MEDIUM DENSITY HOUSING CODE

RESOLVED: Griffiths/Hawkins

That Council:

1. Note the information contained in the report.
2. Not seek a 12 month delayed commencement of the Low Rise Medium Density Housing Code in the Port Macquarie-Hastings local government area.

CARRIED: 5/3

FOR: Cusato, Griffiths, Hawkins, Levido and Turner

AGAINST: Alley, Intemann and Pinson

FORESHADOWED MOTION:

MOVED: Alley/

That Council:

1. Note the information contained in the report.
2. Seek a 12 month delayed commencement of the Low Rise Medium Density Housing Code in the Port Macquarie-Hastings local government area.

13 QUESTIONS FOR NEXT MEETING

13.01 ENFORCEMENT OF UNLAWFUL ACTIVITY POLICY

Question from Councillor Turner:

Could the General Manager provide advice to Council on the adequacy of the existing Council policy titled 'Enforcement of Unlawful Activity' to guide appropriate decisions on enforcement by Council officers, including information on when this policy was last reviewed.

Comments by Councillor (if provided):

Nil.

13.02 USE OF DRONES

Question from Councillor Griffiths:

Could the General Manager advise where and for what purpose drones are used by Port Macquarie-Hastings Council and the legalities of use over public and private property?

Comments by Councillor (if provided):

Nil.

13.03 LIBRARY FUNDING CUTS

Question from Councillor Hawkins:

Can the General Manager please indicate what the financial impact of the library funding cuts will be to Port Macquarie-Hastings Council for 2018-2019, announced in the recent NSW Government budget?

Comments by Councillor (if provided):

Nil.

**13.04 FERNBANK CREEK BOAT RAMP AND JETTY UPGRADE
PROGRESS**

Question from Councillor Cusato:

As part of Council's recreational plan actions, the boating infrastructure needs for our LGA have been investigated. Can Council get an update on the progress of the proposed ramp and jetty upgrade at the Fernbank Creek boat ramp site?

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Levido/Cusato

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 Request for Bad Debt Write-Off

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 14.02 T-18-13 Hartys Creek Bridge Replacement

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

Item 14.03 T-18-16 Provision of Legal Services

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

Item 14.04 T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators

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 Property Purchase by Property Reserve

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 14.06 Supply of Electricity for Small Tariff Sites

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

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

CARRIED: 8/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 9:23pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 9:28pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Intemann/Alley

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

Item 14.01 Request for Bad Debt Write-Off

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

That the accounts outlined in the Request for Bad Debt Write-off report be written off as “bad debts not recoverable”.

Item 14.02 T-18-13 Hartys Creek Bridge Replacement

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

RECOMMENDATION

That Council:

1. Accept the tender from Saunders Civilbuild Pty Ltd for \$1,657,293.71 (exclusive of GST) for the replacement of Hartys Creek Bridge on Comboyne Road.
2. Accept the Schedule of Rates from Saunders Civilbuild Pty Ltd for the replacement of Hartys Creek Bridge.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and consideration in respect of Tender T-18-13.

Item 14.03 T-18-16 Provision of Legal Services

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

RECOMMENDATION

That Council:

1. Accept tenders from the following contractors to be appointed to a panel arrangement for the provision of Legal Services for a three (3) year period commencing 1 July 2018, with two (2) options to extend for a further two (2) year periods, such option(s) to be for the benefit of the Council and may be exercised only by the Council in its sole discretion:
 - a) Lindsay Taylor Lawyers;
 - b) Local Government Legal;
 - c) Marsdens Law Group; and
 - d) Wilshire Webb Staunton Beattie Lawyers.
2. Accept the Schedule of Rates from:
 - a) Lindsay Taylor Lawyers;
 - b) Local Government Legal;
 - c) Marsdens Law Group;
 - d) Wilshire Webb Staunton Beattie Lawyersfor the provision of Legal Services.
3. Affix the seal of Council to the necessary documents
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-18-16.

Item 14.04 T-18-18 Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators

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 tenders from the following suppliers to be appointed to a panel of suppliers for the Provision of Hire Services - Contract Plant, Ancillary Equipment and Plant Operators for a period 1 July 2018 to 30 June 2019 with a further two (2) options to extend each for a period of twelve (12) months, such options are to be for the benefit of the Council and may be exercised only by the Council in its sole discretion:

- AJ & JA Wilson Family Trust;
- AS & S Collins t/as Mortons Creek Haulage;
- Blanch Earthmoving Pty Ltd;
- Booker Backhoe Bobcat & Tipper Hire Pty Ltd;
- Bridle Concrete Resources;
- CJ Hoogland t/as Hoogland Plant Hire;
- CNC Roads;
- Coastal Hire & Sales;
- Coates Hire Operations Pty Ltd;
- Conplant Pty Ltd;
- CSC Industries Pty Ltd t/as Platinum Excavation and Plant Hire;
- Ditchfield Contracting Pty Ltd;
- DJ & D Coombes;
- Eire Constructions Pty Ltd;
- Elf's Excavations;
- Fenech Group Pty Ltd;
- FJ & BJ Lyon Pty Ltd;
- Garry Hooper Haulage Pty Ltd;
- GC & LR Mellor t/as Midcoast Tipper Hire;
- G H Lindsay Earthmoving Pty Ltd;
- Glenn Martin Backhoe Hire;
- HC & K Bennett Pty Ltd;
- Hobbs Rural Services;
- Hollfields Plumbing Excavation;
- Jim Anderson Earthmoving;
- JR & EG Richards Pty Ltd;
- Keegan Civil Pty Ltd;
- Kennards Hire Pty Ltd;
- Lake Cathie Excavations;
- Laurie Mascord Backhoe Hire;

-
- LinCon Earthmoving Pty Ltd;
 - Magnum Haulage & Excavations Pty Ltd;
 - Manton Building & Excavations;
 - Marden Alliance Pty Ltd t/as Marden Civil;
 - Marschall Bobcat Service;
 - Master Hire Pty Ltd;
 - Mid Coast Cranes Pty Ltd;
 - Mid North Coast Hydro Digging & Service Locating Pty Ltd;
 - Mid North Coast Water Tankers Pty Ltd;
 - Mitchbrook Management Pty Ltd t/as Mitchbrook Construction;
 - ML & LT Swan;
 - ONeills Backhoe Services Pty Ltd;
 - Port Cranes Pty Ltd;
 - Redhead Machinery Pty Ltd;
 - Rollers Australia Pty Ltd;
 - Schmutter Earthmoving & Demolition Pty Ltd;
 - Specialised Pavement Services Pty Ltd;
 - Stephen McNeilly Bobcat & Tipper Hire;
 - Steve Wallis Transport;
 - TFH Hire Services Pty Ltd;
 - Tutt Bryant Equipment;
 - Tyrrells Earthmoving t/as Next Level Earthworks;
 - Winicki Excavations;
 - XXXDirtworx Pty Ltd t/as M C Dirtworx; and
 - YI Constructions.
2. Affix the seal of Council to the necessary documents.
 3. Maintain the confidentiality of the documents and considerations in respect of Tender T-18-18.

Item 14.05 Property Purchase by Property Reserve

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

RECOMMENDATION

That Council:

1. Submit an Expression of Interest within the adopted value range nominated by Council's Consulting Valuer for the purchase of Lot 1 DP1012883 (52 John Oxley Drive).
2. Subject to the outcome of resolution 1 above, delegate to the General Manager authority to:
 - a) Sign the Contracts for Sale.
 - b) Sign the letters to Revenue NSW seeking an exemption from the payment of Stamp Duty.
 - c) Sign the Revenue NSW Purchaser Declaration Forms.
 - d) Sign the Land Registry Services Transfer Forms.

-
- e) Sign any of the above or additional forms, either by hand or electronically, that may be required with the introduction of e-conveyancing from 1 July 2018.
 - 3. Utilise Council's Property Reserve to complete this acquisition should Council's offer be accepted.
 - 4. On completion of the purchase of Lot 1 DP1012883 (52 John Oxley Drive), pursuant to Section 34 of the Local Government Act 1993, commence the process to classify Lot 1 DP1012883 as "operational" land by placing on exhibition for minimum of 28 days the proposed resolution "it is intended to classify Lot 1 DP1012883 (52 John Oxley Drive, Port Macquarie) as operational land."
 - 5. Note that a further report will be tabled to Council detailing any submissions received from the public during the exhibition period.

Item 14.06 Supply of Electricity for Small Tariff Sites

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

RECOMMENDATION

That Council:

- 1. In accordance with Local Government Act 1993, Section 55 (3)(g), enter in to a six (6) month extension through Local Government Procurement to supply electricity to small tariff sites with Powerdirect (AGL Energy).
- 2. Delegate the General Manager the authority to sign the required contract to enact the extension for Supply of Electricity for Small Tariff Sites.
- 3. Maintain the confidentiality of the documents and considerations in respect of the Supply of Electricity for Small Tariff Sites Report.

CARRIED: 8/0

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

AGAINST: Nil

The meeting closed at 9:28pm.

.....
Peta Pinson
Mayor

PRESENT

Members:

Councillor Peta Pinson (Mayor)
Councillor Lisa Intemann (Deputy Mayor)
Councillor Rob Turner
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)
Director Development and Environment (Melissa Watkins)
Director Infrastructure (Alex Fisher)
Director Strategy and Growth (Jeffery Sharp)
Group Manager Governance and Procurement (Blair Hancock)
Governance Support Officer (Bronwyn Lyon)

The meeting opened at 5:00pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 APOLOGIES

RESOLVED: Levido/Griffiths

That the apology received from Councillor Cusato be accepted.

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

03 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Griffiths/Alley

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

Item 08.01 T-18-01 Port Macquarie Airport Terminal Building Upgrade
This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

CARRIED: 8/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 5:03pm

RESUME MEETING

The Ordinary Council Meeting resumed at 5:11pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Intemann/Hawkins

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

Item 08.01 T-18-01 Port Macquarie Airport Terminal Building Upgrade

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

RECOMMENDATION

That Council:

1. In accordance with the Local Government (General) Regulations 2005 clause 178(1)(b), decline to accept any of the tenders submitted for Tender T-18-01 Port Macquarie Airport Terminal Building Upgrade, due to the potential need to refine the scope of works.
4. In accordance with the Local Government (General) Regulations 2005 clauses 178(3)(e) and 178(4), decline to invite fresh tenders and enter into negotiations with the following tenderers (listed in alphabetical order) that represented best value in addressing the requirements of Tender T-18-01, with a view to entering into a contract for the Port Macquarie Airport Terminal Building Upgrade project based on a refined scope of works:
 5. AW Edwards Pty Ltd;
 6. Commercial Project Group Pty Ltd; and
 7. Lipman Pty Ltd.
8. Maintain the confidentiality of the documents and considerations in respect of Tender T-18-01.
9. Note the project budget implications outlined in the Financial & Economic Implications Section of this report, with the budget shortfall to be funded from one or a combination of the following sources (listed in priority order):
 10. NSW State and/or Australian Government Grant Funding;
 11. Airport Reserve Funding; and
 12. Loan Borrowings (with repayments funded from the Airport Reserve).
13. Request the General Manager present a further report to a future meeting of Council on completion of the negotiation process, for Council's further consideration of Tender T-18-01 based on the outcome of the negotiations to refine the scope of works, and the subsequent revised project budget and funding sources.

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

The meeting closed at 5:17pm.

.....
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 Council note that there were no Mayoral Discretionary Fund allocations made for the period 7 June to 4 July 2018 inclusive.

Discussion

Mayoral Discretionary Fund Allocations

No allocations from the Mayoral Discretionary Fund were made for the period 7 June to 4 July 2018 inclusive.

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.

RECOMMENDATION

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: RESIGNATION FROM THE MID NORTH COAST REGIONAL ORGANISATION OF COUNCILS (MIDROC)

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. Resign as a member of the Mid North Coast Regional Organisation of Councils (MIDROC) at the July 2018 MIDROC Board meeting, to focus energies on ensuring the success of the new Mid North Coast Joint Organisation (MNCJO).**
- 2. Request the General Manager allocate any remaining Port Macquarie-Hastings Council funding that is distributed from MIDROC, to the operation of the MNCJO, as detailed in the Financial & Economic Implications section of this Resignation from the Mid North Coast Regional Organisations of Council report.**

Executive Summary

As previously reported to Council in February and March 2018, 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 Joint Organisations (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 16 February 2018, the OLG released the draft Local Government (General) Amendment (Regional Joint Organisations) Regulation 2018, which supports the above-mentioned Local Government Amendment (Regional Joint Organisation) Act 2017.

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. JOs will give local Councils a seat at the table in planning for important regional infrastructure and investment.

At the Ordinary Council meeting held on 21 March 2018, Council resolved to join the Mid North Coast Joint Organisation (MNCJO). In light of this, it is appropriate that

Council now resign its membership of the Mid North Coast Regional Organisation of Councils (MIDROC) to focus on the newly established MNCJO.

Discussion

MIDROC has represented close to 300,000 residents across six local government areas for many years and until recently, MIDROC has been the peak representative body for Clarence Valley Council, Coffs Harbour City Council, Bellingen Shire Council, Nambucca Shire Council, Kempsey Shire Council and Port Macquarie-Hastings Councils.

The objectives of MIDROC are:

- a) To consider the needs of the local government areas and of the people of the Mid North Coast and to make known those needs to the Commonwealth and New South Wales (NSW) Governments and to the wider community.
- b) To submit to the Commonwealth and NSW Governments requests for financial assistance, policy changes and additional resources for the Mid North Coast and Members.
- c) To strengthen the role of local government in regional affairs, particularly where the Mid North Coast may be affected by Commonwealth or NSW Government policy and strategic priorities.
- d) To foster co-operation between Members in addressing problems and projects of joint interest.
- e) To advance the interests of the Mid North Coast.
- f) To assist Members to carry out their duties, functions and powers under the Local Government Act 1993 and any other statute making provision for duties, functions or powers of the Members.
- g) Otherwise in accordance with Section 124 of the Law and in accordance with its Strategic Plan as adopted from time to time.

In keeping with its adopted constitution (copy attached), MIDROC is comprised of a Board of each of the member Councils (consisting of the Mayors and General Managers), an Executive and the General Managers Advisory Committee (GMAC) to the Board. Traditionally MIDROC has acted as a Section 355 Committee of Port Macquarie-Hastings Council and has over time contemplated available options in terms of structure and form which are seen to include or not be limited to a Section 355 Committee, an incorporated association, a company limited by guarantee, a cooperative, or a Joint Organisation (JO).

Further to the above, at the 28 August 2017 MIDROC Board meeting, the following was resolved:

- 1. That MIDROC move to form an Incorporated Association based on MIDROC's existing constitution and articles of association.
- 2. That MIDROC note that the formation of an Incorporated Association is carried out with a view to evolving to a Corporation Limited by Guarantee in the future if appropriate.
- 3. That the regional organisation be known as the Joint Organisation of Mid North Coast Councils.
- 4. That the Joint Organisation immediately apply to the NSW Government for funding as provided to other joint organisations in an annual sum of \$600,000,

- as originally proposed to be allocated to the two Joint Organisations for this region.
5. That the purpose and core functions of the Joint Organisation of Mid North Coast Council be;
- a) Strategic planning and priority setting;
 - b) Intergovernmental collaboration;
 - c) Regional leadership and advocacy;
 - d) Shared service delivery and capacity building.

The above resolution was made due to the fact that at the time, the NSW government had not made public it's timing in relation to the path forward for Joint Organisations and the MIDROC Board chose to get in front of the changes by resolving to become a more formal body than it had been in the past.

Subsequent to the above MIDROC Board resolution, Joint Organisations have been proclaimed as per details provided earlier in this report. At the Ordinary Council meeting held on 21 March 2018, Council resolved to join the Mid North Coast Joint Organisation (MNCJO). In light of this, it is appropriate that Council now resign its membership of the Mid North Coast Regional Organisation of Councils (MIDROC) to focus on the newly established MNCJO.

With regard to resigning from MIDROC, the MIDROC constitution (November 2012) states the following:

Clause 2.6 Registration of Membership:

A Council may withdraw from membership of the Organisation on giving twelve months written notice to the Secretary. The Board may upon a resolution of a majority of members agree to a lesser period.

When such termination takes effect, no contribution shall be refunded, no funds will be distributed, and the Constitution remains in force between the remaining members of the organisation.

Members of the Organisation shall have no liability to contribute towards the payment of the debts and liabilities of the Organisation or the costs, charges and expenses of the winding up of the Board, except to the amount of any unpaid membership fees, and their liability is thus limited.

It is noted as detailed above that a Council wanting to withdraw from membership of MIDROC must give 12 months written notice, noting that the Board may resolve to allow a lesser period of notice. In light of the fact that the MNCJO has now been formally proclaimed, it is believed that Council has a strong case to resign almost immediately from MIDROC at the next MIDROC Board meeting, currently scheduled towards the end of July 2018.

Clause 2.6 of the MIDROC constitution also states that upon termination, no previously made financial contributions shall be refunded to the member Council. However it is considered appropriate that a request be made to the MIDROC Board to calculate an amount that is owing to Port Macquarie-Hastings Council by dividing the remaining MIDROC funds by five Councils, noting that Clarence Valley Council (as a relatively new member of MIDROC) has not been required to pay contributions to MIDROC to date due to uncertainty about the future of MIDROC.

If the above approach is supported, the intent would be to roll whatever funds are owed to Council, into funding for the new MNCJO.

The key justification for resigning from MIDROC is that there is little value in belonging to two regional organisations, particularly when one of them is now a legislated body (i.e. the MNCJO) and where Council has previously resolved to become a member Council of the new JO.

Options

Council can choose to accept the recommendations as detailed in this report, or resolve in some other manner.

Community Engagement & Internal Consultation

There has been no community engagement undertaken in relation to this report. There have been discussions between Councils General Manager and the General Managers of other MIDROC Councils with regard to Council resigning from MIDROC, plus there was brief mention of this at the inaugural Board meeting of the MNCJO in June 2018.

Internal consultation has taken place with the following:

- Mayor;
- Director Corporate Performance;
- General Manager

Planning & Policy Implications

The full impact of the establishment of the MNCJO is not yet fully known, however one of the tasks the MNCJO must undertake within the first six months, is the development of a Statement of Strategic Regional Priorities (SSRP). The SSRP will detail the key priorities for the member Councils over the coming few years and it is envisaged that this plan will include a range of information already detailed in member Councils Community Strategic Plans and the like.

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

Financial & Economic Implications

As detailed earlier in this report, Clause 2.6 of the MIDROC constitution states that upon termination, no previously made financial contributions shall be refunded to the member Council. However it is considered appropriate that a request be made to the MIDROC Board to calculate an amount that is owing to Port Macquarie-Hastings Council by dividing the remaining MIDROC funds by five Councils, noting that Clarence Valley Council (as a relatively new member of MIDROC) has not been required to pay contributions to MIDROC to date due to uncertainty about the future of MIDROC.

At the time of writing this report, there is \$174,516 in the MIDROC account, therefore, if the above is to take place, Councils share of these funds would be approximately \$34,903, with the aim being to roll this funding into the operation of the MNCJO.

A determination of what upfront and ongoing fees will be required from member Councils for the MNCJO has not yet been made as this is the subject of current consultation with member Councils. It should be stated that the NSW government has provided \$300,000 in funding to each newly established JO to assist with set up costs etc, with these funds having recently been received.

Attachments

1[View](#). Joint Organisation Legislation 2017

2[View](#). MIDROC Constitution

Item: 09.02

Subject: STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

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

Discussion

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
QFPM - Enforcement of Unlawful Activity Policy	20/06/18 Item 13.01		DDE		Jul-18
QFPM - Use of Drones	20/06/18 Item 13.02		DI		Jul-18
QFPM - Library Funding Cuts	20/06/18 Item 13.03		DSG		Jul-18
QFPM - Fernbank Creek Boat Ramp and Jetty Upgrade	20/06/18 Item 13.04		DDE		Jul-18
Biodiversity Strategy – post exhibition	13/12/17 Item 12.06	Submissions still being reviewed.	DDE	Apr-18 May-18 Jun-18 Jul-18	Aug-18
Correspondence responses update – by-election for popularly elected Mayor	18/04/18 Item 09.02	Awaiting information.	GM		Aug-18
Markets Policy	13/12/17 Item 11.01	In discussion with the Economic and Cultural Development Portfolio.	DSG	Apr-18 Jul-18	Aug-18
Clearing of Vegetation on Flagstaff Hill	18/04/18 Item 12.11		DDE		Aug-18
T-18-01 Port Macquarie Airport Terminal Building Upgrade - outcome of negotiations to refine scope of works and revised project budget and funding sources	04/07/18 Item 08.01		DCP		Aug-18

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Alternative Investment Options for higher returns	15/11/17 Item 09.10	Delayed pending further development and referral to Audit Risk and Improvement Committee. Awaiting Councillor Briefing.	DCP	Jul-18	Sep-18
Draft Structure Plan for the Greater Sancrox Area - consideration/investigations of potential urban capability/serviceability / capacity of lands between Oxley Highway to north, Pacific Highway to west and Houston Mitchell Drive to south and viability of rural residential development in the Greater Sancrox area.	18/02/15 Item 13.07 20/06/18 Item 12.07	Work underway now the UGMS report adopted.	DSG	Dec-16 May-17 Jun-17 Dec-17 Jul-18	Sep-18
Tuffins Lane Sporting Fields - Terms of Agreement	14/12/16 Item 06.02	Awaiting Catholic Parish advice	GM		Sep-18
Future of Committees following establishment of Cultural Steering Group	19/04/17 Item 15.05	Item is to be discussed at a future Cultural Steering Group meeting.	DSG	Jun-17 Jul-17 Sep-17 Oct-17 Feb-18 Apr-18 Jul-18	Sep-18
Impact of Road Openings and Closures on Private Property	18/09/13 Item 12.03	To be included in overall review of roads policies. Information still being sought.	DI	Mar-15 Jun-17 Jul-17 Dec-17 Mar-18	Sep-18
Port Macquarie Town Centre Pedestrian Facility Investigations - post community engagement	14/12/16 Item 13.05	With the design recently commenced following delays from RMS regarding funding allocations, aspects of the engagement	DI	Aug-17 Oct-17 Feb-18	Sep-18

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
		are outstanding.			
Opportunities for Local Firms to do Business with Council	16/08/17 Item 11.01		DCP		Oct-18
Performance of Property Investment Portfolio 6-Monthly Report	12/12/17 Item 09.09		DSG		Nov-18
Deferral of Strata Development Contributions Scheme, report post detailed review of existing scheme and addressing but not limited to the funding shortfall in administration costs currently identified	20/06/18 Item 12.06		DSG		Nov-18
Tastings on Hastings - future strategy	18/04/18 Item 10.02		DSG		Nov-18
Town Centre Master Plan Charter Review	20/06/18 Item 09.09		DSG		Mar-19
Canal Maintenance	18/10/17 Item 12.04		DI		2018/2019 FY
Draft Biodiversity Certification Assessment and Strategy - Port Macquarie Airport and Surrounding Land - viability and implications of the options for securing the required Blackbutt Tallowood dry grassy open forest and Koala habitat credits, prior to the clearing that creates the demand for those credits.	10/08/16 Item 12.01		DDE		TBA
Planning Proposal - Homedale Road Kew - post exhibition	14/12/16 Item 13.07	Awaiting further response from proponent prior to public exhibition based on state agency consultation.	DSG	Oct-17 Dec-17 May-18	TBA
Planning Proposal – Lot 2 DP1091253 Beach Street Bonny Hills	19/04/16 Item 12.02		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	17/05/17 Item 13.05		DSG		TBA
Tree Management – Proposed Improvements	20/09/17 Item 12.06		DDE		TBA

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Long Flat Village Sewer Scheme – Acquisition of Land and Easement – Classify as Operational Land	18/10/17 Item 12.03		DI		TBA
Planning Proposal PP2016 – 11.1 Mission Terrace Lakewood – post exhibition	15/11/17 Item 12.06		DDE		TBA
Flying Fox Colony in Kooloonbung Creek nature Reserve	18/04/18 Item 12.02		DDE		TBA
Property Purchase by Sewer Fund - post exhibition	16/05/18 Item 14.01		DSG		TBA
Property Purchase by Property Reserve – post exhibition	16/05/18 Item 14.02		DSG		TBA
Planning Proposal: Bundaleer Aged Care Centre, 4-8 Johnstone Street And 67 High Street, Wauchope	16/05/18 Item 12.05		DSG		TBA
Planning Proposal: Proposed Highway Service Centre, 1179 Oxley Highway, Sancro – post exhibition	16/05/18 Item 12.06		DSG		TBA
Planning Proposal: Proposed Highway Service Centre, 1179 Oxley Highway, Sancro – amendments to DCP	16/05/18 Item 12.06		DSG		TBA
Trialling Of Parklets In The Port Macquarie Town Centre	16/05/18 Item 10.02		DSG		TBA
Classification as "Operational" Land - 52 John Oxley Drive, Port Macquarie - post exhibition.	20/06/18 Item 14.05		DCP		TBA

Cyclic Reports

Report	Reporting Officer	Reporting Cycle	Month
Mayoral Discretionary Fund Allocations	GM	Monthly	Every
Monthly Financial Update	DCP	Monthly	Every
Investments	DCP	Monthly	Every
Recommendations by the Mayor's Sporting Fund Sub-Committee	SG	Monthly	Every
Development Activity and Assessment System Performance	DDE	Quarterly	May, Aug, Nov, Feb
Operational Plan – Quarterly Progress	DCP	Quarterly	Nov, Feb, Apr, Aug
Glasshouse Strategic Plan Update	DCP	Biannual	Feb, Aug
Delivery Program – Six Monthly Progress	DCP	Biannual	Mar, Sep
Site Specific LEP Amendments - Update	DSG	Biannual	Mar, Sep

Report	Reporting Officer	Reporting Cycle	Month
Long Term Energy Strategy – Progress	DDE	Biannual	Apr, Oct
Economic Development Strategy - Progress (20/11/2013 - Item 10.03)	DSG	Biannual	May, Nov
Performance of Property Investment Portfolio 6-Monthly (12/12/17 - Item 09.09)	DSG	Biannual	May, Nov
Mayoral and Councillor Fees (Setting of)	GM	Annually	Jun
MIDROC Strategic Plan 2013-2017 Outcomes (21/08/2013 - Item 08.03)	GM	Annually	Sep
Council Policy - Status	DCP	Annually	Jul Aug
Recreation Action Plan – Status	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 (21/08/2013 - Item 08.03)	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 (21/10/15 - Item 09.04)	DCP	Annually	Nov

Attachments

Nil

Item: 09.03

Subject: DISCLOSURE OF INTEREST RETURN

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

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

- 1. Director Development and Environment.**
- 2. Ranger.**

Executive Summary

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

Discussion

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

1. Director Development and Environment.
2. Ranger.

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

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

The returns for the following positions will be tabled at this meeting:

1. Director Development and Environment.
2. Ranger.

Options

No other options, lodgement of a Return by a Designated Person is a requirement under section 445 of the Local Government Act.

Community Engagement & Internal ConsultationInternal Consultation

- General Manager.
- Group Manager Governance and Procurement.
- Director Development and Environment.
- Ranger.

Planning & Policy Implications

There are no planning or policy implications.

Financial & Economic Implications

There are no financial or economic implications.

Attachments

Nil

Item: 09.04

Subject: INVESTMENTS - JUNE 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 June 2018.

Executive Summary

- Total funds invested as at 30 June 2018 equals \$275,415,661.
- Interest for the month of June was \$672,167.
- The year-to-date investment income of \$7,971,775 represents 101% of the total annual investment income budget of \$7,864,300.
- Council's total investment portfolio performance over the last 12 months was 1.29% above the benchmark (3.07% against 1.78%). Benchmark being the Bank Bill reference rate as at 30 June 2018 as identified on www.bloombergingindices.com.
- There are two policy non-conformances; credit quality and counterparty

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.

Policy Non-Conformance

There are two policy non-conformances for the month of June; credit quality and counterparty. The credit quality issues relates to Term Deposits that did conform with Council's Investment Policy when they were purchased, however the financial institutions holding those investments have received subsequent credit rating downgrades.

The counterparty non-conformance issue is a result of Council being too heavily invested in Westpac. This is due to the large amount of cash Council held in its Westpac Saver Account (working account). This was a result in large inflow of cash as a result of investments maturing close to the end of the month of June. A focus for July will be investing some of these funds.

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 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|cdbad291-68a4-4d81-8aee-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 30 June 2018, comply with this Act.

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

As at 30 June 2018, the investments held by Council totalled \$275,415,661 and were attributed to the following funds:

General Fund	120,718,540
Waste Fund	15,056,625
Water Fund	87,884,896
Sewer Fund	50,442,859
Sanctuary Springs Fund	38,529
Broadwater	1,274,213
	<hr/>
	275,415,661

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 30 June 2018 is 1.29% above the benchmark (3.07% against 1.78%) and year to-date income is 115% 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 were 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.

Mitchel Woods
Responsible Accounting Officer

Attachments

- 1 [View](#). Port Macquarie-Hastings Council Monthly Report - June 2018
- 2 [View](#). Port Macquarie-Hastings Council Portfolio as at 30th June 2018

Item: 09.05

Subject: POLICY REVIEW - MEDIA RELATIONS POLICY

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Place on public exhibition the draft Media Relations Policy from 23 July 2018 for a period of 28 days.**
- 2. Note that a further is planned to be tabled at the September 2018 meeting of Council, detailing the submissions received from the public during the exhibition period.**

Executive Summary

Council's existing Media Relations Policy was adopted in July 2012. A recent review of the Policy indicated that it is still broadly relevant in intent, however, it requires updating to ensure we have a policy that is current and provides a clear approach to media liaison. It is proposed that the updated draft Policy be placed on public exhibition.

Discussion

Port Macquarie-Hastings Council recognises media relations as an important tool for effective communication of Council projects, initiatives, services and decisions to its key stakeholder groups – ratepayers, residents, visitors, local business & industry and government. The Media Relations Policy aims to ensure that Council maintains its positive public image by providing guidance and a consistent framework for the provision of accurate, timely and transparent information through media channels.

A review of the existing policy has indicated that it is still broadly relevant in intent, however inconsistent with current practice, particularly in relation to Council spokespersons. The updated policy aims to provide for a clear, yet flexible approach to addressing media enquiries, and allows for 'subject matter experts' to address media enquiries, with appropriate authorisation and approval processes in place.

The following guidelines are included in the updated draft Media Relations Policy to ensure clarity around spokespersons and content approval authority:

Type of Issue	Definition	Authorised Spokespeople	Authorised Approver
Council decisions, policy and strategic Issues	Matters of policy, inter-governmental relations or community vision	Mayor, Portfolio Councillor or General Manager	Mayor or General Manager
Operational Issues	Relating to the day-to-day operation of Council. Includes projects, services and operational activities	General Manager, Director, Group Manager as delegated by Director	Director, Group Manager as delegated by Director
Technical or Expert Issues	Requiring very specific, technical or detailed information to provide understanding on a topic	Group Manager, nominated staff member who is subject matter expert, as delegated by Group Manager	Director, Group Manager as delegated by Director

Other notable changes to the updated policy are:

- Identifying a broader range of media channels to ensure that the policy appropriately recognises all legitimate forms of current media.
- Replace the Responsible Officer as Group Manager Governance and Executive Services with the Group Manager Economic Development and Communications.
- More clearly defining Council officials to include staff (permanent, temporary or casual), Councillors, volunteers, contractors, administrators, Council committee members and delegates of Council. This is to ensure the policy relates to a broader range of Council officials, not just Councillors, Council staff and contractors.
- Amending the policy review period from biennially to every four years, within 12 months of a Council election.

Options

Council may choose to support the recommendation or:

1. Choose to continue with the current Media Relations Policy unamended; or
2. Provide feedback / request further amendment to the draft Media Relations Policy.

Community Engagement & Internal Consultation

Media relations policies from numerous local government organisations have been reviewed to assist with the updating of this policy. Consultation on the updated draft has occurred with the Group Manager Governance and Procurement, Group Manager Economic Development and Communication, Council's Executive Group and the Communications, Governance and Community Relations Portfolio.

Planning & Policy Implications

Should Council approve the recommendation as noted, the draft policy would be placed on public exhibition for feedback.

Financial & Economic Implications

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

Attachments

1 [View](#). Media Relations Policy (adopted 2012) (current)

2 [View](#). Draft Media Relations Policy (July 2018)

Item: 09.06

Subject: QUESTION FROM PREVIOUS MEETING - USE OF DRONES

Presented by: Infrastructure, Alex Fisher

RECOMMENDATION

That Council note the information contained within the Question from Previous Meeting – Use of Drones report regarding the legalities of drones usage over public and private property.

Question from Councillor Griffiths:

Could the General Manager advise where and for what purpose drones are used by Port Macquarie-Hastings Council and the legalities of use over public and private property?

Comments by Councillor (if provided):

Nil.

Response

Port Macquarie-Hastings Council has Civil Aviation Safety Authority (CASA) approval and a Commercial Operator's Certificate in order to operate Unmanned Aerial Systems (UAS), commonly referred to as 'drones'. Council currently operates a fleet of three drones – a fixed wing (aeroplane type) and two multi-rotor systems. The system being used is selected based on each individual task and operating environment.

Council's drones are used across the entire Local Government Area for aerial survey work in the fields of natural resources, waste, compliance and infrastructure. There is a growing capacity to utilise this new technology in a variety of different applications, and it allows Council to map large areas with highly accurate measurements to create 3D topographic surveys, monitor construction activities, perform environmental studies and to collect a variety of media (photos and videos).

Specific examples of Council's current uses include undertaking coastal erosion monitoring, asset condition surveys, project monitoring/surveys, volumetric assessments at landfill sites, as well as significant media (video and photo) data collection used widely to inform the community of Council's ongoing operations.

There are some limitations to where the drones can be utilised, most commonly around the number of airports (both private and commercial airstrips) and helicopter landing areas (such as the hospital) within the LGA. Generally, these restricted areas either completely restrict the use of drones, or limit the height at which they can be flown.

As a licensed “commercial” operator Council’s Drones are operated under strict CASA guidelines and specific licensing requirements and are an invaluable tool for Council that provide a cost effective service to the community, reduce workplace hazards, increase efficiency, accuracy, quality and consistency in data capture and productivity.

In regards to the legalities of operating drones, the most common concerns generally raised can be broken into two main areas:

1. Operational Requirements / Legality; and
2. Privacy Concerns

The Civil Aviation Safety Authority is the government agency in charge of governing the licensing and operational standards for commercial drone use. Council is required to ensure that each flight that is undertaken is in accordance with a prescribed risk assessment and operational process as per Council’s approved CASA Operations manual. These procedures, processes and risk assessments aim to ensure that any risk of harm to people, property (and the equipment itself) is minimised to an acceptable standard. Typical planning strategies include careful selection of flying areas including operating heights and patterns, consideration of the type of drone being utilised (i.e. fixed wing or multi-rotor), direct communication via radio with any aircraft operating in the vicinity and the utilisation of built in fail safe/redundant systems.

Whilst CASA are responsible for governing the “operational” aspects of drone use in Australia, the commonly raised concern of Privacy sits outside of their area of responsibility/governance, and as such remains somewhat of a ‘grey’ area. Overall, Council is required to comply with the Information Protection Principles (IPPs) in the Privacy and Personal Information Act 1998 (PPIPA) and the Health Privacy Principles (HPPs) in the Health Records and Information Privacy Act 2002 (HRIPA). These laws promote the protection of personal and health information in New South Wales (NSW). Essentially, this means that during operations (whether drone or not) Council will only collect personal information for lawful purposes directly related to the functions of Council.

The amount and type of personal data that may be inadvertently collected for personal data is minimised during careful flight planning. Typical approaches include appropriate selection of flight altitudes, positioning and camera resolution. In the majority of cases, this results in any data being collected of people, vehicles and private property being from a distance, height and/or resolution to avoid any personal information (such as identity) being obtained. Should there be any inadvertent residual data, this is typically reviewed and managed in accordance with Council’s privacy policies during post flight data processing. Any personal information collected and not post-process deleted during drone operations (such as digital imagery) is only used to perform Council functions.

Council has included its use of drones within its Privacy statement, and publishes regular community notices regarding the ongoing use of drones. If residents have any concerns regarding drone use in their area they are advised to contact Council to discuss in detail. For more information on recreational drone use, the CASA website

at <https://www.casa.gov.au/aircraft/landing-page/flying-drones-australia> contains a wealth of information.

Attachments

Nil

Item: 09.07

Subject: QUESTION FROM PREVIOUS MEETING - ENFORCEMENT OF UNLAWFUL ACTIVITY POLICY

Presented by: Development and Environment, Melissa Watkins

RECOMMENDATION

That Council:

- 1. Note the information contained within the Question from Previous Meeting – Enforcement of Unlawful Activity Policy report.**
- 2. Request the General Manager undertake a review of the Regulatory Enforcement Policy in relation to its adequacy for assessing the cost benefits of taking enforcement action, prior to such action taking place.**
- 3. Request the General Manager report back to a future meeting of Council as soon as practicable on the findings of the review referred to in 2) above.**

Question from Councillor Turner:

Could the General Manager provide advice to Council on the adequacy of the existing Council policy titled 'Enforcement of Unlawful Activity' to guide appropriate decisions on enforcement by Council officers, including information on when this policy was last reviewed.

Comments by Councillor (if provided):

Nil.

Response

The 'Enforcement of Unlawful Activity' policy was rescinded by Council at its August 2017 meeting and replaced by a new "Regulatory Enforcement Policy".

The new policy was drafted taking into account the recommendations of the Independent Pricing and Regulatory Tribunal and the New South Wales Ombudsman's guidelines regarding regulatory enforcement, and after a comprehensive review of 'best practice' by a number of comparable NSW Councils.

The Regulatory Enforcement Policy incorporates a "risk management" approach to the investigation and enforcement of legislation and local policies to ensure the optimum allocation of Council resources to the investigation of complaints and other regulatory operational activities.

Decisions regarding the initiation of legal action are made following a review of the available evidence and the gravity of the illegal activity, often in consultation with the

Council's retained legal advisers. A decision to launch a prosecution is made only on the recommendation of the Group Manager (Regulatory Services), and following approval by both the Director (Development and Environment) and the General Manager.

A copy of the "Regulatory Enforcement Policy" is attached for the information of Councillors.

Attachments

1 [View](#). Regulatory Enforcement Policy (adopted 16/8/2017)

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: QUESTION FROM PREVIOUS MEETING - LIBRARY FUNDING CUTS

Presented by: Strategy and Growth, Jeffery Sharp

RECOMMENDATION

That Council note the information provided in the Question From Previous Meeting – Library Funding Cuts report.

Question from Councillor Hawkins:

Can the General Manager please indicate what the financial impact of the library funding cuts will be to Port Macquarie-Hastings Council for 2018-2019, announced in the recent NSW Government budget?

Comments by Councillor (if provided):

Nil.

Response

The financial impact of the library funding cuts as announcement in the NSW Government budget is not yet known.

In the past, Council has annually received a library subsidy of approximately \$140,000 to assist with the ongoing operations, and a local priority grant of approximately \$60,000 which was used on specific projects.

As staff currently understand, the proposed public library grants and subsidies for 2018/19 will be discussed at the Library Council of NSW's Public Libraries Consultative Committee on 23 July 2018, before being considered by the Library Council and recommended to the Minister for the Arts for approval.

In preparation for the 2018-19 PMHC budget (as in previous years) council has allocated the Library Subsidy (\$146,000) and the local priority grant (\$60,000) as income items in the adopted budget.

Staff currently anticipate that the library subsidy will stay the same. There are serious concerns however that the local Priority Grants may be reduced across the board or removed completely. This however should be clearer following 23 July 2018 meeting.

Below are examples of what Council has previously developed with the money from the Local Priority Grants:

- | | |
|--|----------|
| • Upgrade to cloud based Library Management System | \$25,000 |
| • Breakout Area at Wauchope | \$20,000 |

• Mobile Shelving for Children's area at Port	\$10,000
• upgrade existing RFID equipment	\$15,000
• Reader Printer For Local Studies/Family History	\$15,000
• Interactive Whiteboard for meeting room	\$5,000
• Renew DVD Collection	\$20,000
• Renew Schools Collection	\$3,863
• Expand adult literacy collection	\$5,000

Council has recently received advice from LGNSW about a Renew our Libraries campaign they will be launching shortly with the intent of seeking an increase in funding to libraries across the State.

The flyer from LGNSW is attached for information.

Attachments

1 [View](#). Renew Our Libraries Flyer

Item: 10.02

**Subject: RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND
SUB-COMMITTEE - JUNE 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. That Kye Wilson be granted \$350.00 to assist with expenses he will incur travelling to and competing as a member of the Under 17's NSW/ACT AFL Team to compete in three rounds across June, July & August 2018 at Sydney, Gold Coast and Melbourne respectively.**
- 2. That Blake Elliot be granted \$225.00 to assist with the expenses he will incur competing at the NSWCHS Open Boys Touch Football Championships to be held at Bateau Bay from 3 – 5 July 2018 inclusive.**
- 3. That Tylee Donovan be granted \$200.00 to assist with expenses he will incur competing as a member of the NRL 2018 KARI Aboriginal Resources Indigenous U18's Team to compete in Sydney on July 1 2018.**

Executive Summary

The Mayor's Sporting Fund Sub-Committee met on 28 June, reached consensus on Item 8 (attached) and submits the above recommendation for Council's approval.

Attachments

1 [View](#). Extract Item 8 MSF June Meeting - Minutes

Item: 10.03

Subject: CULTURAL STEERING GROUP - BICENTENARY WORKING GROUP UPDATE

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.5.1 Support cultural activities within the community.

RECOMMENDATION

That Council:

1. Note the progress of the Bicentenary Working Group.
2. Endorse the Bicentenary Strategy and 2018 Bicentenary Overview.
3. Allocate \$15,000 from the Bicentenary Activities Fund for the operation of a quick grant fund pool to support community-led Bicentenary activities up to \$3000 per event/project to enable agility without being limited to the 2 rounds of the community grant program in August/February.
4. Note the Cultural Steering groups in principle endorsement of the draft logo for the Bicentenary activities.

Executive Summary

The Cultural Steering Group met on Wednesday 4 July and discussed the Bicentenary Working group and Bicentenary activities and endorsed the following recommendations:

1. *Noted the progress of the Bicentenary Working Group*
2. *Endorse the Bicentenary Strategy and 2018 Bicentenary Overview*
3. *Recommended that \$15,000 be allocated from the Bicentenary activities Fund for the operation of a quick grant fund pool to support community-led Bicentenary activities up to \$3000 per event/project to enable agility without being limited to the 2 rounds of the community grant program in August/February*
4. *The Cultural Steering Group in principle endorse the draft logo for the Bicentenary activities.*

Discussion

On Wednesday 4 July the Cultural Steering Group were updated on the actions of the Bicentenary Working group that has over the past three months, been developing an approach to activities between 2018 and 2021 in order to mark this historic period in our regions development. Over the period 2018 – 2021, Council is looking to help the community come together to commemorate this milestone and celebrate our rich and diverse region - the history, the heritage and people who make our region what it is.

The Bicentenary Working Group (BWG) was been established, under the Cultural Steering group charter to oversee the activities that Council will undertake to commemorate the bicentenary of Port Macquarie-Hastings.

To date the following progress has been made:

- Establishment of a BWG Charter
- Bicentenary Strategy
- Identification of Bicentenary projects across the 4-year period
- Drafting of a Bicentenary Event Overview
- A draft Bicentenary logo is also being created.

A key element of the Bicentenary celebrations is to support community-led events. In 2017/18 a Bicentenary Grants stream was established to support community-led Bicentenary events and projects as part of the 2017/18 Community Grants funding round 2. A total of \$11,500 was allocated to Bicentenary Projects from this funding round to the following Community Groups:

Options

That bicentenary grants are limited to the general Community grant fund process.

Community Engagement & Internal Consultation

- Cultural Steering Group
- Bicentenary Working Group

Planning & Policy Implications

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

Financial & Economic Implications

The requested funds have already been the subject of a Council resolution and current sit within the Community Place Budget.

Attachments

- 1[View](#). Cultural Steering Group - Monthly Bicentenary Working Group Report - 4 July 2018
- 2[View](#). Bicentenary Event Plan
- 3[View](#). Bicentenary Projects List
- 4[View](#). Bicentenary Strategy Adopted
- 5[View](#). Bicentenary Working Group Charter

Item: 10.04

Subject: CULTURAL PLAN QUARTERLY PROGRESS REPORT

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.2.1 Support and advocate for all community sectors.

RECOMMENDATION

That Council note the information in the Port Macquarie-Hastings Council Cultural Plan 2016-2019 Quarterly Progress report.

Executive Summary

Council adopted a Cultural Plan in August 2016. Over the past two years Council has implemented the action from the Cultural Plan. Whilst a new Cultural Plan 2018-2021 has now been developed and is currently on public exhibition. The implementation of actions under Council's 2016-2019 Cultural Plan continues to enhance and support the cultural development of our community and region. Positive outcomes are being achieved as a result of ongoing delivery of a diverse range of projects in collaboration with community and industry groups.

The Cultural Steering Group reviewed the Cultural Progress Plan in June 2018.

Discussion

In December 2017, a progress report was presented to Council on the Cultural Plan. Over the past 6 months, Council has continued to deliver on key Arts, heritage and creative actions.

The priorities that have been determined in the past have been reviewed in conjunction with the review of the Cultural Plan and the development of the draft Cultural Plan 2018-2021.

A draft Action Plan for 2018/2019 is currently being prepared for discussion and review at the July meeting of the Cultural Steering Group.

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

Attachment 1 provides an overview of a range of actions and initiatives which have been completed or progressed in the period August 2016 - July 2018.

Highlights across the five priority areas over the past 6 months (December – July 2018) include:

PRIORITY AREA ONE: Leadership, Excellence and Capacity Building

- Artsmarts - The completion of a pilot program aimed to develop business skills within our local arts Community. The program is designed to work with local creatives to develop and commercial their creative pursuits, providing key information and valuable insight in particular to the local market. PMHC has engaged a local creative practitioner to develop this training program facilitate the workshops. A group of 15 participants have developed business skills, and a commercial approach to their chosen field. This program culminated in the attendees participating and exhibiting at the 2018 Artwalk event.
- In April, a successful ArtWalk event was delivered which saw the involvement of an increase in the number of artists and businesses involved. The event encouraged the community to explore, experience and participate in our local arts and culture in the centre of Port Macquarie, with over 11,500 people attending

PRIORITY AREA TWO: Access, Participation and Engagement

- Successful National Sorry Day, National Reconciliation Week and NAIDOC week programs have been implemented with significant consultation and collaboration with the Birpai and Bunyah Local Aboriginal Land Councils.
- Youth Week, Seniors Week and the Heritage festival held in April 2018 were highly engaging with great participation rates.

PRIORITY AREA THREE: Celebrating History and Heritage

- Significant work has been undertaken in this priority area with Council working with a number of community groups to support their local heritage projects which include:
 - Hurrell House Rejuvenation Project (Comboyne Community Association)
 - Establishment of a local studies section at the Wauchope Library (Wauchope District Historical Society)
 - Work on Bicentenary Activities
- The 2018 Heritage Festival provided a diverse range of community-based activities with over 20 events delivered through 14 local community groups and museums.

PRIORITY AREA FOUR: Facilities, Places and Open Spaces

- An audit of Council's Public Art has been completed.
- An EOI for a new Public Art Policy and Master Plan has commenced

PRIORITY AREA FIVE: Community Events and Festivals

- A successful month of events and activities in April saw the delivery of Seniors Week, Youth Week, Artwalk and Heritage Festival enabling our community to connect and explore our region.

PRIORITY AREA SIX: Creative Industries and Innovation and Partnerships

- The Creative Industries was a recognised sector in the 2017-2021 Port Macquarie Hastings Economic Development Strategy.

2. Review of the Cultural Plan

A new Cultural Plan has now been developed and at the June Council meeting it was resolved to place it on Public Exhibition.

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

Options

That Council seek additional information regarding progress of the 2016-2019 Cultural Plan.

Community Engagement & Internal Consultation

Community Engagement

The Cultural Plan implementation continues by working with local artists, Arts Mid North Coast, businesses, heritage and cultural organisations and creative industry practitioners and with oversight by the Port Macquarie Hastings Cultural Steering Group.

Internal Consultation

Cultural Plan action implementation has been undertaken by and in collaboration with a wide range of Council staff, including Community Place, Glasshouse, and Economic Development

Planning & Policy Implications

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

Financial & Economic Implications

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

Attachments

1 [View](#). Cultural Steering Group - Cultural Plan Progress Report - 6 June 2018

2 [View](#). Cultural Plan Progress Report May 2018

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: TRANSFER TO COUNCIL OF LAND FOR SEWER PURPOSES

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. Accept the transfer of Lot 374 DP1237302.
2. Delegate authority to the General Manager to execute, electronically or otherwise, all documents including but not limited to any authorisation form as required, associated with the transfer in accordance with the *Electronic Transactions Act 2000*.
3. Pursuant to *Section 34 of the Local Government Act 1993*, commence the process to classify Lot 374 Deposited Plan 1237302 as “operational land” by placing on public exhibition the proposed resolution, “It is intended to classify Lot 374 Deposited Plan 1237302 (land off Phar Lap Circuit, Port Macquarie) as “operational land”, from 19 July 2018 for a minimum period of 28 days.
4. Note that a further report will be tabled at the September 2018 Ordinary Council meeting, detailing any submissions received from the public during the exhibition period.

Executive Summary

This report is presented to Council to consider the transfer of land arising from the development of land in Stage 3 of the Ascot Park subdivision. The land to be transferred contains a sewer pumping station. As an item of public infrastructure, the land comprising the sewer pumping station should be held in public (Council) ownership.

The land, once transferred into Council ownership, is required to be classified in accordance with the provisions set out in the *Local Government Act 1993*.

Discussion

As part of the development of Stage 3 of the Ascot Park residential subdivision, development approval required that a sewer pumping station be established at the developer's cost. Once established and operational, the land containing the sewer pumping station is to be transferred to Council. The land containing the sewer pumping station is described as Lot 374 Deposited Plan 1237302 and is highlighted on the attached plan.

Under current Land Registry Services procedures, the land containing the sewer pumping station, is not able to be dedicated to Council on registration of the plan of subdivision, DP1237302. It is therefore necessary for the land to be transferred to Council and then classified to satisfy the requirements of the *Local Government Act 1993*.

Options

Given the conditions of development consent, it is considered there are no options other than to accept the land transfer and proceed to classify the land.

Community Engagement & Internal Consultation

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

The proposed land classification will be notified in “Community Now” for a minimum period of 28 days. Following the conclusion of the notification period, a further report will be provided for Council at the September 2018 meeting, detailing any submissions received during the exhibition period.

Planning & Policy Implications

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

Financial & Economic Implications

Nominal costs will be incurred in providing public exhibition of the proposed resolution in “Community Now”.

Attachments

1 [View](#). Map Showing Location of Land to be Transferred

Item: 12.02

**Subject: ACQUISITION OF LAND AND EASEMENT - LONG FLAT
SEWERAGE SCHEME**

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Pay the negotiated amount of \$70,000 (GST free) as compensation to the owner of Lot A DP381856, K J Camilleri, for the acquisition of:**
 - a) the easement for the drainage of sewage and right of access marked (A) in Mark Rogers' draft plan of survey reference 17380DP01 and,**
 - b) the land shown as Lot 2 in Mark Rogers' draft plan of survey reference 17380DP01.**
- 2. Pay the owner's legal costs for the property conveyance.**
- 3. Delegate authority to the General Manager to execute, electronically or otherwise, all documents including but not limited to any authorisation form as required, associated with the acquisition in accordance with the Electronic Transactions Act 2000.**

Executive Summary

A report to consider the acquisition of land and easement to enable the construction of the Long Flat Sewerage Scheme.

Discussion

At the Ordinary Meeting of Council held on 20 June 2018, Council resolved to pay compensation of the acquisition of land and easement to facilitate the construction of the sewer treatment plant. Access to the treatment plant is required over property in different ownership to that the subject of the 20 June 2018 Ordinary Council meeting report. Negotiations on compensation for the land and easement required for the access have concluded and are now reported to Council for consideration.

Options

There is the option to:

1. Pay the compensation as recommended in this report.
2. Not pay the compensation as recommended.

Community Engagement & Internal Consultation

There has been ongoing consultation with the landowner, K J Camilleri. Valuations were obtained by Council and the landowner. Following negotiations, the landowner has agreed to accept \$70,000 (GST Free). This figure is between the valuation amounts specified by the valuers.

Planning & Policy Implications

As the proposed treatment plant has been designed specifically for the land acquired as reported to the Ordinary Council meeting of 20 June 2018, similarly the access to the treatment plant is also dependant.

Financial & Economic Implications

The acquisition of the land and easement entitles the landowner to the payment of monetary compensation assessed under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*.

Compensation valuations were obtained from Council's consulting valuer and the landowner's valuer. Following this, direct negotiations with the landowner, K J Camilleri, have resulted in the landowner agreeing to accept \$70,000 (GST free).

There is funding available under OP 4.1.3.4 CW to meet the negotiated compensation assessment and the landowner's legal expenses arising from the acquisition.

Attachments

1 [View](#). Plan Showing Location of Land and Easement to be Acquired

Item: 12.03**Subject: QUESTION FROM PREVIOUS MEETING - FERNBANK CREEK BOAT
RAMP AND JETTY UPGRADE PROGRESS****Presented by: Development and Environment, Melissa Watkins**

RECOMMENDATION

That Council note the information contained in the Question from Previous Meeting - Fernbank Creek Boat Ramp and Jetty Upgrade Progress report.

Question from Councillor Cusato:

As part of Council's recreational plan actions, the boating infrastructure needs for our LGA have been investigated. Can Council get an update on the progress of the proposed ramp and jetty upgrade at the Fernbank Creek boat ramp site?

Comments by Councillor (if provided):

Nil.

Response

In 2017 the Hastings River Recreational Boating Needs Investigation identified the site of the existing Fernbank Creek boat ramp as a suitable option for an upgraded recreational boating facility. This was supported by the community as the preferred site following a public exhibition period.

Land acquisition from a property owner adjacent to Fernbank Creek Road is required to allow for the facility's master plan to be achieved in its entirety. This would provide for formalised parking and assist with improved accessibility to the facility.

Council staff attempted to engage with the land owners in late 2017 to commence discussions in relation to land acquisition and associated requirements (including a land valuation). Upon request from the property owners, Council staff have committed to undertake further consultation with them on this project, however, Council staff have not been successful in confirming a meeting with the property owners to date and are continuing to follow up with them to encourage these discussions.

Staff will continue to explore options to progress this project which will provide a significantly enhanced recreational boating facility for the community.

Attachments

Nil

Item: 12.04**Subject: DA2018 - 81 - TWO LOT SUBDIVISION INCLUDING CLAUSE 4.6
VARIATION TO CLAUSE 4.1 (MINIMUM LOT SIZE) OF PORT
MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - 32
LORNE ROAD, KENDALL****Report Author: Melissa Watkins**

Applicant:	DE Van Der Velde CARE Beukers & Ritter Consulting Pty Ltd
Owner:	D & V Van De Velde
Estimated Cost:	N/A
Parcel no:	26577

Alignment with Delivery Program

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

RECOMMENDATION

That the determination of DA2018 – 81 for a two lot subdivision including clause 4.6 variation to clause 4.1 (minimum lot size) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 18, DP 838421, No. 32 Lorne Road, Kendall, be noted.

Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegated authority by the Group Manager Development Assessment. Granting consent involved use of Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.1 (minimum lot size) by not more than 10%.

The two (2) proposed lots have land sizes of 1.568 and 1.35 hectares, lot 2 (1.35ha) does not comply with the minimum 1.5 hectares lot size standard applying to the site. The variation equates to 10%.

Having assessed the application and the Clause 4.6 objection to Clause 4.1 of the LEP, the variation was considered acceptable for the following reasons:

- There are several existing lots within the immediate locality which are below the 1.5 hectares standard.
- The character of the locality will not be adversely impacted upon.
- The proposed additional Lot 2 is not a battle axe lot.

- Proposed Lot 1 is slightly greater than 1.5 hectares and occupied by an existing dwelling.
- The variation will not be readily visible due to the minor nature of the variation (10%).
- There will be negligible public domain impact.
- The development is consistent with the zoning and lot size objectives of the LEP 2011 and is unlikely to have any implications on State related issues or the broader public interest.
- The public benefit of the standard is not compromised or eroded.

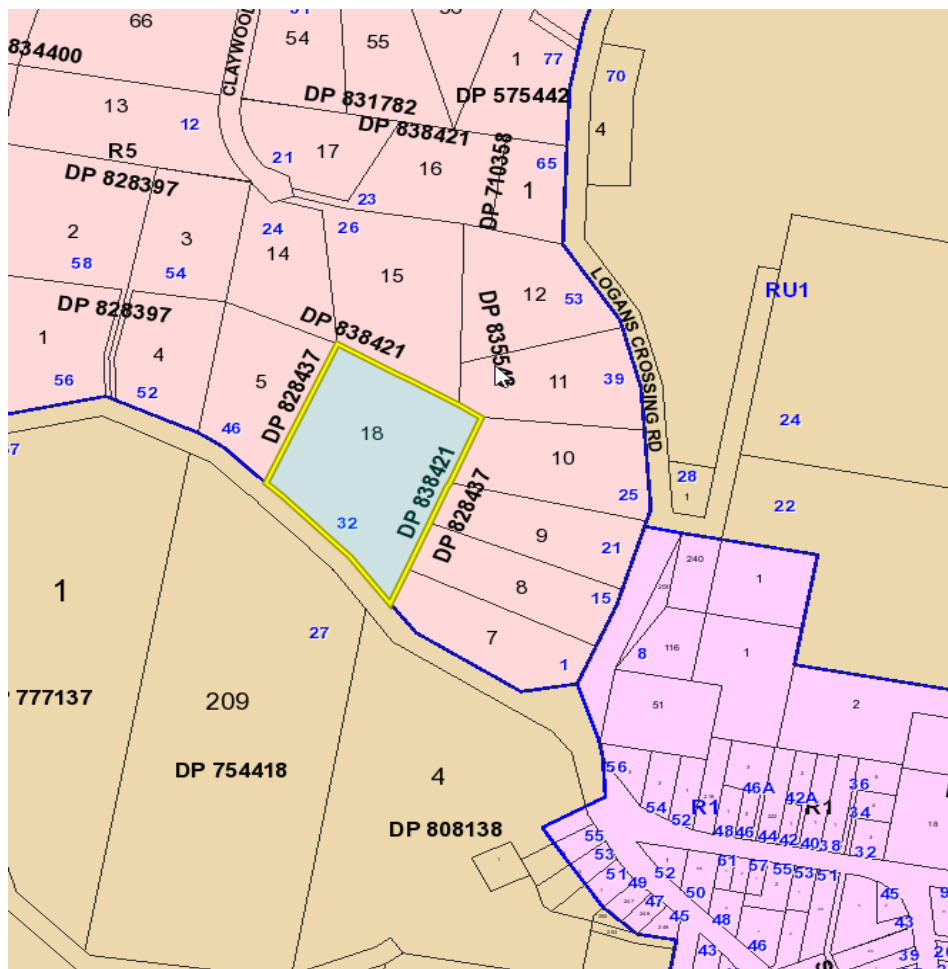
The Department of Planning and Environment's circular PS 18-003 provides for the Director General's assumed concurrence where a variation is not more than 10% of the standard. The circular advises that where Clause 4.6 variations are approved under delegated authority that Council be advised of the decision made and it be appropriately recorded.

1. BACKGROUND

Existing sites features and surrounding development

The site has an area of 2.92 hectares.

The site is zoned R5 large lot residential in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



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



- 1 into 2 lot Torrens title subdivision

Attachments

- 1 [View](#). DA2018 - 81.1 Approved DA Conditions
2 [View](#). DA2018 - 81.1 Stamped Approved Plans

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-18-19 Provision of Group Training Services

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

Item 14.02 T-18-20 Supply and Delivery of an approximate 21m Elevated Work Platform

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-18-27 Alterations and Additions Port Macquarie Library

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

- 2. That pursuant to Section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole on the basis that the items to be considered are of a confidential nature.**
- 3. That the recommendations made in Confidential Committee of the Whole be made public as soon as practicable.**

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

RECOMMENDATION

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

Item 14.01 T-18-19 Provision of Group Training Services

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

RECOMMENDATION

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RECOMMENDATION