



# Ordinary Council

## Business Paper

**date of meeting:** Wednesday, 17 April 2013

**location:** Council Chambers, Port Macquarie

**time:** 5.30pm

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



**Council's Vision**

A sustainable high quality of life for all.

**Council's Mission**

To provide regional leadership and meet the community's needs in an equitable and inclusive way that enhances the area's environmental, social and economic qualities.

**Council's Corporate Values**

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

**Council's Guiding Principles**

- ★ Ensuring Good Governance
- ★ Looking after our people
- ★ Helping our community prosper
- ★ Looking after our environment
- ★ Planning & providing our infrastructure



**PORT MACQUARIE  
HASTINGS**

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

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

### Addressing Council on an Agenda Item:

If the matter **is** listed in the Council Business Paper, you can request to address Council by:

- Completing the *Request to Speak on an Agenda Item at a Council Meeting*, which can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.
- Telephoning your request through to Council's Call Centre on (02) 6581 8111.
- On-line at <http://www.hastings.nsw.gov.au/www/html/2924-addressing-a-council-meeting-in-relation-to-an-agenda-item.asp?intSiteID=1>

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

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

- Addresses will be limited to 5 minutes.
- If you wish any written information, drawings or photos to be distributed to the Council to support the address, two (2) copies should be provided to the Manager Executive Services (Governance) prior to the commencement of the meeting.
- Where speakers wish to make an audio visual presentation, a copy is to be provided to the Manager Executive Services (Governance) by 12 noon on the day of the Council Meeting.
- Council will permit only two (2) speakers "Supporting" and two (2) speakers "Opposing" the *Recommendation* contained in the Business Paper. If there are more than two speakers supporting and opposing, the Mayor will request the speakers to determine who will address Council.

### Addressing Council in the Public Forum:

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

- Completing the *Request to Speak in the Public Forum at Ordinary Council Meeting*, which can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.
- Telephoning your request through to Council's Call Centre on (02) 6581 8111.
- On-line at <http://www.hastings.nsw.gov.au/www/html/2926-addressing-council-in-the-council-meeting-public-forum.asp?intSiteID=1>

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

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

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

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



**PORT MACQUARIE  
HASTINGS**

# Ordinary Council Meeting

Wednesday, 17 April 2013

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**PORT MACQUARIE  
HASTINGS**

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

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

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

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

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

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**RECOMMENDATION**

That the apologies received be accepted.

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

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**RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held on 20 March 2013 be confirmed.

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**PRESENT****Members:**

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

**Other Attendees:**

Tony Hayward (General Manager)  
Jeffery Sharp (Director of Infrastructure Services)  
Craig Swift-McNair (Director of Corporate & Business Services)  
Matt Rogers (Director of Development & Environment Services)  
Lesley Atkinson (Director of Community & Cultural Development)  
Stewart Todd (Group Manager Governance & Executive Services)  
Lyndal Harper (Acting Communications Manager)  
Linda Kocis (Executive Assistant to Mayor / Minute Clerk)  
Sue Pollard (Statutory Reporting Officer)

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The Meeting opened at 5.30pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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

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**02 LOCAL GOVERNMENT PRAYER**

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Pastor Joseph Maticic from the Seventh Day Adventist Church delivered the Local Government Prayer.

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**03 APOLOGIES**

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The Mayor advised that he had received an apology from Councillor Michael Cusato who was absent due to business commitments.

*RESOLVED: Intemann/Turner*

That the apology received from Councillor Cusato be accepted. Councillor Cusato being absent due to business commitments.

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

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**04 CONFIRMATION OF MINUTES**

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*RESOLVED: Levido/Hawkins*

That the Minutes of the Ordinary Council Meeting held on 20 February 2013 be confirmed.

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

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**05 DISCLOSURES OF INTEREST**

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Councillor Griffiths declared a non-pecuniary less than significant interest in Item 12.01 - Tender T-12-30 - Construction of the Beechwood Sewerage Scheme, as one of the tenderers is a customer of her hardware business.

Councillor Justin Levido declared a pecuniary interest in Item 12.03 - Broadwater Canal Maintenance Plan as he owns jointly with his wife, his principal place of residence within the area subject of the Broadwater Special Rate and may have a reasonable likelihood or expectation of appreciable financial gain or loss in the matter.

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**06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS**

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MOVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 8 February 2013 to 7 March 2013 be noted.

CARRIED: 8/0

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

AGAINST: Nil

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**06. 02 PORT MACQUARIE FORESHORE DRAFT PLAN OF MANAGEMENT**

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MOVED: Besseling

That a Port Macquarie-Hastings Council submission on the Hastings Regional Crown Reserve Precinct A, be forwarded to NSW Trade & Investment Crown Lands Taree, focussing on the following issues:

1. An Overarching Principle be included in the final Plan of Management that allocates any funding received through the sale, lease or development of existing Crown assets within (or adjacent to) the Hastings Regional Crown Reserve Precinct A, towards funding public benefit works along the Port Macquarie foreshore.
2. No relocation of existing commercial moorings to the western side of Kooloonbung Creek is supported, until detailed consultation, environmental assessments and hydrological studies are undertaken and properly considered.

CARRIED: 8/0

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

AGAINST: Nil

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**SUSPENSION OF STANDING ORDERS**

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RESOLVED: Turner/Sargeant

That Standing Orders be suspended to allow Item 08.01 to be brought forward and considered next.

CARRIED: 8/0

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

AGAINST: Nil

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**08.01 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

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*RESOLVED: Intemann/Levido*

That Council determine that the attachments to Item numbers 08.08, 10.03, 12.01, 12.11 and 12.13 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.

*CARRIED: 7/1*

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

*AGAINST: Sargeant*

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**07 PUBLIC FORUM**

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

1. Mr Shane Stelzer - Draft Plan of Management for Hastings Regional Crown Reserve Precinct A - the Port Macquarie Foreshore (DPoM).
2. Mr Greg Cook - Port Macquarie Hastings Municipal Band - 2013 Activity Report.

*RESOLVED: Intemann/Levido*

That the applications to address Council in the Public Forum be acceded to.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**07.01 DRAFT PLAN OF MANAGEMENT FOR HASTINGS REGIONAL CROWN RESERVE PRECINCT A - THE PORT MACQUARIE FORESHORE (DPoM)**

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Mr Shane Stelzer, on behalf of the Port Macquarie-Hastings Foreshore Protection Association Inc, addressed the Public Forum in relation to the Port Macquarie Foreshore Draft Plan of Management.

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**07.02 PORT MACQUARIE MUNICIPAL BAND - 2012 ACTIVITY REPORT**

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Mr Greg Cook, Secretary of the Port Macquarie Municipal Band, addressed the Public Forum on the activities of the Band.

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**REQUESTS TO SPEAK ON AN AGENDA ITEM**

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The Mayor advised of the following requests to address Council on the following Agenda items:

Item 09.06 - Mr Greg Cook in opposition to the recommendation.

Item 10.04 - Ms Cheyne Flanagan in support of Council funding for the Koala Conference

Item 11.02 - Mr Phillip Laing in opposition to the recommendation.

Item 11.02 - Mr Lou Perri in support of the recommendation.

Item 11.02 - Mrs Robina Laing in opposition to the recommendation.

Item 12.12 - Mr Terry Minahan in opposition to the recommendation.

*RESOLVED: Levido/Griffiths*

That the applications to address Council be acceded to.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**SUSPENSION OF STANDING ORDERS**

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*RESOLVED: Levido/Griffiths*

That Standing Orders be suspended to allow Items 09.06, 10.04, 11.02 and 12.12 to be brought forward and considered next.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.06 DRAFT POLICY- FUNDING PROVIDED TO THE COMMUNITY**

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Mr Greg Cook, Secretary of the Port Macquarie-Hastings Municipal Band, addressed Council in opposition to the recommendation and answered questions from Councillors.

*RESOLVED: Intemann/Turner*

That Council:

1. Endorse the draft 'Funding Provided to the Community' policy to be placed on public exhibition for 60 days.
2. Upon receipt and consideration of any submissions received during the

- 
- exhibition period, consider the draft 'Funding Provided to the Community' for adoption at a future meeting of Council.
3. Upon a staff decision to review any Council policy, Councillors be provided with a copy of the existing policy for perusal.
  4. Also advertise the exhibition of policies on its Facebook page.

CARRIED: 8/0

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

AGAINST: Nil

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#### 10.04 NATIONAL KOALA CONFERENCE - REQUEST FOR SPONSORSHIP

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Ms Cheyne Flanagan, on behalf of the Koala Preservation Society & Hospital, addressed Council seeking Council's support in sponsoring the National Koala Conference and answered questions from Councillors.

RESOLVED: Turner/Intemann

That Council provide additional support to the National Koala Conference 2013 through a \$5,000 sponsorship.

CARRIED: 8/0

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

AGAINST: Nil

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#### 11.02 DA2012-0532 - ADDITIONS TO DWELLING - COMPLETION OF A PARTLY CONSTRUCTED REAR DECK - LOT 377 DP 236950, 31 VENDUL CRESCENT, PORT MACQUARIE (PIN 24362)

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Mr Phillip Laing, adjoining resident, addressed Council in opposition to the recommendation and answered questions from Councillors.

Mr Lou Perri, owner, addressed Council in support of the recommendation and answered questions from Councillors.

Mrs Robina Laing, adjoining resident, addressed Council in opposition to the recommendation and answered questions from Councillors.

**MOTION**

*MOVED: Sargeant/ Hawkins*

That DA 2012-0532 for additions to dwellings (completion of partly constructed rear deck) at Lot 377, DP 236950, No 31 Vendul Crescent, Port Macquarie be determined by granting consent subject to the recommended conditions and subject to:

- A condition limiting the extent of the deck to the footprint of the existing partially constructed structure; and
- The deletion of Condition B7.

*WAS LOST: 2/6*

*FOR: Hawkins and Sargeant*

*AGAINST: Besseling, Griffiths, Levido, Roberts, Turner and Intemann*

*RESOLVED: Intemann/Griffiths*

That DA 2012-0532 for additions to dwellings (completion of partly constructed rear deck) at Lot 377, DP 236950, No 31 Vendul Crescent, Port Macquarie be determined by granting consent subject to the recommended conditions and subject to:

- An additional condition requiring the installation of a 1.5 metre high privacy screen for the full length of the western end of the proposed deck; and
- The deletion of Condition B7.

*CARRIED: 5/3*

*FOR: Griffiths, Levido, Roberts, Turner and Intemann*

*AGAINST: Besseling, Hawkins and Sargeant*

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**12.12 PORT MACQUARIE INDOOR STADIUM EXPANSION - FINAL CONCEPT PLANS**

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Mr Terry Minahan, adjacent resident, addressed Council in opposition to the recommendation and answered questions from Councillors.

*RESOLVED: Levido/Griffiths*

That Council:

1. Acknowledge the submissions from the community included within this report.
  2. Adopt the attached suite of concept plan documents as the final concept for this project.
  3. Provide the architect with copies of community submissions for consideration during detailed design for this facility.
  4. Proceed to undertake the detailed design, lodge a Development Application and complete the further statutory approvals phase for the project.
  5. Delegate to the Mayor and General Manager authority to formalise and sign the PCYC Participation Agreement and future leases for this facility.
  6. Congratulate the Hibbard Drive residents for their constructive involvement in the process, particularly their willingness to come forward with solutions.
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CARRIED: 8/0  
FOR: Besseling, Griffiths, Hawkins, Levido, Roberts, Sargeant, Turner and  
Intemann  
AGAINST: Nil

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## 08.02 MARCH 2013 STATUS OF OUTSTANDING REPORTS TO COUNCIL

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RESOLVED: Intemann/Sargeant

That the information in the March 2013 Status of Outstanding Reports to Council be noted.

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

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## 08.03 PROCUREMENT POLICY & PROCEDURE REVIEW

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RESOLVED: Sargeant/Griffiths

That Council:

1. Endorse the draft Procurement policies and procedures to be placed on public exhibition for a period of 28 days, comprising:
  - a) Procurement Policy
  - b) Statement of Business Ethics Policy
  - c) Tendering Procedure
  - d) Purchasing Procedure
  - e) Purchase Card (P-Card) Procedure
  - f) Engagement of Consultants Procedure.
2. Upon receipt and consideration of any submissions received during the exhibition period consider the above-mentioned draft Policies and Procedures for adoption at a future meeting of Council.
3. Include as part of the tendering procedure a requirement that, within the letter written to each unsuccessful tenderer, they are advised of the availability of a one-to-one debriefing session that includes explanation of how the tender submission could be improved in terms of addressing the criteria.
4. Give consideration to a key evaluation criteria for tender and other purchasing evaluations being undertaken by Council of the intended use, by the tenderer, of competitive services and producers from within the Mid North Coast Region, and to be given an appropriate weighting.

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

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**08.04 NOTICE OF MOTION - REQUEST FOR LEAVE OF ABSENCE**

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*RESOLVED: Intemann/Griffiths*

That Leave of Absence be granted to Councillor Trevor Sargeant for the period 28 April to 19 May 2013 inclusive.

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

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**08.05 ENGAGING AND COMMUNICATING WITH OUR COMMUNITY**

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*RESOLVED: Levido/Hawkins*

That Council:

1. Adopt the Engaging and Communicating with our Community format.
2. Adopt the Visitation Program.
3. Endorse the rescission of the Listening to the Community Policy, place the Policy on public exhibition for a period of 28 days and Council call for submissions, with a future report to be presented to Council addressing any submissions if received.
4. Thank Mr Neil Black and Ms Leisa Davies and other members of the former Governance Review Panel for their advice and assistance in the formulation of the Listening to the Community Policy.

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

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**08.06 MOTION TO THE 2013 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT**

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Councillor Adam Roberts left the meeting, the time being 07:37pm.

*RESOLVED: Levido/Intemann*

That Council submit a motion to the 2013 National General Assembly of Local Government, focusing on sustainable funding for Local Government.

*CARRIED: 7/1*  
*FOR: Besseling, Griffiths, Hawkins, Levido, Sargeant, Turner and Intemann*  
*AGAINST: Roberts*



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**08.07 MODEL CODE OF CONDUCT 2013 – COMMENCEMENT AND KEY RESOURCES**

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

*RESOLVED: Sargeant/Levido*

That the information in the Model Code of Conduct 2013 - Commencement and Key Resources report, be noted.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**08.08 GLASSHOUSE DEBT REDUCTION OPTIONS**

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*RESOLVED: Roberts/Hawkins*

That Council note the information presented in the report.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**08.09 PROPERTY SALES - DISPOSAL OF REAL PROPERTY BY COUNCIL POLICY**

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*RESOLVED: Levido/Turner*

That Council rescind the Property Sales - Disposal of Real Property by Council Policy in favour of the Asset Disposal Policy adopted at Ordinary Council Meeting held on 20 February 2013.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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#### **08.10 INVESTMENTS - FEBRUARY 2013**

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*RESOLVED: Hawkins/Sargeant*

That Council receive and note the Investment Report for February 2013.

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

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#### **08.11 MONTHLY REVIEW OF FINANCIAL POSITION - FEBRUARY 2013**

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*RESOLVED: Levido/Intemann*

That Council adopt the adjustments included in the Financial Implications section of the Monthly Review of Financial Position report for February 2013.

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

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#### **08.12 CUSTOMER EXPERIENCE CHARTER AND CUSTOMER SERVICE POLICY**

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*RESOLVED: Sargeant/Levido*

That Council endorse the draft Customer Service Policy and Customer Experience Charter to be placed on public exhibition for a period of 28 days.

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

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**09.01 RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE MEETING HELD 7 FEBRUARY 2013**

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*RESOLVED: Besseling/Sargeant*

That the position on the Mayor's Sporting Fund Sub-Committee recently vacated by Mr Damon Richards be taken up by Mr Luke Richards as a direct family member of the Richards family.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.02 RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE MEETING HELD 7 FEBRUARY 2013**

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*RESOLVED: Besseling/Roberts*

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

1. Ms Haley Jones in the amount of \$100.00 (ex GST) (Encouragement Award) to assist with expenses she did incur competing at the Queensland State Tennis Teams Event and the National Points Tennis Tournament during December 2012.
2. Mr Josh Minihan be granted \$100.00 (ex GST) (Encouragement Award) to assist with expenses he did incur competing in the Under 15's Men's Team at the Pacific Coast Slam Titles (Basketball) during January 2013.
3. Mr Patrick Coelho be granted \$750.00 (ex GST) to assist with expenses he did incur competing in the Australian Under 18's Boys Touch Football Team competing as part of the Youth Trans Tasman Test Series to tour New Zealand during February 2013.
4. Mr Blake Ryan be granted \$250.00 (ex GST) to assist with expenses he will incur competing in the Harold Matthews Cup which runs from 9 February to 30 March 2013.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.03 NOTICE OF MOTION - FUTURE OF THE GLASSHOUSE**

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*RESOLVED: Roberts/Hawkins*

That Council, with regard to the future direction of the Glasshouse:

1. Continue to manage the day to day operation of the Glasshouse as is currently undertaken until such time as a future strategic direction and plan has been developed for the future operation of the Glasshouse.
2. Place on public exhibition for a period of 28 days the:
  - a) Glasshouse Finances Report (December 2012)
  - b) Glasshouse Finances Report (February 2013)
  - c) Glasshouse Debt Reduction Options Report (March 2013)
  - d) 2012/2013 Full Council Budgeted Costs graph.
3. During the exhibition period, call for written public submissions on the future strategic direction of the Glasshouse.
4. Request that the General Manager provide a report to the May 2013 Council meeting, detailing information contained in the public submissions received and detailing a proposed strategic direction for the Glasshouse, having taken into account the public submissions.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.04 PORT MACQUARIE ASTRONOMICAL SOCIETY EDUCATION CENTRE**

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*RESOLVED: Intemann/Griffiths*

That Council support the proposal from Port Macquarie Astronomical Association to allow for the establishment of a Science Centre within Rotary Park, Port Macquarie.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**09.05 AFFORDABLE HOUSING IN PORT MACQUARIE-HASTINGS LGA**

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*RESOLVED: Roberts/Levido*

That Council note the information contained in the report.

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

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**09.07 QUESTION ON NOTICE - YOUTH SERVICES AND INITIATIVES IN THE PORT MACQUARIE-HASTINGS LGA**

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Councillor Geoffrey Hawkins left the meeting, the time being 08:06pm.

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

*RESOLVED: Roberts/Turner*

That Council:

1. Develop, in conjunction with key stakeholders, a co-ordinated and co-operative Strategy and Action Plan that works towards achieving tangible and lasting outcomes for the youth of our area.
2. Provide at a future meeting of Council, a report that clearly articulates Council's role within this Strategy and Action Plan.

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

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**09.08 NSW STATE GRANT FOR YOUTH WEEK PROGRAM 2013**

---

*RESOLVED: Roberts/Griffiths*

That Council accept the funding grant of \$1,845 offered to support the Port Macquarie-Hastings National Youth Week 2013 Program.

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

---

**10.01 PORT MACQUARIE HASTINGS COUNCIL COMMITMENT TO THE MID NORTH COAST REGIONAL ORGANISATION OF COUNCILS (MIDROC)**

---

*RESOLVED: Intemann/Turner*

1. That Council note the information provided on the future operations and direction of the Mid North Coast Regional Organisation of Councils (MIDROC).
2. That Councillors be provided with a copy of the MIDROC Minutes.
3. That the General Manager inquire whether Councillors can attend MIDROC Meetings as observers.
4. That Council request an opportunity to present at a future meeting of MIDROC on the subject of amalgamation and related issues.

*CARRIED: 7/1*

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

*AGAINST: Sargeant*

---

**10.02 NOTICE OF MOTION - HASTINGS EDUCATION FUND**

---

*RESOLVED: Griffiths/Sargeant*

That Council congratulate the Hastings Education Fund for their commitment to tertiary education in the area and the positive outcomes of their work.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**10.03 APPOINTMENT OF MEMBERS TO THE ECONOMIC DEVELOPMENT STEERING GROUP**

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*RESOLVED: Turner/Roberts*

That Council appoint the following people as independent members of the Economic Development Steering Group (EDSG) for a twenty-four (24) month term commencing from the first meeting date of the EDSG:

- Kelly Lamb (Hastings Business Women's Network)
- Ross Cargill (Mid North Coast NSW Business Chamber)
- Joy Corben (Port Macquarie-Hastings Education and Skills Forum)
- Kathryn Balodis (Greater Port Macquarie Tourism Association)
- Anthony Thorne (Hastings Construction Industry Association Inc.)
- Lisa McPherson (Chambers of Commerce in Port Macquarie & Wauchope)
- Dr. Muyesser Durur (Higher Education)
- John Saunders (Camden Haven Chamber of Commerce & Industry)

- 
- Haydn Oriti (Port Macquarie Chamber of Commerce)
  - Jill Follington (Industry Mid North Coast).

CARRIED: 8/0

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

AGAINST: Nil

---

#### **11.01 NORTHERN RIVERS CATCHMENT MANAGEMENT AUTHORITY GRANT OFFER - FISHWAY WILSON RIVER**

---

RESOLVED: Intemann/Griffiths

That Council accept the Northern Rivers Catchment Management Authority grant of \$20,000 and the 2012-2013 budget be amended accordingly.

CARRIED: 8/0

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

AGAINST: Nil

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#### **12.01 TENDER T-12-30 CONSTRUCTION OF THE BEECHWOOD SEWERAGE SCHEME**

---

RESOLVED: Intemann/Levido

That Council:

1. Accept the tender of \$1,483,470 (excluding GST) from TCM Civil Pty Ltd for separable portion 1 (Sewerage Reticulation & Pits) and separable portion 2 (Sewerage Pumping Station) for Construction of the Beechwood Sewerage Scheme.
2. Affix the seal of Council to the necessary documents.

CARRIED: 8/0

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

AGAINST: Nil

---

#### **12.02 KENDALL STORMWATER MANAGEMENT PLAN**

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RESOLVED: Intemann/Sargeant

That Council:

1. Endorse the draft "Kendall Stormwater Management Plan" to be placed on public exhibition for a period of 28 days.



- 
2. Also advertise the exhibition of landuse plans on its Facebook page.

CARRIED: 8/0

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

AGAINST: Nil

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### 12.03 BROADWATER CANAL MAINTENANCE PLAN

---

Councillor Justin Levido left the meeting, the time being 08:25pm.

RESOLVED: Besseling/Hawkins

That Council:

1. Continue with the Broadwater special rate levied for the monitoring and maintenance of the Broadwater Canals.
2. Receive an annual report detailing the outcomes of the monitoring and maintenance of the waterways, including financial details.
3. Call for Expressions of Interest with a view to establishing a Broadwater Community Reference Group, with a maximum of six (6) members for a period of 24 months, to meet with the Director of Infrastructure Services at least twice per year.

CARRIED: 7/0

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

AGAINST: Nil

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

---

### 12.04 STORMWATER DRAINAGE – CURRENT ISSUES AND CHALLENGES

---

RESOLVED: Levido/Turner

That Council:

1. Make a detailed submission to the Minister for Local Government for a 100% increase to the current stormwater levy, levied pursuant to Local Government Amendment (Stormwater) Act, 2005. Further, that a copy of the submission to be made available to Councillors prior to submission to the Minister for Local Government.
2. Fund the Stormwater Asset Management Plan actions discussed in this report in the 2013/14 Operational Plan and four (4) year Delivery Program.
3. Be advised of the criteria used to determine the priority of stormwater projects.

CARRIED: 8/0

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

AGAINST: Nil

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## 12.05 PRIVATE WORKS POLICY AND PROCEDURE

---

*RESOLVED: Intemann/Sargeant*

That Council endorse the draft Private Works Policy and Procedure to be placed on public exhibition for a period of 28 days.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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## 12.06 SMALL VILLAGES SEWERAGE SCHEME

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*RESOLVED: Levido/Roberts*

That Council adopt the program of works as detailed within the report and include the necessary budgets in the future Sewerage Works programs to ensure delivery of the Village Sewerage Schemes in the term of this Council.

*CARRIED: 8/0*

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

*AGAINST: Nil*

---

## 12.07 HASTINGS DISTRICT WATER SUPPLY WATER RESTRICTIONS UPDATE

---

*RESOLVED: Sargeant/Hawkins*

That Council endorse the continued publication of water storage levels and water restrictions on Council's website and through media updates and press releases as the key communication strategy for reporting on water storage levels.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**12.08 ROADS PUBLIC AWARENESS CAMPAIGN**

---

*RESOLVED: Levido/Turner*

That the update report be received and noted.

*CARRIED: 8/0*

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

*AGAINST: Nil*

---

**12.09 TOWN CENTRE MASTER PLAN SUB-COMMITTEE SUPPORT FOR  
BEATNIX EXTRAVAGANZA**

---

**MOTION**

*MOVED : Sargeant/*

That Council note the recommendation from the Town Centre Master Plan Committee noting that Council has the in-house resources to carry out Economic Impact studies.

*LAPSED FOR WANT OF A SECONDER*

*RESOLVED: Intemann/Turner*

That Council note the recommendation from the Town Centre Master Plan Sub-Committee.

*CARRIED: 8/0*

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

*AGAINST: Nil*

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**12.10 STAGED REVIEW OF PORT MACQUARIE-HASTINGS DCP 2011 -  
REFORMATTING AND ADMINISTRATIVE HOUSEKEEPING**

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*RESOLVED: Sargeant/Levido*

That Council:

1. Prepare a draft Development Control Plan to amend Port Macquarie-Hastings DCP 2011 to make administrative amendments, as described in this report.
2. Exhibit the draft DCP described in 1 above, pursuant to Section 74E of the Environmental Planning and Assessment Act, 1979 and associated Regulation, for a minimum period of 28 days.

---

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

---

## 12.11 PRIORITY ROAD INFRASTRUCTURE PROJECTS

---

RESOLVED: Intemann/Levido

That Council, in relation to Roads Infrastructure projects:

1. Allocate the highest priority to the Stingray Creek Bridge Upgrade; reconstruction of Houston Mitchell Drive; the Hastings River Drive upgrade to four lanes from Gordon Street to Boundary Street and commence reconstruction of Beechwood Road.
2. Write to the Minister for Roads and Ports, the Hon. Duncan Gay, seeking to meet with him regarding traffic congestion and safety program funding for Hastings River Drive.
3. Allocate appropriate funding in the 2013/14 budget for works as discussed in the report for the Stingray Creek Bridge Upgrade, Houston Mitchell Drive, Hastings River Drive and Beechwood Road, as discussed in this report.
4. Seek assistance from NSW Treasury Corporation (T-Corp) to review Council's financial position based on proposed borrowings outlined in this report.

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

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## 12.13 TENDER T-13-05 KOOLOONBUNG CREEK PEDESTRIAN BRIDGE

---

RESOLVED: Sargeant/Hawkins

That Council:

1. Accept the preliminary lump sum of \$774,413 (excl GST) based on the submitted schedule of rates and additional items from Fleetwood Urban Pty Ltd for the design and construction of the Kooloonbung Creek Footbridge.
2. Affix the seal of Council to the necessary documents.

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

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## 13 QUESTIONS FOR NEXT MEETING

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### 13.01 MAINTENANCE OF COUNCIL'S WEBSITE

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#### Question from Cr Trevor Sargeant

Could the General Manager provide an update at the next Council Meeting as to how Council's website is maintained/updated.

#### Comment by Cr Sargeant

Council's website is our shopfront but it is out of date in some sections, ie. Mayor's message, etc.

---

### 13.02 TOWN CENTRE MASTER PLAN WORKS

---

#### Question from Cr Lisa Intemann:

Could Councillors be provided with information showing:

1. How the fee/levy for individual businesses is calculated with respect to the Town Centre Master Plan works.
2. An approximation of the total value of works conducted during the life of the Plan to-date.
3. An approximation of the spatial distribution of those works across the entire CBD (eg. how much has been spent in the southern vs the northern and central sectors).

#### Comment by Cr Intemann:

Councillors have recently been advised of the possibility of an imbalance in how TCMP funds are allocated, with apparently very little attention being given to the southern and eastern sections of the levied area. A business owner who asked Council how the levy was calculated for individual businesses was also apparently advised by Council that this information was not available.

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**14 CONFIDENTIAL ITEMS**

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Nil

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The Meeting closed at 8.54pm.

.....  
Peter Besseling  
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 Conflict:**

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

☐

**Non-Pecuniary - Insignificant Conflict:**

May participate in consideration and voting.

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

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

*(definitions are provided on the next page)*



**Definitions**

(Local Government Act and Code of Conduct)

**Pecuniary**

An interest that a person has in a matter because of a reasonable likelihood or expectation or appreciable financial gain or loss to the person or another person with whom the person is associated. (*LG Act s442 and s443*).

A Councillor or member of a Council Committee who is present at a meeting and has a pecuniary interest in any matter which is being considered must disclose the nature of that interest to the meeting as soon as practicable.

The Councillor or member of a Council Committee must not take part in the consideration and voting on the matter and be out of sight of the meeting. (*LG Act s451*)

**Non-Pecuniary**

An interest that is private or personal that the Councillor or member of a Council Committee has that does not amount to a pecuniary interest as defined in the LG Act.

If you have declared a non-pecuniary interest you have a number of options for managing the conflict. The option you choose will depend on an assessment of the circumstances of the matter, the nature and significance of your interest. You must deal with a non-pecuniary interest in one of the following ways.

**Non Pecuniary – Significant Interest**

(For example; family, a close friendship, membership of an association, sporting club, corporation, society or trade union).

- Have no involvement by absenting yourself from and not taking part in any consideration or voting on the issue as if the provisions in the LG Act s451(2) apply.
- A future alternative is to remove the source of the conflict (for example, relinquishing or divesting the personal interest that creates the conflict or reallocating the conflicting duties to another officer).

**Non Pecuniary – Less than Significant Interest**

- It may be appropriate that no action is taken. However, you must provide an explanation of why you consider that the conflict does not require further action.

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of land in which councillor or an associated person, company or body has a proprietary interest ( <i>the identified land</i> ) <sup>i</sup>	
Relationship of identified land to councillor <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.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST<sup>ii</sup></b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP ( <i>the subject land</i> ) <sup>iii</sup> <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 Signature: ..... Date: .....

**Important Information**

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

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

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

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

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

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

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**Item: 06.01****Subject: MAYORAL MINUTE - MAYORAL DISCRETIONARY FUND  
ALLOCATIONS****Mayor, Peter Besseling**

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**RECOMMENDATION**

**That the Mayoral Discretionary Fund allocations for the period 7 March to 3 April 2013 be noted.**

**Discussion**

Listed below are the Mayoral Discretionary Fund allocations for the period 7 March to 3 April 2013.

**Mayoral Discretionary Fund**

The total commitments from the Mayoral Discretionary Fund from 7 March to 3 April 2013 is \$350.00.

This includes the following:

2013 HSC Science Lectures to be held in PMQ	\$250.00
Leukaemia Foundation's World's Greatest Shave	\$100.00
	-----
	\$350.00
	-----

**Attachments**

Nil

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**Item: 07****Subject: PUBLIC FORUM**

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

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

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

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

## Ensuring Good Governance

### What are we trying to achieve?

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

### What will the result be?

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

### How do we get there?

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

## Ensuring Good Governance

**Item:** 08.01

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

**Presented by:** Executive Services, Anthony Hayward

### Alignment with Delivery Program

1.4.1 Comply with Local Government legislation, policies and agreed standards and communicate the impacts of this to the community.

### RECOMMENDATION

**That Council determine that the attachments to Item numbers 08.03, 10.01 and 12.01 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.**

### Discussion

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

<b>Item No.:</b>	08.03
<b>Subject:</b>	Council Organisational Structure
<b>Attachment Description:</b>	1. Organisation structure chart showing connections of each area to the Council's Community Strategic Plan Focus areas 2. Organisation structure with commentary on the reasons for the proposed changes
<b>Confidential Reason:</b>	Relates to personnel matters concerning particular individuals (other than Councillors) - Local Government Act 1993 - Section 10A(2)(a).
<b>Item No.:</b>	10.01
<b>Subject:</b>	Loan to Port Macquarie Tennis Club
<b>Attachment Description:</b>	Port Macquarie Tennis Club Loan Application
<b>Confidential Reason:</b>	Relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Local Government Act 1993 - Section 10A(2)(di).
<b>Item No.:</b>	12.01
<b>Subject:</b>	Tender T-13-07 Environmental Assessment & Concept Design for Ocean Drive (between Matthew Flinders Drive & Greenmeadows Drive)
<b>Attachment Description:</b>	T-13-07 Evaluation & Pricing Analysis
<b>Confidential Reason:</b>	If disclosed would confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Local Government Act 1993 - Section 10A(2)(c)).



## **Ensuring Good Governance**

**Attachments**

Nil

## Ensuring Good Governance

**Item: 08.02**

**Subject: STATUS OF OUTSTANDING REPORTS TO COUNCIL - APRIL 2013**

**Presented by: Executive Services, Anthony Hayward**

### Alignment with Delivery Program

1.4.1 Comply with Local Government legislation, policies and agreed standards and communicate the impacts of this to the community.

### RECOMMENDATION

**That the information in the April 2013 Status of Outstanding Reports to Council be noted.**

### Discussion

Report	Status	Reporting Officer	Current Anticipated Date for Report
Rotary Park traffic issues community consultation results (Item 11 - ORD 24/11/10)	Subject to completion of current works being undertaken and future funding.	INFRA	1 <sup>st</sup> half 2013
Glasshouse - Proposed Strategic Direction (Item 09.03 -ORD 20/03/13)		CBS	May 2013
Town Beach Public Facilities (Southern) Site Options (Item 12.08 - ORD 20/02/13)		DIS	Aug 2013
QFNM - Town Centre Master Plan (ORD 20/03/13)		DIS	May 2013

### Attachments

Nil

## Ensuring Good Governance

**Item: 08.03**

**Subject: COUNCIL ORGANISATIONAL STRUCTURE**

**Presented by: Executive Services, Anthony Hayward**

### Alignment with Delivery Program

1.4.1 Comply with Local Government legislation, policies and agreed standards and communicate the impacts of this to the community.

### RECOMMENDATION

**That Council endorse the amended Organisation Structure for Port Macquarie-Hastings Council as attached in line with S332 of the *Local Government Act 1993*.**

### Executive Summary

S333 of the *Local Government Act 1993* (LG Act) states that:

*The organisation structure may be re-determined by the council from time to time. It must be re-determined within 12 months after any ordinary election of the council.*

S332(1) of The LG Act, states:

a council must determine:

- *an organisation structure*
- *those positions within the organisation structure that are senior staff positions*
- *the resources to be allocated towards the employment of staff.*

Council Executive have reviewed the current organisation structure taking into account the work that consultants LSI have undertaken to investigate efficiency gains to realign the Council's Organisational Structure. A proposed structure has been developed for Council's consideration and determination.

A copy of the proposed structure is attached.

### Discussion

The current organisation structure has been in place now for a number of years where there have been four (4) divisions:

- Infrastructure Services
- Development & Environmental Services
- Corporate & Business Services
- Community and Cultural Development

## Ensuring Good Governance

Over the past twelve months the following realignments have occurred:

- Merging of Economic Development & Tourism functions within the Corporate & Business Services division;
- Transfer of the management of the Glasshouse from Community & Cultural Development to Corporate & Business Services.

In accordance with the requirements of S332 of the Local Government Act, 1993 the Executive Team have been undertaking a review of the organisation structure in an effort to comply with the requirements of this section in that - *A Council must review its organisation structure within twelve months of being elected.*

The central considerations in developing the proposed Organisational Structure are as follows:

- Improving capital works delivery
- Improving asset management outcomes,
- Increased focus on business activities and industry engagement,
- Improved community engagement,
- Enhanced regulatory processes

In developing these changes we have been mindful of containing costs in the provision of our services, activities and functions and at the same time through the Business Process Review driving efficiencies in the way we deliver outcomes for our community

Through this review a number of changes were identified that has resulted in a recommended change to the structure of the organisation. It is proposed to maintain four (4) divisions however change the make up of the functions & activities within each of the four divisions as well as the Executive Services area and change the name of three (3) of the divisions. The proposed name changes to the divisions are as follows:

1. *Community & Organisational Development*(formerly *Community & Cultural Development*)
2. *Commercial Services & Industry Engagement*(formerly *Corporate & Business Services*)
3. *Infrastructure & Asset Management* (formerly *Infrastructure Services*)
4. *Development & Environment* (formerly *Development and Environmental Services*).

Please refer to the **confidential attachments** titled " Organisation structure chart showing connections of each area to the Council's Community Strategic Plan Focus areas" and "Organisation structure with commentary on the reasons for the proposed changes" which contain information that relates to personnel matters concerning particular individuals (other than Councillors) - Local Government Act 1993 - Section 10A(2)(a).

In the attached charts the following information is provided.

- A link of the operational functions in the proposed structure to the Focus areas within the Council's Community Strategic Plan (CSP).

## Ensuring Good Governance

- Ensuring good governance
- Looking after our people
- Helping our community prosper
- Looking after our environment
- Planning & providing our infrastructure
- Identification of the key changes proposed and the reasons for these changes.

1.

It should be noted that whilst the structure as presented details the overarching revised structure for the organisation, there may be some ongoing adjustments required to be made within divisions to ensure the best fit for delivering on the outcomes required.

### Options

The options available are:

1. Leave the organisational structure as it currently is and continue with business as usual; or
2. Adopt the proposed structure to assist in improving the efficiency of the organisation and in enabling the organisation to better deliver on outcomes for the community.

### Community Engagement & Internal Consultation

- Mayor & Councillors;
- General Manager;
- Directors;
- Group Managers.

### Planning & Policy Implications

The implementation of the proposed structure would ensure Councils ability to meet strategic priorities under the Integrated Planning and Reporting (IPR) framework. Policies will be reviewed where necessary to reflect the new structural arrangements.

### Financial & Economic Implications

The immediate costs are associated with the creation of one additional Group Manager role, being the Group Manager Community Engagement & Planning. This role will be funded from a mix of revenue and other sources.

### Attachments

1. Organisation structure chart showing connections of each area to the Council's Community Strategic Plan Focus areas. (Confidential)
2. Organisation structure with commentary on the reasons for the proposed changes. (Confidential)



## Ensuring Good Governance

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**Item: 08.04**

**Subject: QUESTION ON NOTICE - MAINTENANCE OF COUNCIL'S WEBSITE**

**Presented by: Executive Services, Anthony Hayward**

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### RECOMMENDATION

**That the information contained in this report be noted.**

### Question from Councillor Sargeant

Could the General Manager provide an update at the next Council Meeting as to how Council's website is maintained/updated.

### Comments by Councillor (if provided)

Council's website is our shop-front but it is out of date in some sections, i.e. Mayor's message, etc.

### Response

#### Background

The corporate website for Port Macquarie-Hastings Council is a vital source of information for the community and the council staff. It is constantly updated and maintained in order to supply the most accurate and up to date information possible. This site serves a very different purpose and audience than the Greater Port Macquarie Tourism website.

The content management system currently in use was commissioned in 2004 and contains around 2,500 active pages at any point in time.

On average the site receives just over 16,000 unique visitors a month. Google analytics data shows that on average visitors view 2.5 pages per visit and spend around two and a half minutes on the site per visit.

Overall traffic to the site has increased year on year since 2011 with a total of 196,333 unique visitors in the 2012 calendar year. Between 2011 and 2012 there was a 10.8% increase in visits to the site from mobile devices such as phones and tablets, which reflects similar trends across the web development industry. The current site is not purpose built to adjust to mobile phone settings, which will be an area of development for future content management systems.

The table below show the eight most popular pages viewed on the website for 2012.

## Ensuring Good Governance

Most Popular Pages 2012	visits	unique visitors
1. Port Macquarie-Hastings Council - Home Page	239,062	177,967
2. Port Macquarie-Hastings Council - Search	33,842	27,117
3. Port Macquarie-Hastings Council - Tips on how to prepare a successful job application	31,040	24,520
4. Port Macquarie-Hastings Council - Port Macquarie-Hastings Libraries - Introduction	13,840	11,683
5. Port Macquarie-Hastings Council - Contact Us	13,103	12,096
6. Port Macquarie-Hastings Council - Library Catalogue	12,703	10,741
7. Port Macquarie-Hastings Council - Introduction	12,666	9,346
8. Port Macquarie-Hastings Council - Payments online	10,849	8,925

### Website Maintenance Process

The content management system that supports the Port Macquarie-Hastings Council website allows for multiple page authors and a centralised web administrator who is responsible for approving and publishing content.

Given the vast array of topics, technical specifications and statutory information on Council's website, a system that allows staff from across various sections of the organisation who are the experts in their field the capability to create relevant content and ensure that it is updated is the most efficient approach.

There are currently 27 staff authors actively updating the website content. The Communications Section has administration rights to the site with the Communications Officer (Digital) being the primary Administrator for publishing content, managing the navigational structure of the site and ensuring the site maximises compliance with Search Engine Optimization (SEO) functionality. Administrator rights are the sole mechanism for sizing and loading images and documents into the sites library, updates to the sites home page, creation of forms used within the site and development of electronic newsletters generated by the content management system.

The Communications Officer (Digital) is a single full time resource who's responsibilities include Administration of the corporate website, the intranet (internal staff website), Council's social media platforms including Facebook, Twitter and You Tube, staff training on digital communications techniques and reporting on digital communications.

### Current Situation Analysis Website Maintenance

Council resolved at the February 2013 meeting to accept the tender for the supply and hosting of a new content management system (CMS) for Council's corporate website and intranet sites. The subsequent responsibility to develop and implement the project plan, along with being the primary contact between the supplier, Seamless, and the project Steering Committee lies with the Communications Officer (Digital).

## Ensuring Good Governance

A significant element of the project plan, that must be carried out in the short term, is to work with the staff website authors to evaluate the content and necessity of each page currently published on the corporate website in order to assess which existing pages will be migrated into the new CMS.

At the March 2013 Council meeting, two of the resolutions relating to items placed on public exhibition specifically requested the exhibition be promoted on Council's Facebook page. Subsequent to the meeting the request for Facebook promotion was also extended to a third exhibition item. The Communications Officer (Digital) is the staff member responsible for this social media promotion.

The Communications Section has a number of mechanisms in place to plan major campaigns and identify projects that need to be promoted to the community, including an Annual Communications Plan and a communications request form on the intranet site. Many of these campaigns involve promotion through the website and social media and are therefore incorporated into the workload of the Communications Officer (Digital).

Projects identified in these planning mechanisms coupled with the project to create the new corporate website has highlighted a potential workload issue for the Communications Section, specifically with the Communications Officer (Digital) position.

In order to address this workload additional resources are being recruited as a priority. The additional resource will provide a minimum of 14 hours a week through until August 2013, concentrating on maintenance and administration of the existing corporate website.

The addition of this resource will allow the substantive Communications Officer (Digital) to focus on the new CMS project, ultimately delivering a new corporate website that contains more functionality, better search capabilities and delivers a more dynamic experience for the 16,000 plus customers who use it each month.

### Attachments

Nil



## Ensuring Good Governance

**Item: 08.05**

**Subject: NATIONAL TIMBER COUNCILS ASSOCIATION LOCAL  
GOVERNMENT FOREST AND TIMBER INDUSTRY CONFERENCE**

**Presented by: Executive Services, Anthony Hayward**

### Alignment with Delivery Program

1.4.1 Comply with Local Government legislation, policies and agreed standards and communicate the impacts of this to the community.

### RECOMMENDATION

**That the Deputy Mayor, Councillor T Sargeant, be granted approval to attend the National Timber Councils Association Local Government Forest and Timber Industry Conference to be held in Melbourne, Victoria, from 18 to 19 April 2013.**

### Executive Summary

The National Timber Councils Association Local Government Forest and Timber Industry Conference is to be held in Melbourne, Victoria, from 18 to 19 April 2013.

As per Council's Payment of Expenses and Provision of Facilities to Councillors Policy, a Council resolution is required for a Councillor to represent Council at the conference.

### Discussion

The National Timber Councils Association Local Government Forest and Timber Industry Conference is to be held in Melbourne, Victoria, from 18 to 19 April 2013.

- Full registration for a member is \$362.75 (ex GST) per delegate.
- Full registration for a non-member is \$408.20 (ex GST) per delegate.
- Conference Dinner - Member/Non-Member: \$122.75 (ex GST)

Councillor Sargeant on his nomination to attend this conference indicated that he will not be attending the conference dinner.

	Each (ex GST)	Number	Total
Full Conference Registration	\$408.20	1	\$408.20
<b>Grand Total (ex GST)</b>			<b>\$408.20</b>

In addition to the above costs such as accommodation, transportation and any out of pocket expenses, as allowed for under the Policy, will be at the expense of Council.

## Ensuring Good Governance

As per Council's Payment of Expenses and Provision of Facilities to Councillors Policy ("Policy"), a Councillor may nominate or be nominated to attend conferences, seminars, or similar functions.

A Council resolution or approval under delegated authority by the Mayor or General Manager is required for attendance.

Attachment 1 to this report is the National Timber Councils Association Local Government Forest and Timber Industry Conference – Program, for information.

### Reporting Requirements for Conferences

As per the Policy, a Councillor or Councillors attending a conference are required to provide a report in writing to Council on the outcome of the conference.

Relevant Policy extract provided below:

#### *2.8 Reporting Requirements*

*Councillors will report in writing to an Open session of Council on the outcome of the conference, seminar or similar function. The report will be submitted to the General Manager within one (1) month of the Councillor's attendance at the conference, seminar or similar function.*

*If a number of Councillors attend the same function, a single report maybe submitted on behalf of all Councillors that attended, however the report must be signed by all Councillors that were in attendance.*

*The report to Council will be in writing and include the following:*

- The purpose/subject matter of the conference, including the reason for the attendance of the delegate(s).*
- The agenda of the conference.*
- Any items of interest to Council discussed at the conference.*
- Recommendations for further areas of action or investigation (if applicable).*

### **Options**

Council is to determine if it requires representation at the National Timber Councils Association Local Government Forest and Timber Industry Conference 2013.

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

#### Internal Consultation

- Group Manager Governance and Executive Services

### **Planning & Policy Implications**

This report satisfies the requirements of Council's Payment of Expenses and Provision of Facilities to Councillors Policy.

## Ensuring Good Governance

### Financial & Economic Implications

The 2012/2013 budget contains an allocation of \$32,800 for expenses pertaining to conferences and out of pocket expenses for Councillors. The attendance by Councillor Sargeant can be funded from within this budget allocation.

Costings are provided below for the attendance at the conference:

	Each (ex GST)	Number	Total
Full Conference Registration	\$408.20	1	\$408.20
Grand Total (ex GST)			\$408.20

In addition to the above costs such as accommodation, transportation and any out of pocket expenses, as allowed for under the Policy, will be at the expense of Council.

### Attachments

1. National Timber Councils Association Local Government Forest and Timber Industry Conference – Program

## Ensuring Good Governance

**Item: 08.06**

**Subject: INVESTMENTS - MARCH 2013**

**Presented by: Corporate & Business Services, Craig Swift-McNair**

### Alignment with Delivery Program

1.4.2 Manage Council's financial assets & to provide accurate, timely and reliable financial information for management purposes. Strategic financial planning & reporting and operational financial services - including payroll, accounts payable, investments, debt recovery, revenue and rates billing, asset accounting, grant administration, taxation compliance (FBT, GST, PAYG), budget preparation, general accounting.

### RECOMMENDATION

**That Council receive and note the Investment Report for March 2013.**

### Executive Summary

Investment balances and performance for the month of March 2013 are presented in this report.

### Discussion

This report provides details of all funds that Council has invested under Section 625 of the Local Government Act, as at 31 March 2013.

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

### Developments

Staff continue to monitor opportunities to switch to allowable alternate investments with a greater forecast investment return to maturity. Council's independent advisor, Denison Advisory Services, is continuing to work with the Finance team in reviewing Council's portfolio and investment strategy.

The investment portfolio as at 31 March 2013 is as follows:

## Ensuring Good Governance

## Port Macquarie Hastings Council

## Investment Summary - 31 March 2013

Inv Name	Type	Purchase Date	Maturity Date	Current Yield	Face Value	Valuation	\$ Value
Bank of Queensland Limited	FRN	30-Mar-11	30-Sep-13	4.6042%	\$1,000,000	99.870	\$998,700
Holiday Coast Credit Union	FRN	4-Nov-04	17-Apr-13	6.7400%	\$2,000,000	99.810	\$1,996,200
Royal Bank of Scotland	FRN	10-Mar-11	10-Mar-14	5.0017%	\$2,000,000	100.289	\$2,005,780
<b>Total FRN's</b>					<b>\$5,000,000</b>		<b>\$5,000,680</b>

Inv Name	Type	Purchase Date	Maturity Date	Yield	Face Value
ANZ Bank	TD	13-Nov-12	13-May-13	4.7800%	\$4,000,000
ANZ Bank	TD	13-Nov-12	13-Nov-15	4.7000%	\$2,000,000
ANZ Bank	TD	13-Nov-12	13-Nov-17	4.8700%	\$2,000,000
Bank of Queensland	TD	30-Nov-12	29-May-13	4.7500%	\$4,000,000
Bank of Queensland	TD	25-Mar-13	25-Sep-13	4.5000%	\$5,000,000
Bendigo Bank	TD	27-Mar-13	27-Nov-13	4.4500%	\$2,000,000
Commonwealth Bank	TD	20-Dec-11	18-Dec-14	5.7600%	\$2,000,000
ING Bank (Australia) Limited	TD	20-Dec-11	20-Dec-16	6.1600%	\$3,000,000
ING Bank (Australia) Limited	TD	8-Jun-11	7-Jun-13	6.5300%	\$3,000,000
ING Bank (Australia) Limited	TD	12-Dec-12	11-Jun-13	4.7400%	\$5,000,000
ING Bank (Australia) Limited	TD	30-Jan-13	29-Jul-13	4.5000%	\$3,000,000
Investec Bank (Australia) Limited	TD	30-Aug-12	27-May-13	5.2500%	\$5,000,000
ME Bank	TD	28-Feb-13	26-Sep-13	4.3300%	\$1,000,000
ME Bank	TD	28-Feb-13	28-Oct-13	4.2800%	\$1,000,000
ME Bank	TD	28-Feb-13	25-Nov-13	4.2800%	\$1,000,000
National Australia Bank	TD	20-Dec-11	20-Dec-14	5.7500%	\$5,000,000
National Australia Bank	TD	15-Jun-12	15-Jun-13	5.0900%	\$10,000,000
National Australia Bank	TD	12-Dec-12	12-Jun-14	4.5700%	\$3,000,000
National Australia Bank	TD	12-Dec-12	12-Nov-13	4.5600%	\$2,000,000
National Australia Bank	TD	30-Jan-13	30-Oct-13	4.4100%	\$2,000,000
National Australia Bank	TD	30-Jan-13	30-Jan-14	4.4200%	\$5,000,000
Rabobank	TD	9-Jun-11	10-Jun-13	6.7000%	\$1,000,000
Rabobank	TD	11-Nov-11	11-Nov-16	6.3000%	\$2,000,000
Rabobank	TD	6-Sep-12	9-Sep-13	5.0200%	\$2,000,000
Rabobank	TD	6-Sep-12	4-Jun-13	5.0000%	\$2,000,000
St George Bank	TD	15-Aug-12	15-Aug-13	5.1500%	\$5,000,000
St George Bank	TD	19-Sep-12	13-Mar-14	4.8800%	\$4,000,000
St George Bank	TD	28-Feb-13	28-Aug-13	4.2300%	\$5,000,000
Westpac Term Deposit	TD	14-Sep-11	14-Sep-16	6.0500%	\$7,000,000
Westpac Term Deposit	TD	11-Nov-11	11-Nov-16	6.2200%	\$3,000,000
Westpac Term Deposit	TD	11-Nov-11	11-Nov-14	5.9200%	\$3,000,000
<b>Total TD's</b>					<b>\$104,000,000</b>

## Cash Fund

## Westpac Business Cash Reserve

Account	CASH	3.70%	\$9,011,721
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Capital Protected Equity Linked No Rating		Purchase Date	Maturity Date	Valuation	Face Value	\$ Value	Comment / Protection
Emu Note	AAA	26-Oct-05	30-Oct-15	92.080	\$1,000,000	\$920,800	Commerzbank as @ 28 Feb 2013
L'reach S32 Partnership	A+	30-Nov-07	23-Nov-14	93.250	\$3,000,000	\$2,797,500	Delevered - UBS
<b>Total Cap Protected Notes</b>					<b>\$4,000,000</b>	<b>\$3,718,300</b>	
<b>Portfolio</b>					<b>\$122,011,721</b>	<b>\$121,730,701</b>	



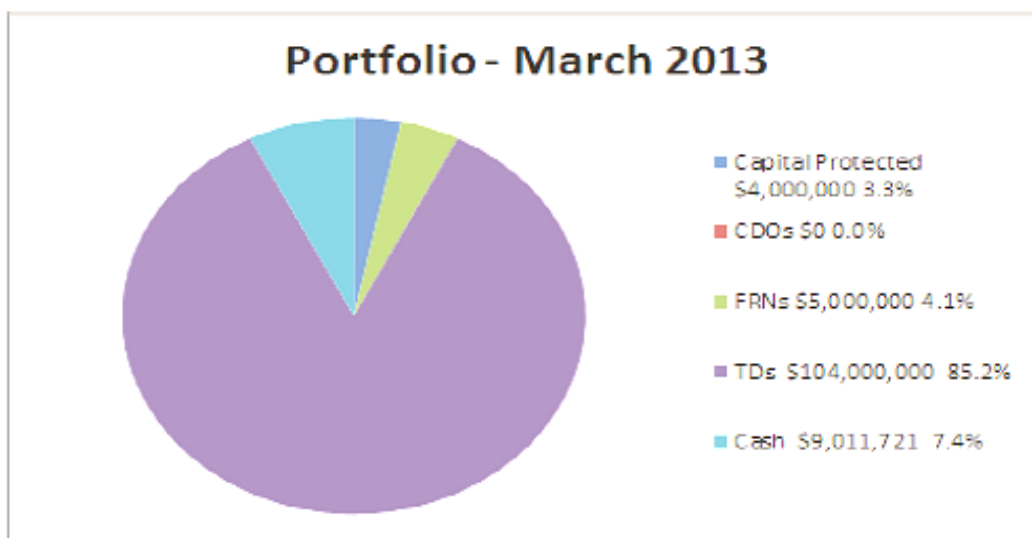
## Ensuring Good Governance

### Other Issues

Current value in \$ in the table above is the estimate of current realisable value for the investment as provided by Denison Advisory Services. It should be noted that this is not necessarily the amount that is expected to be received upon maturity.

### Investment Portfolio Summary (Denison Advisory Services)

The following sections relate to Council's portfolio at March month end. PMHC's portfolio totals \$122.0mm (February \$121.7mm) and is represented in the graph below showing each component – note that these amounts use the face value amounts of each investment made.



At March month end the market valuation for the portfolio was \$121.75mm.

The pricing for Floating Rate Notes was relatively flat with small increases whilst the Capital Protected Notes again rose as they neared their scheduled maturities. The portfolio continues to retain a high level of overall liquidity. The cash component totals \$9.7mm (unchanged from last month) and both the FRNs and Capital Protected investments can be liquidated – the TD portfolio has a spread of maturities providing the portfolio additional liquidity if required.

As per last month's comment Council's CDO exposure has been removed with Council receiving its principal back plus a small excess. This came about via the settlement of the court cases to allow for the release of the liquidated proceeds of the collateral for Lehman Brothers CDOs.

### Market News - Interest Rates

The cash rate was again left unchanged in early March and also in early April at 3.00%.

The average yield for the 12 bank bill futures contracts (a 3yr period) is currently at 3.30% up from 3.16% a month earlier and down also from 4.08% this time last year.

## Ensuring Good Governance

The market has altered its expectations of a drop in short term rates over the next 6 months and is now expecting no change whilst the graphs converge further out along the curve.

### The Australian Dollar

The Australian dollar reversed last month's fall on a trade weighted basis jumping by over 2% to come in at a level just below a near 30 year high.

The currency showed good gains against most major trading partners particularly against the Yen (up 3.8%) and the Euro (up 3.9%). The rationale given for the rise in the Aussie was the slightly more hawkish tone of the RBA with regards to future rate cuts and reasonable economic data releases here.

### **Options**

This is an information report.

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

Council uses the services of Denison Financial Advisory in relation to the investment portfolio, including advice on the placement of investments, assistance with policy development and general advice.

### **Planning & Policy Implications**

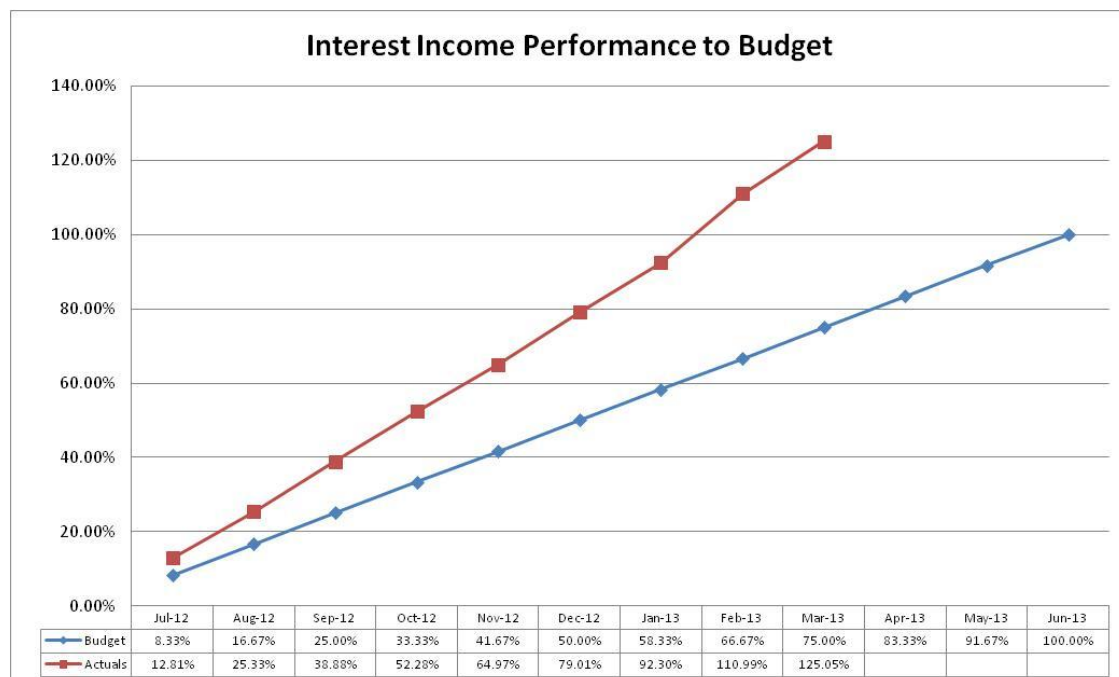
Not applicable.

### **Financial & Economic Implications**

Council's total investment portfolio performance for March was 2.49% above the benchmark (5.53% against 3.04%) and year-to-date investment income was 125.05% of the total budget. In effect, Council has already achieved its annual interest budget.

Details of investment income performance (Year to Date):

## Ensuring Good Governance



The graph shows YTD investment income is 125.05% of the annual budget.

### Summary of Actual Interest for March 2013

Total Budget	Budget YTD	Actual Revenue YTD
\$3,633,000	\$2,724,750	\$4,543,208

### Attachments

Nil



## Ensuring Good Governance

**Item: 08.07**

**Subject: QUARTERLY BUDGET REVIEW STATEMENT AND MONTHLY BUDGET REVIEW - MARCH 2013**

**Presented by: Corporate & Business Services, Craig Swift-McNair**

### Alignment with Delivery Program

1.4.2 Manage Council's financial assets & to provide accurate, timely and reliable financial information for management purposes. Strategic financial planning & reporting and operational financial services - including payroll, accounts payable, investments, debt recovery, revenue and rates billing, asset accounting, grant administration, taxation compliance (FBT, GST, PAYG), budget preparation, general accounting.

### RECOMMENDATION

**That Council:**

- 1. Note the Quarterly Budget Review Statement for the March Quarter.**
- 2. Adopt the adjustments in the "Financial Implications" section of the report for March 2013.**

### Executive Summary

Each month Council's budgets are reviewed by Managers and Directors and any required adjustments are reported.

### Discussion

The Division of Local Government requires all NSW Council's to prepare a Quarterly Budget Review Statement (QBRs). Council currently prepares a monthly review of financial position; this will continue but will be incorporated into the QBRs each quarter.

The March budget review forecasts a surplus for the 2012/13 financial year of \$166,023. This is an improvement of \$8,835 over the February result and an improvement of \$895,612 over the original budget, which projected a deficit of \$729,589.

### Commentary of Key Variance Items

1. The improvement in the result this review is due primarily to the recognising of additional rating and investment revenues. The rating revenue is due to conservative growth estimates and the investment improvement is due to conservative interest rates and cash levels included in the original budget.
2. A number of projects have been deferred and included in the 2013/14 works programme. The deferral of the expenditure budget and funding of the projects have been included this month.

## Ensuring Good Governance

3. Executive have approved over-expenditure reviews for both King Creek Road and Ocean Drive. The Ocean Drive project has been funded from the increased rating and investment revenues.
4. The Town Centre Masterplan Committee have adopted a revised financial model and the budget adjustments reflected in the model have been included.
5. Various new grants have been received and the income and expenditure budget for these grants is included this month.
6. The Group Manager Business Services has reviewed the airport capital budgets and made recommendations based on expected expenditure in this financial year.

### Quarterly Budget Review Statement

The quarterly QBRS presents a summary of council's financial position at the end of each quarter. It is a mechanism whereby the councillors and the community are informed of council's progress against the Operational Plan (original budget) and the last revised budget, along with recommended changes and reasons for major variances. Included in the QBRS are the following budget review components.

- Statement by the Responsible Accounting Officer on Council's financial position at the end of the year based on the information in the QBRS;
- Budget review of Income and Expenditure in a consolidated format (including performance indicators)
- Budget review of the Capital budget (including performance indicators)
- Budget review of the Cash and Investments position
- Budget review of Contracts and other expenses

Attached are the quarterly budget review reports for the March 2013 quarter for Council's information.

### **Options**

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

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

Consultation in this matter has occurred across each division and section with input from Directors and Managers

### **Planning & Policy Implications**

Nil

### **Financial & Economic Implications**

Attached for information is each individual budget adjustment for March 2013 by Division and Section.

### **Responsible Accounting Officer Statement**

The budget position at the end of March 2013 stands at \$166,023 surplus. This is a significant improvement on the original forecast deficit of \$729,589.

## **Ensuring Good Governance**

### **Attachments**

1. 2012 - 2013 March Budget Review
2. 2012 - 2013 March QBRs

## Ensuring Good Governance

**Item: 08.08**

**Subject: COUNCIL CARAVAN PARKS BOOKING POLICY AND PROCEDURE**

**Presented by: Corporate & Business Services, Craig Swift-McNair**

### Alignment with Delivery Program

3.2.3 Develop, manage and maintain Council's property including property sales, acquisitions, road closures, land development, management of community and commercial leases, management of Flynn's Beach Caravan Park.

### RECOMMENDATION

**That Council rescind the Policy and Procedure "Council Caravan Parks - Booking".**

### Executive Summary

The purpose of this report is to rescind the policy and procedure titled 'Council Caravan Parks - Booking', given that Council no longer owns or manages any caravan parks.

### Discussion

The 'Council Caravan Parks - Booking Policy and Procedure are no longer required as Council no longer owns or manages any caravan parks. This follows the closure of the Port Macquarie Holiday Cabins in February 2013.

### Options

Council can opt not to support the recommendations of this report and leave the existing policy position as is. Council can also request amendments to the current policy position.

### Community Engagement & Internal Consultation

Consultation has taken place with Council's Director of Corporate & Business Services, Group Manager of Business Services and Property Development and Leasing Co-ordinator.

### Planning & Policy Implications

If the recommendation is adopted, Council will remove the Council Caravan Park Booking Policy and Procedure from its Register.

### Financial & Economic Implications

## **Ensuring Good Governance**

There are no financial or economic implications.

### **Attachments**

1. Council Caravan Parks - Booking Policy
2. Council Caravan Parks - Booking Procedure

## Ensuring Good Governance

**Item: 08.09**

**Subject: COUNCIL CARAVAN PARKS REFUND POLICY AND PROCEDURE**

**Presented by: Corporate & Business Services, Craig Swift-McNair**

### Alignment with Delivery Program

3.2.3 Develop, manage and maintain Council's property including property sales, acquisitions, road closures, land development, management of community and commercial leases, management of Flynn's Beach Caravan Park.

### RECOMMENDATION

**That Council rescind the Policy and Procedure "Council Caravan Parks - Refund".**

### Executive Summary

The purpose of this report is to rescind the policy and procedure titled 'Council Caravan Parks - Refund', given that Council no longer owns or manages any caravan parks.

### Discussion

The 'Council Caravan Parks - Refund Policy and Procedure are no longer required as Council no longer owns or manages any caravan parks. This follows the closure of the Port Macquarie Holiday Cabins in February 2013.

### Options

Council can opt not to support the recommendations of this report and leave the existing policy position as is. Council can also request amendments to the current policy position.

### Community Engagement & Internal Consultation

Consultation has taken place with Council's Director of Corporate & Business Services, Group Manager of Business Services and Property Development and Leasing Co-ordinator.

### Planning & Policy Implications

If the recommendation is adopted, Council will remove the Council Caravan Park Refund Policy and Procedure from its Register.



## **Ensuring Good Governance**

### **Financial & Economic Implications**

There are no financial or economic implications.

### **Attachments**

1. Council Caravan Parks - Refund Policy
2. Council Caravan Parks - Refund Procedure

## Ensuring Good Governance

**Item: 08.10**

**Subject: DRAFT 2013-2017 DELIVERY PROGRAM, DRAFT 2013-2014 OPERATION PLAN, DRAFT 2013-2017 RESOURCING STRATEGY, DRAFT 2013-2014 FEES AND CHARGES AND DRAFT 2013-2017 SOCIAL STRATEGY**

**Presented by: Community & Cultural Development, Lesley Atkinson**

### Alignment with Delivery Program

1.1.1 Use a variety of tools to engage with the community in a manner that is representative, transparent and reflected in decision making.

### RECOMMENDATION

**That Council:**

- 1. Adopt the following documents to go on public exhibition for a period of 28 days:**
  - **Draft 2013-2017 Delivery Program and 2013/14 Operational Plan**
  - **Draft 2013-2017 Resourcing Strategy (Includes Draft 2013-2023 Long Term Financial Plan, Draft 2013-2017 Workforce Management Strategy and Plan and Draft 2013-2023 Asset Management Plan)**
  - **Draft 2013-2014 Fees and Charges**
  - **Draft 2013-2014 Revenue Policy**
  - **Draft 2013-2017 Rating Maps**
  - **Draft 2013-2017 Social Strategy**
- 2. Invite submissions from the public in relation to the documents on exhibition to be considered prior to the final adoption.**

### Executive Summary

On 23 June 2011 Council adopted the initial suite of documents required under the Division of Local Government's Integrated Planning and Reporting framework. Council is now presented with the third iteration of these documents with the exception of the "Towards 2030 Community Strategic Plan", which is the ten year overarching strategic document that will remain unchanged.

The purpose of this report is to approve the following documents to be placed on public exhibition for a period of 28 days:

- Draft 2013-2017 Delivery Program and 2013/14 Operational Plan;
- Draft 2013 - 2017 Resourcing Strategy (Includes Draft 2013-2023 Long Term Financial Plan, Draft 2013-2017 Workforce Management Strategy and Plan and Draft 2013-2023 Asset Management Plan);



## Ensuring Good Governance

- Draft 2013 - 2014 Fees and Charges;
- Draft 2013 - 2014 Revenue Policy
- Draft 2013 - 2017 Rating Maps; and
- Draft 2013-2017 Social Strategy.

With the exception of the Social Strategy, it is a requirement that these documents be adopted by Council by 30 June 2013.

### Discussion

The Integrated Planning and Reporting (IPR) Framework was introduced in 2009 and was developed as part of the Local Government Reform Program. It introduced changes to the Local Government Act 1993 to improve council's long term community, financial and asset planning.

The Planning and Reporting Framework opens the way for councils to identify and plan for funding priorities and service levels in consultation with their community, while preserving local identity and planning for a more sustainable future.

The key drivers behind the framework included:

- increased expectations on local government;
- innovation of some councils with positive effects; and
- recent findings from reviews of council strategic performance, and the need for improved asset management and long term financial planning.

The new framework integrates council planning to make it more efficient and reflective of communities' needs. Council elected to be a "Group 2" Council in relation to the implementation of the Framework, which required adoption by 30 June 2011.

The Framework is presented graphically as follows:

## Ensuring Good Governance



The elements of the Framework are as follows:

### The Community Strategic Plan

The “Towards 2030 Community Strategic Plan” (CSP) is a ten year plan that identifies the main priorities and aspirations for the future of the Port Macquarie Hastings local government area. It is the primary strategic document within the IPR framework

### The Resourcing Strategy

The Resourcing Strategy is comprised of three components:

- Long Term Financial Plan - minimum timeframe of ten years - must be updated annually;
- Workforce Management Plan - minimum timeframe of four years; and
- Asset Management Plan – minimum timeframe of ten years.

### The Delivery program

The Delivery Program (DP) details the principal activities to be undertaken by Council to implement the strategies established by the Community Strategic Plan within the resources available under the Resourcing Strategy. Whilst it is essentially a four year plan that is aligned to the term of the new Council, it must still be reviewed each year when preparing the Operational Plan.

## Ensuring Good Governance

A summary of the four year budget covered by the four year DP is as follows:

Year	Budget Result surplus/(deficit) \$
2013/2014	(766,710)
2014/2015	(997,494)
2015/2016	(928,481)
2015/2017	(566,358)
Total	(3,259,043)

The proposed Delivery Program has been developed using extensive consultation and workshopping with both Council staff and current Councillors.

### The Operational Plan

The Operational Plan (OP) must be adopted before the beginning of each financial year and details the activities to be engaged in by Council during the year as part of the delivery program that covers that year. It must also include an annual Statement of Revenue Policy which details:

- Estimated income and expenditure (budget);
- Ordinary and special rates;
- Proposed fees and charges;
- Proposed pricing methodology; and
- Proposed borrowings.

In addition to financial information, the Operational Plan identifies the actions that will be undertaken to address the objectives listed in the Delivery Program over the relevant financial year of the plan, and their corresponding targets.

Council must give public notice of the draft document, indicating that submissions may be made to Council at any time during the period (not less than 28 days) that the draft is to be on public exhibition. Council must publicly exhibit the draft Operational Plan in accordance with the notice. During the period of public exhibition, Council must have available for inspection a map that shows those parts of its area to which each category and sub-category of the ordinary rate and each special rate included in the draft Operational Plan applies.

In deciding on the final Operational Plan to be adopted, Council must consider any submissions that have been made concerning the draft plan.

### The Long Term Financial Plan

As part of the Resourcing Strategy, Council has developed a comprehensive 10 year Long Term Financial Plan (LTFP). The LTFP is used to inform decision making and must be updated annually as part of the development of the Operational Plan. The LTFP includes projected income and expenditure, balance sheet, cashflow statement and, importantly, Council's future budgetary position. The various planning assumptions (such as inflation, growth and interest rates) used to develop the Plan are explained in the LTFP document which is an attachment.

## Ensuring Good Governance

### The 2013/14 Budget

The 2013/2014 budget is included in the attached Operational Plan. The budget forecasts an overall deficit of \$766k. This compares with a \$729k deficit in the previous (2012/2013) original budget.

The budget summary is as follows:

	<b>2013/14 Draft Budget \$'000</b>
<b>Operating Budget</b>	
Operating Revenue	143,940
Operating Expenses	(98,422)
<b>Net Operating Revenue</b>	<b>45,518</b>
<b>Capital Items</b>	
Net transfer from reserves	17,306
New Loans	2,200
Purchase of Assets	(57,006)
Loan Principal Repayments	(8,785)
<b>Net Capital Result</b>	<b>(46,285)</b>
<b>Budget Result surplus/(deficit)</b>	<b>(767)</b>

It is very important to note that from 2013/14 an additional annual allocation of \$1m and \$0.2m has been put towards roads and park maintenance respectively. Significantly, had this initiative not been made the budget would be in a surplus position. The strategy for the ensuing year will be, as in the past, to review the budget on a monthly basis in order to realise sufficient savings during the financial year to "close" the budget gap.

The proposed 2013/14 capital works program totals some \$57m. Some of the major items in the works program include:

- Finalisation of Port Macquarie Airport upgrade;
- Replacement of Loggy Creek Bridge;
- Flynn's Beach seawall upgrade;
- Upgrades to Hastings River Rd (incl the Hastings River Drive/Boundary; Street intersection lights);
- Southern Arm Trunk main (continuation);
- Ruins Way upgrade; and

## Ensuring Good Governance

- Small towns sewer program.

### 2013/14 Fees and Charges

Council delivers a wide range of chargeable services to the community. Under Clause 201 of the Local Government (General) Regulations, Council is required to develop a schedule of fees and charges each year as part of the Revenue Policy within the Operational Plan. In determining the appropriate level of fees to be charged, a range of issues are considered such as what is fair and equitable, and how much the service costs to provide.

The proposed fees and charges for 2013/14 are detailed in the Draft Schedule of Fees and Charges attached to this report. In general, fees are increased by a CPI factor, assumed to be 2.3% for 2013/14. Certain fees are regulated whilst some are more market based. Some of the more common fees are summarised below:

#### i) Water Charges

Water charges will continue to be charged under the current two-tier water pricing tariff structure. Council intends to increase the water annual and usage charges by 6% for the 2013-14 financial year. The following total revenue is to be derived from the 2013-14 Water Pricing Tariff:

Description	Annual Charge 2012/13	Usage Charge	Usage Allowance kL per annum
20mm Water Meter	\$173		270kL
25mm Water Meter	\$269		422kL
32mm Water Meter	\$442		691kL
40mm Water Meter	\$691		1,080kL
50mm Water Meter	\$1,080		1,688kL
80mm Water Meter	\$2,761		4,320kL
100mm Water Meter	\$4,314		6,750kL
150mm Water Meter	\$9,711		15,188kL
200mm Water Meter	\$17,259		27,000kL
Vacant Land	\$173		n/a
Tier 1 - consumption charge per kL:  (for consumption within Usage Allowance)		\$2.41	
Tier 2 - consumption charge per kL:  (for consumption in excess of Usage Allowance)		\$4.82	



## Ensuring Good Governance

Note: Reclaimed water will be charged at 50% of the standard water charge.

### ii) Sewer Charges

All properties connected or capable of connection to the sewerage system will be charged an annual charge. Properties with an on-site effluent management system will be charged an on-site effluent management fee. Council intends to increase the sewerage annual and usage charges by 4.5% for the 2012-13 financial year.

Description	Annual Charge	Usage Charge
Available	\$704.00	
Unconnected (Section 548a)	\$453.00	
Non-rateable (other than Churches & Halls S555)	\$561.00	
Non-rateable (Churches & Halls S555)	\$453.00	
Non-rateable (Other S556)	\$704.00	
Additional usage charge (per Kilolitre) (1)		\$1.06
On site Effluent Management Fee	\$36.10	

- (1) Properties such as major regional shopping centres, caravan parks, flats, retirement homes, motels, clubs, hotels, schools and backpacker hostels will be required to pay an additional charge based on the amount of water consumed.

### iii) Stormwater Charges

All urban properties except for vacant land that are in the residential and business categories for rating purposes, for which Council provides a stormwater management service will be charged a stormwater levy. The base stormwater levy has remained unchanged since it was introduced in 2006-07.

Description	Charge
▪ Business – 0 to 350m <sup>2</sup>	\$25.00
▪ Business – 351m <sup>2</sup> to 700m <sup>2</sup>	\$50.00
▪ Business – 701m <sup>2</sup> to 1,000m <sup>2</sup>	\$75.00
▪ Business – 1,000m <sup>2</sup> to 1,400m <sup>2</sup>	\$100.00
Business – 1,401m <sup>2</sup> to 1,750m <sup>2</sup>	\$125.00
Business – 1,751m <sup>2</sup> to 2,100m <sup>2</sup>	\$150.00
Business – 2,101m <sup>2</sup> to 2,450m <sup>2</sup>	\$175.00
Business – 2,451m <sup>2</sup> to 2,800m <sup>2</sup>	\$200.00

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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 – Greater than 6,600m2	\$500.00
▪ Business Strata	\$12.50
▪ Residential	\$25.00
▪ Residential Strata	\$12.50

#### iv) Waste Management Charges

The charges to apply to domestic waste management are determined in accordance with the Reasonable Cost Guidelines issued by the Division of Local Government and are subject to independent audit. The charges determined using these guidelines will apply to domestic as well as non-domestic properties.

Since 1 July 2009, Council has been subject to a waste and environmental levy charged by the State Government. The levy for 2013/14 is \$52.40 per tonne for all waste going into landfill. This levy will rise to more than \$70.00 per tonne by mid 2015. Council has no alternative but to recoup this levy from ratepayers.

The total standard garbage service annual charge for 2013-14 will be \$413.00. The increase for each year from 2013-14 for waste management annual charges will be 3%.

Description	Amount of Charge
standard service – 120L, 140L	\$413.00
discount service - 88L	\$382.00
premium service	\$551.00
multi-unit developments (strata and non-strata) for services provided at a rate of 1 receptacle every 2 units or part thereof (Policy G3) (Standard)	\$226.00
multi-unit developments (strata and non-strata) for services provided at a rate of 1 receptacle every 2 units or part thereof (Policy G3) (Premium)	\$296.00

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waste management vacant	\$66.00
waste management availability - domestic	\$121.00
▪ waste management availability - business	\$66.00
▪ additional weekly 80L, 120L, 140L	\$214.00
▪ additional weekly 240L	\$278.00
additional recycling	\$57.00
additional organics	\$101.00

### Loans

To provide for the future needs of our community, Council borrows funds to provide infrastructure and community assets which cannot be funded out of normal revenue sources. The loans are based on periods that represent the economic life of the facility or asset or a reasonable fixed term, whichever is the lesser. Loans are raised by Council from banks or other recognised financial institutions and secured by a mortgage deed over the revenue of the Council. Proposed new borrowings for the next four years are:

Purposed new borrowings	2013-14	2014-15	2015-16	2016-17
Stormwater Remediation	\$200,000	\$200,000	\$200,000	\$200,000
Road Construction	\$1,000,000	\$1,033,000	\$2,030,000	\$800,000
Waste Management	Nil	\$1,300,000	\$1,000,000	nil
Sewerage Services	\$1,000,000	\$2,000,000	nil	nil
<b>Total</b>	<b>\$2,200,000</b>	<b>\$4,533,000</b>	<b>\$3,230,000</b>	<b>\$1,000,000</b>

For detailed information on Council's debt service ratio refer to the Long Term Financial Plan attached.

### Social Strategy

Historically, Councils were required to develop a Social / Community plan under the NSW Local Government (General) Amendment (Community and Social Plans) Regulations 1998. With the introduction of the Integrated Planning and Reporting (IPR) Framework in 2009, separate social plans are no longer required. However, social planning is one of the building blocks on which the Community Strategic Plan (CSP) is based and therefore this strategy has been developed as part of the suite of documents informing the four year Delivery Program and annual Operational Plan.

The 2013 - 2017 Social Strategy has been developed to build on previous Social Plans and the 2011 - 2015 Social Strategy. It underpins the implementation of the



## Ensuring Good Governance

Integrated Planning and Reporting (IPR) Framework by the Port Macquarie Hastings Council (PMHC).

Within a Local Government context, Social Planning is about improving the well-being and quality of life in local communities. Social Planning is similar in approach to any other form of strategic planning. However, it has a specific emphasis on social and community issues. According to the Planning Institute of Australia, "Social Planning is founded on the principles of social justice (equity, access, participation and rights) and aims to enhance community wellbeing and effectiveness".

The purpose of the PMHC Social Strategy is to assist Council, local service providers and relevant Government Departments in their planning for specific facility and service provision in the Port Macquarie-Hastings Local Government Area (PMHLGA). It aims to provide Council with an overview of the current and future needs of the area's population to facilitate more effective and integrated planning for a wide range of social and community service needs.

The Social Strategy supports the implementation of Council's Integrated Planning and Reporting Framework (IPR). This Strategy further develops the 2011 - 2015 Social Strategy and is in line with the next phase of the IPR planning, that is the four year delivery program.

The Social Strategy is divided into 3 sections:

- Section 1 Introduction;
- Section 2 Characteristics of the Local Government Area (LGA); and
- Section 3 Strategies.

Information used in the Social Strategy has come from the following:

- Social Strategy 2011 - 2015;
- 2011 ABS Census. Census information for the Aboriginal population and the Socio Economic Indexes for Areas (SEIFA) index of disadvantage is not yet available. This information will need to be updated in the Strategy when it is finalised;
- Council's Customer Survey conducted by Micromex in October 2012;
- Community participation during November 2012 as part of the Delivery Program and Social Strategy development; and
- Urban Growth Management Strategy.

The content of the Social Strategy has been developed as a result of a wide range of community participation activities across the Local Government Area including telephone surveys, forums and community meetings in line with the community engagement process for the Delivery Program and Operational Plan. The strategies within this document have also been drawn from the Micromex customer survey and focus groups report.

Following collection and analysis of the information, relevant strategies have been developed. Social and community issues are very broad terms and for the purpose of this strategy will address:

## Ensuring Good Governance

- Healthy Lifestyle;
- Education and Employment;
- Living and Getting Around;
- A safe and inclusive community;
- Access to community services; and
- Supporting Young people and people 18 - 35 years.

The strategies have been categorised around themes of what Council will do, what other groups in the community can do and what individuals can do. Further detail of the specific actions and activities are outlined in the Delivery Program 2013 – 2017 and the relevant Operational Plans for each financial year.

The Social Strategy was developed following a wide range of community participation activities that were undertaken across the Local Government area in line with Council's Delivery Program community engagement held in October / November 2012. The Social Strategy will be placed on public exhibition for 28 days.

### Options

It is a statutory requirement that the draft Operational Plan, Fees and Charges, revised Delivery Program and the revised Long Term Financial Plan placed on public exhibition for 28 days and be adopted prior to 30 June.

### Community Engagement & Internal Consultation

The documents attached to this report will be placed on 28 day public exhibition period from 18/4/2013 to 23/5/ 2013. All submissions received during this period will be considered prior to the adoption of the final documents in June.

### Planning & Policy Implications

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

### Financial & Economic Implications

This report puts forward Council's draft budget and draft fees and charges for 2013/2014. The documents included in this report detail Council's financial position over a ten year period and should be referred to when making decisions in relation to the allocation of Council's limited financial resources.

### Attachments

1. Draft 2013-2017 Delivery Program and 2013-2014 Operational Plan
2. Draft 2013-2017 Resourcing Strategy
3. Draft 2013-2014 Fees and Charges
4. Draft 2013-2017 Social Strategy
5. Draft 2013-2014 Rating Options Paper
6. Draft 2013-2014 Revenue Policy
7. Draft 2013-2017 Rating Maps

## Looking After Our People

### What are we trying to achieve?

Our social infrastructure and community programs create a healthy, inclusive and vibrant community.

### What will the result be?

- Community hubs which provide access to services and social connections.
- Services that support an ageing community to live in a way that they desire.
- Available and accessible preventative health and medical services.
- A safe, caring and connected community.
- A healthy and active community that is supported by recreational infrastructure
- A strong community that is able to identify and address social issues.
- Community participation in events, programs, festivals and activities.

### How do we get there?

- 2.1 Create an environment and culture that allows the Port Macquarie-Hastings community to feel safe.
- 2.2 Provide young people with a range of leisure activities and opportunities for personal development.
- 2.3 Provide medical and social services for all members of the community.
- 2.4 Develop partnerships within the community to build on existing strengths and improve areas of social disadvantage.
- 2.5 Create events and activities that promote interaction and education.
- 2.6 Provide social and community infrastructure and services.
- 2.7 Empower the community to be active and involved in community life.
- 2.8 Promote cultural and artistic expression.
- 2.9 Promote a healthy lifestyle through education, support networks and facilities.

## Looking After Our People

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**Item:** 09.01

**Subject:** NOTICE OF MOTION - POPULATION SIGNAGE

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

### RECOMMENDATION

**That the Pacific Highway and any other entrance signage bearing population statistics be updated to reflect current population estimates.**

### Comments by Councillor (if provided)

Current signage show a population figure of 70,000 people when in fact the most recent estimate is 78,000 persons. Under-representing the size of the Local Government Area is potentially a disservice to new investment.

### Attachments

Nil

## Looking After Our People

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**Item: 09.02**

**Subject: COMMEMORATIVE NAMING REQUEST - CROWN RESERVE 610024, FLYNN'S BEACH (PIN 55166)**

**Presented by: Corporate & Business Services, Craig Swift-McNair**

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### Alignment with Delivery Program

5.3.2 Construct new and upgrade existing open spaces and recreational facilities.

### RECOMMENDATION

**That Council in its capacity as Trust Manager of Crown Reserve 610024 erect a fingerboard type sign with the words "Norm Morgan Row" to name the paved accessway linking the Port Macquarie Surf Lifesaving Clubhouse to Tuppeny Lane.**

### Executive Summary

A report to consider a request to commemorate the contribution to the community and the Surf Lifesaving movement by the late Norm Morgan.

### Discussion

A request has been received from the Port Macquarie Surf Lifesaving Club at Flynn's Beach to acknowledge the long term commitment by the late Norm Morgan to the surf lifesaving movement.

There exists a paved accessway linking the Surf Club to Tuppeny Lane generally as shown marked by the red line in the plan attached to this report. It is requested that the accessway be named Norm Morgan Row.

Neither the accessway nor Tuppeny Lane hold the status of a public road within the meaning of the Roads Act 1993. Rather, Tuppeny Lane and the accessway are part of Crown Reserve 610024 over which Council has been appointed Trust Manager. Council has the capacity as Trust Manager to erect signage within the Crown Reserve.

The placement of the sign will serve as a permanent reminder of the contributions by the late Norm Morgan.

### Options

There is the option to:

1. Agree to the request



## Looking After Our People

2. Not agree to the request

### Community Engagement & Internal Consultation

Given that neither Tuppeny Lane nor the accessway proposed to be named are public roads, there is no requirement to comply with the consultation procedures as set out in the Roads Act 1993 and Roads Regulation 2008.

Consultation has occurred with the wife of the late Mr Norm Morgan and the Port Macquarie Surf Lifesaving Club. Both the Morgan family and the Club are fully supportive of the naming.

### Planning & Policy Implications

There are no planning and policy implications.

### Financial & Economic Implications

Costs will be incurred in the manufacture and installation of the sign and will need to be met from the Parks and Recreation Services budget.

### Attachments

1. Location of Accessway Proposed to be Named

## Looking After Our People

**Item: 09.03**

**Subject: SIMPLIFYING THE ADMINISTRATIVE PROCEDURES ASSOCIATED WITH MANAGING COMMUNITY HALLS**

**Presented by: Community & Cultural Development, Lesley Atkinson**

### Alignment with Delivery Program

2.6.2 Create access to community facilities that allow a range of social, health and wellbeing activities.

### RECOMMENDATION

**That Council:**

- 1. Approve the revised Terms of Reference for the following section 355 committees;**
  - Bonny Hills Community Hall,
  - C C “Mac” Adams Music Centre,
  - Lorne Recreation Centre,
  - Pappinbarra Recreation Reserve,
  - Pembroke Community Hall,
  - Port Macquarie Historic Court House,
  - Port Macquarie Seniors Facility,
  - Wauchope Community (Arts) Hall and
  - Wauchope Rotary Youth Hall.
- 2. Approve Lake Cathie Community Hall operating under a Model of Operation, replacing the former section 355 committee functions.**
- 3. Approve the Model of Operation for Lake Cathie Community Hall.**
- 4. Approve the updated Model of Operation for the following community facilities;**
  - Beechwood School of Arts Hall,
  - Dunbogan Jubilee Hall,
  - Laurieton School of Arts Hall and
  - North Haven Community Hall.

### Executive Summary

It is proposed to simplify the community halls administrative arrangements associated with reporting to Council. Currently, each year following the Annual Review Meeting (ARM) of each section 355 community facility management committee, a report is made to Council notifying of the new committee and updating the committees' terms of reference.

It is proposed that the membership of the section 355 management committees of community facilities be no longer recorded on each management committee Terms of Reference. This will remove the need for Council to separately approve each of



## Looking After Our People

these documents each year following a change of membership of the committee. Instead, it is proposed to provide a Council report following the completion of the Annual Review Meetings which will outline the full list of s355 community facility management committee members.

It is further proposed that the text under the heading “Responsibilities of the Committee” in the Terms of Reference of each s355 community facility be amended to reflect the need to operate in accordance with the responsibilities outlined in the Council approved Community Facilities Operations Manual 2012. This Community Facilities Operations Manual was approved by the April 2012 Ordinary Council meeting following endorsement by the former Governance Review Committee.

Management of Lake Cathie Community Hall has changed following the resignation of the section 355 committee in 2012. As Council has been unable to form another committee, it is proposed to formalise the interim management procedures, which have utilised the Customer Service Centre, Community Facilities Officer and individual volunteers under a Model of Operation arrangement.

### Discussion

The management of a number of community halls is undertaken by a group of community members approved under s355 of the NSW Local Government Act (1993). Each year, these committees are required at their Annual Review Meeting to invite participation from the community and to elect office bearers to the committee. This Annual Review Meeting is required to be conducted prior to the end of August each year. When a change of s355 management committee members (or office bearer roles) occurs, there is a requirement to modify the individual Terms of Reference to reflect the new committees’ details and to provide a report to Council seeking approval of these changes. In effect, this means that with the current nine s355 community hall committees, there is a need to update nine Terms of Reference and provide nine reports to Council.

Since 2011 an annual report to Council has provided a summarised listing of the current membership of each s355 community hall management committee. It is proposed that this annual report be sufficient to report any and all changes to membership of these community halls committees to Council. This negates the need to revise and approve each of the Terms of Reference every year. The proposed wording under the heading “Composition” on each document will read “As recorded in the Section 355 Management Committees of Community Halls Membership Report approved annually by Council”.

This change streamlines and centralises the updating of information related to each s355 community hall management committee. It will also reduce the number of reports to Council. Community members will be able to search for the updated summarised list of all community hall committee members rather than being required to search on a per facility basis.

As an additional efficiency measure, it is proposed that the text in the s355 community hall Terms of Reference dealing with the responsibilities of the committee be amended to refer to the responsibilities outlined in the Community Facilities Operations Manual 2012. This removes the need to show the many responsibilities, rules and guidelines that were previously shown under this heading in each Terms of Reference for every community hall and requires only one document to be revised

## Looking After Our People

and updated regularly for any changes. The Community Facilities Operations Manual 2012 was approved by Council at its April 2012 Ordinary Council meeting, after being endorsed by the former Governance Review Committee. All committees are provided with this Operations Manual and it is standard operating practice to provide all new committee members with a copy. In addition when any modifications are made to the Manual these are reported to Council and when approved are distributed to all committees.

Lake Cathie Community Hall is no longer managed by a s355 committee, due to the resignation of the former committee in early 2012. Since then, Council staff have been providing interim management of the facility with the aid of individual volunteers. Interest was sought from the local community to form a new committee, however this has been unsuccessful. It is proposed to formalise the current arrangement under a new Model of Operation arrangement. This will replace the former Lake Cathie Community Hall Terms of Reference. The duties and responsibilities of the Community Facilities Officer, the Customer Service Centre and the volunteers are defined in this new document.

The Model of Operations for Laurieton School of Arts Hall, North Haven Community Hall and Dunbogan Jubilee Hall have been updated to clearly show the duties and responsibilities of the Community Facilities Officer and the Customer Service Centre, in managing these facilities.

The Model of Operation for Beechwood School of Arts Hall has been updated to better show the duties and responsibilities of the Community Facilities Officer, the Customer Service Centre and the individual volunteers in managing these facilities.

The Terms of Reference for the Port Macquarie Historic Court House section 355 management committee, have also been modified to make reference to the guided tours and mock trials that the committee members organise for visitors to the facility, showcasing the history of this popular landmark and has been included for approval. These activities are covered under Council's present public liability insurance and volunteers insurance.

### Options

1. Council require a separate report to be developed for each community hall s355 management committee Terms of Reference change or modification.
2. Council not agree to modify the Models of Operation as requested in this report.
3. Council request further information on this report.
4. Council make no changes to existing administrative practices.

### Community Engagement & Internal Consultation

Consultation has occurred with the relevant section 355 committees, Community Development, Building Services and Council's Insurance Officer. It is not seen as requiring wide community engagement as it will simplify internal administrative procedures for Council and provide greater centralisation of information for community members.

## Looking After Our People

### Planning & Policy Implications

Nil.

### Financial & Economic Implications

Nil.

### Attachments

1. DRAFT Bonny Hills Community Hall Management Committee Terms of Reference 2012-13
2. DRAFT C C "MAC" Adams Music Centre Management Committee Terms of Reference 2012-13
3. DRAFT Lorne Recreation Centre Management Committee Terms of Reference 2012-13
4. DRAFT Pappinbarra Recreation Reserve Management Committee terms of Reference 2012-13
5. DRAFT Pembroke Community Hall Management Committee Terms of Reference 2012-13
6. DRAFT Port Macquarie Historic Court House Terms of Reference 2012-13
7. DRAFT Port Macquarie Seniors Facility Management Committee Terms of Reference 2012-13
8. DRAFT Wauchope Community (Arts) Hall Management Committee Terms of Reference 2012-13
9. DRAFT Wauchope Rotary Youth hall Management Committee Terms of Reference 2012-13
10. DRAFT Model of Operation Beechwood Community Hall 2012-13
11. DRAFT Model of Operation Dunbogan Jubilee Hall 2012-13
12. DRAFT Model of Operation Lake Cathie Community Hall 2012-13
13. DRAFT Model of Operation Laurieton School of Arts Hall 2012-13
14. DRAFT Model of Operation North Haven Community Hall 2012-13
15. Community Facilities Operations Manual Adopted 2012 04 18

## Helping Our Community Prosper

### What are we trying to achieve?

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

### What will the result be?

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

### How do we get there?

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



## Helping Our Community Prosper

**Item: 10.01**

**Subject: LOAN TO PORT MACQUARIE TENNIS CLUB**

**Presented by: Corporate & Business Services, Craig Swift-McNair**

### Alignment with Delivery Program

2.9.1 Provide a range of sporting and recreational opportunities.

### RECOMMENDATION

**That Council:**

- 1. Agree to loan the Port Macquarie Tennis Club an amount of \$60,000 for the purpose of tennis court resurfacing;**
- 2. Set the term of the above loan at ten years with repayments on a principal and interest basis at an interest rate of 6.5%;**
- 3. Prepare and execute loan documentation with all associated legal costs to be paid by the applicant.**

### Executive Summary

At its meeting on 25 July 2012 Council adopted a new policy titled Loans To Incorporated Sporting Bodies & Incorporated Community Groups. The Policy is intended to establish a framework for the issuing of loans to sporting bodies and community groups. Through this policy, Council aims to provide sporting bodies and community groups with funds for emergency repairs or emergency rectification works on Council owned assets which are located on Council owned Land.

### Discussion

The Port Macquarie Tennis Club (PMTTC) has written to Council requesting a loan of \$60,000 in order to help fund urgent repairs to the surface of its six tennis courts. The application, business case, financial information and quotation for repairs are attached to this report.

*Please refer to the confidential attachment titled "Port Macquarie Tennis Club Loan Application" which contains information that relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Local Government Act 1993 - Section 10A(2)(d).*

This is the first request made by an incorporated body or community group under the policy cited above.

Under the terms of the Policy:

- The body or group must be an incorporated body.

## Helping Our Community Prosper

- A maximum loan of \$200,000 may be issued in any one financial year to any single sporting body or community group, unless otherwise agreed by Council
- The total amount of loans issued in any one financial year shall not exceed \$400,000.
- The total amount of loans issued or unpaid at any one time shall not exceed \$500,000.
- The loan is to be applied to emergency repairs or rectification works on Council owned assets which are located on Council owned Land.
- The term of the loan is not to exceed 10 years.
- Eligible applicants will supply a business case supporting their capacity to repay both principle and interest on the loan required. Should the sporting body or community group own assets then there may be a requirement for security over the loan, either against an asset owned by the applicant or from a personal guarantee by members or directors of the sporting Body or Group.
- All loan repayments shall have mutually agreed terms, and set out in a written agreement. All terms and conditions shall be agreed upon between the parties prior to the loan being approved. If the Incorporated Sporting Body or Incorporated Community Group that is the subject of the loan defaults on the loan, then interest shall be charged at the rate of 2% greater than the local government borrowing rate.
- The interest rate payable shall be determined by Council at the time the agreement is approved and unless otherwise agreed by Council and the applicant, it will be based on the current local government borrowing rate (which at the time of this report is approximately 6.5%)
- The applicant Body or Group is to pay the cost of preparation of the loan agreement and any security documents.

The application by the PMTC meets the terms of the Policy.

The PMTC is situated on Crown land at Owen Street Port Macquarie, for which Council is the trust manager. The PMTC leases the property from council.

The costs of repairs are as follows:

Removal of existing surfaces	\$22,000
Resurfacing (as per quotation)	\$118,000
Contingency	\$5,000
<b>Total</b>	<b>\$145,000</b>

The repairs are to be funded as follows:

PMTC sinking fund	\$60,000
NSW Government Grant	\$25,000
Loan from PMHC	\$60,000
<b>Total</b>	<b>\$145,000</b>

## Helping Our Community Prosper

### Options

Council could agree to the proposed loan outlined in this report, amend the proposed terms of the loan, or not agree enter into a loan agreement with the Port Macquarie Tennis Club.

### Community Engagement & Internal Consultation

Not applicable.

### Planning & Policy Implications

The application referred to in this report is made under the Council policy "Loans To Incorporated Sporting Bodies & Incorporated Community Groups" and is compliant with that policy.

### Financial & Economic Implications

The cost to the PMTC of servicing the proposed loan is around \$8,300 per annum for ten years. A review of the Club's financial statements indicates that the Club has capacity to services this debt.

The interest earned by Council on this loan is approximately 2% higher that currently earned on bank term deposits.

### Attachments

1. Port Macquarie Tennis Club Loan Application (Confidential)



## Looking After Our Environment

### What are we trying to achieve?

We understand and manage the impact that the community has on the natural environment. We protect the environment now and in the future.

### What will the result be?

- Accessible and protected waterways, foreshores, beaches and bushlands.
- Renewable energy options.
- Clean waterways.
- An environment that is protected and conserved for future generations.
- Development outcomes that are ecologically sustainable and complement our natural environment.
- Residents that are environmentally aware.
- A community that is prepared for natural events and climate change.

### How do we get there?

- 4.1 Protect and restore natural areas.
- 4.2 Ensure service infrastructure maximises efficiency and limits environmental impact.
- 4.3 Implement total water cycle management practices.
- 4.4 Continue to improve waste collection and recycling practices.
- 4.5 Provide community access and opportunities to enjoy our natural environment.
- 4.6 Create a culture that supports and invests in renewable energy.
- 4.7 Increase awareness of and plan for the preservation of local flora and fauna.
- 4.8 Plan and take action to minimise impact of natural events and climate change.
- 4.9 Manage development outcomes to minimise the impact on the natural environment.

## Looking After Our Environment

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**Item: 11.01**

**Subject: WALL RESERVE TREE MANAGEMENT ISSUES (PIN 15194)**

**Presented by: Infrastructure Services, Jeffery Sharp**

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### Alignment with Delivery Program

4.7.1 Promote the conservation of key habitats.

### RECOMMENDATION

**That Council:**

- 1. Manage the proposed regeneration area as bushland as identified in the report.**
- 2. Note this decision replaces the August 2009 and December 2009 resolutions which sought to manage the proposed regeneration area as useable open space.**

### Executive Summary

This report outlines issues associated with an area within Wall Reserve, North Haven and provides options for the future management of the site.

### Background

The management of Wall Reserve, North Haven has been considered by Council on several occasions in recent years including reports to Council meetings dated 27 May 2009, 26 August 2009, 16 December 2009 and most recently 12 December 2012.

At the 27 May 2009 meeting it was resolved:

- 1. That this matter be deferred to allow the Administrator time to gain a greater understanding of the issues and talk with Mrs Hardy.*
- 2. That this matter be brought back for consideration at the Council Meeting to be held in Laurieton on 26 August 2009.*

At the 26 August 2009 meeting it was resolved:

- 1. That the proposal to upgrade the parkland areas of the concept plan be adopted with the amendment that a ramp be installed from the reserve onto the breakwall.*
- 2. That a further report be provided to Council following investigation into the proposed bushland area being actively maintained parkland. The future report needs to determine how best to effectively manage this area as usable open space, given the constraints of the existing flora and fauna and tree maintenance issues.*

## Looking After Our Environment

At the 16 December 2009 meeting it was resolved:

1. *That Council recognise the immediate return to usable open space is not feasible given the threat to public safety posed by the trees in Wall Reserve.*
2. *The future use of Wall Reserve be considered following the completion of a Species Impact Statement and a Matters of National Environmental Significance Determination.*
3. *That the infrastructure improvements included in the Wall Reserve Concept Plan be implemented as soon as possible.*

At the 12 December 2012 meeting it was resolved that Council:

1. *Note the information provided in relation to the management of Wall Reserve.*
2. *Be provided with copies of submissions previously made by the Camden Haven Protection Society and Friends of Grants Beach.*
3. *Request officers to organize an onsite inspection for Councillors.*

In accordance with the Council resolution of 12 December 2012 Councillors were invited to meet with relevant Council staff on-site at Wall Reserve, North Haven to further discuss the issues outlined in this report. This meeting took place on 18 February 2013 with Councillors Besseling, Sargeant and Hawkins in attendance along with the General Manager and Director Infrastructure Services.

The inspection highlighted to Councillors the risk issues associated with the current area and the reasons why staff are recommending the proposed action.

Also in accordance with the December 2012 resolution, Councillors have separately been provided with copies of submissions previously made by the Camden Haven Protection Society and Friends of Grants Beach regarding the proposed regeneration area as included within the draft Wall Reserve Concept Plan.

Accordingly this issue is again presented for Councils consideration.

### Discussion

Wall Reserve is a Crown Reserve located in North Haven between The Parade and the Camden Haven River. It is a large parcel of open space which contains significant areas of both parkland and bushland. It has been the subject of a number of reports to Council in recent years due to issues associated with the site. The key land management issues identified within these reports have been land tenure, the poor health of tree population which include hollows, and the presence of threatened species.

The key community concern surrounding this area has centred on plans to return a section of the reserve, which had previously been maintained as parkland, to bushland. Attached for information is an aerial photograph outlining the proposed regeneration area.

### Land tenure

Wall Reserve is a Crown Reserve that Council had embellished and subsequently maintained for many years assuming that Trust Management responsibility had been bestowed upon Council.

## Looking After Our Environment

Soon after the Ordinary Council Meeting held on 16 December 2009 a member of staff investigating the land tenure associated with another Crown Reserve found that land management responsibility for Wall Reserve had not been formalized with the appointment of Council as Trust Manager. This essentially meant that land management responsibility remained with Department of Primary Industries – Crown Lands Division (formerly Department of Lands and Land and Property Management Authority).

Council wrote to Crown Lands Division in February 2010 advising that investigations had identified that Council has not formally been appointed as Trustee Manager of the reserve, and that land tenure issues associated with the site needed to be resolved.

Council staff have met with representatives of Crown Lands Division, Taree Office on a number of occasions since February 2010 to discuss the resolution of land tenure issues associated with Wall Reserve. The most recent meeting was held in Taree on 11 July 2012 where it was agreed that Council would agree to assume management responsibility for Wall Reserve provided clear direction regarding the management of the reserve was provided by Crown Lands.

Council subsequently received correspondence from Crown Lands dated 17 October 2012 advising that Wall Reserve has been added to the existing Reserve 80643 for Public Recreation. This reserve includes the park at the end of Hughes Road and North Haven Beach. The process has not provided clear direction from Crown Lands regarding the management of the reserve as was discussed at the meeting held on 11 July 2012.

### Health of the tree population

The tree population within the reserve has reached an age and condition that has seen the increase in branch drop and some tree failures. Essentially the area is a remnant bushland area which has been cleared as parkland. Due to historical mowing practises within the area, the trees are all nearing the end of their lives and mowers have ensured that no succession growth was present.

Branch failures have become more frequent and more significant in recent times. In 2005 Council's Tree Management team conducted a full tree survey and audit of Wall Reserve. Of the trees audited 174 were found to have a Safe Useful Life Expectancy (SULE) of less than 5 years. Tree Management staff reported that the extent of limb failure was expected to continue and increase in frequency as the trees continued to age, which has proven to be the case.

The predominant tree species spread across the area include *Eucalyptus pilularis* (Blackbutt), *Banksia integrifolia* (Banksia), *Eucalyptus robusta* (Swamp Mahogany), *Corymbia intermedia* (Bloodwood), *Angophora floribunda* (Rough Bark Apple) and *Casuarina glauca* (Swamp Oak).

The trees in Wall Reserve were then reassessed by Council's Arborist following a report to the Ordinary Council Meeting held on 26 August 2009. The subject area includes a dense grouping of 130 trees that have high ecological value, but are also deemed to be high risk due to the number and variety of faults found in these trees. 88 trees within this group were classified as moderate to high risk.



## Looking After Our Environment

There is no appropriate remedial pruning that can reduce the hazard posed by the condition of the trees. Lopping or topping of the trees is now a discredited arboricultural practice and therefore does not comply with the *Australian Standard for pruning AS4373-2007*. This type of pruning is not an appropriate option as the resultant regrowth grows quickly, is weakly attached and will fail more readily than existing branches. Eucalypts that are lopped generally decline rapidly and die within a few years as they are forced to use resources in generating branches and foliage.

### Threatened species and hollow bearing trees

During the tree population survey staff noted that many of the trees were hollow bearing trees which were potential habitat for threatened species. Due to the number of hollow bearing trees captured in the audit, Darkheart EcoConsultancy was subsequently engaged to provide an ecological report on fauna in the reserve. The results of the survey suggested the site offers value to at least 5 species classified as threatened under the *Threatened Species Conservation Act* (1995), namely the Squirrel Glider, Grey-Headed Flying Fox, Little Bent-Wing Bat, Eastern Freetail Bat and Glossy Black Cockatoo. The Darkheart report also suggested that the site offers considerable value to a diverse range of other fauna, especially birds, many of which were nesting and rearing young at the time of the survey.

Of particular significance was the detection of a Squirrel Glider breeding group and the possibility of a Glossy Black Cockatoo pair utilising the site for nesting. Both species are considered sensitive to the removal of key habitat components, specifically tree hollows for denning and nesting.

The Grey-Headed Flying Fox is also listed as vulnerable under the *Environment Protection and Biodiversity Conservation Act*.

The presence of hollow bearing trees within Wall Reserve triggers the need for a Hollow Bearing Tree Assessment to be undertaken in accordance with Council's *Development Control Plan – General Provisions, Environmental Management* (DCP).

### Risk management

At the request of staff, Council's Insurer, Statewide Mutual undertook a site inspection on 11 September 2008 and provided risk management advice regarding the safety and potential public liability arising from trees within the proposed revegetation area. Statewide Mutual provided a number of management options including:

- Remove existing signage and provide specific signage for the at-risk area
- Provide delineation between the at-risk area and the areas that remain acceptable for use
- Inform the community why measures are being taken
- Remove all picnic and barbecue structures from the area
- consider fencing the bushland area.

At the time, Council staff gave consideration to this advice from Statewide Mutual and developed the draft Wall Reserve Concept Plan. The concept plan proposed to define and enhance revegetation areas, provide an equal access children's playspace, and improvements to landscaping. The plan also included a set of steps to provide access to the breakwall from Wall Street to replace the ramp that was removed earlier this year due to safety concerns.

## Looking After Our Environment

There are essentially two key areas within the Wall Reserve plan, the parkland area between Edith Street and Leighton Close, and the treed area west of Leighton Close. The idea behind the plan is to significantly improve the recreational opportunities and visual aesthetics within the parkland area.

The revegetation area within Wall Reserve has been proposed to incorporate recommendations made by Darkheart EcoConsultancy and Statewide Mutual in respect to the area of bushland.

Whilst a fence around the entire area was considered an option to minimise risk, Council Officers preferred to provide pedestrian access through the site on maintained access ways to allow local residents to safely move through the site.

A copy of this plan is attached for information.

This plan was exhibited but was not formally adopted by Council due to some community concern surrounding the proposed revegetation area. It should be noted that 19 submissions were received during the public exhibition period with 11 not supportive of the proposed revegetation area, while 8 submissions, including one each from the Camden Haven Protection Society and Friends of Grant Beach, were supportive of the proposal. There were also 2 submissions in general support of the overall draft concept plan.

The key objections to the proposed revegetation area included:

- the proposed revegetation area poses a fire risk to adjacent properties
- the revegetation area will become a haven for vermin
- the proximity of the revegetation area to the playground increases the likelihood of children being bitten by snakes
- the revegetation area will not be maintained and that weeds species will dominate the area.

A large number of children's playgrounds in the LGA are located adjacent to bushland areas. To date there have been no documented snake bites within children's playgrounds in Council's parks and reserves.

Vermin are a natural occurrence and will provide a source of food for other species of fauna in the area.

Council's Bush Regeneration team are currently actively managing the bushland section of Reserve 80643 between North Haven Beach Reserve and the proposed regeneration area. They have agreed to assume maintenance responsibility for this area if Council ultimately resolves to return the regeneration area to bushland.

### Management options for Wall Reserve

Staff developed three potential management options for Wall Reserve which were included in the 16 December 2009 report to Council. The options are still considered valid and are outlined below:

#### OPTION 1 - Remove all trees identified as moderate to high risk within the subject area

This option would require the removal of 88 trees in the subject area. As mentioned above, this area consists of numerous hollows that provide habitat for various species of fauna. The removal of this number of trees will result in a significant loss of habitat for these species.

## Looking After Our Environment

Council staff sought the advice of Mr Jason Berrigan, Darkheart EcoConsultancy in the development of this report. Mr Berrigan advised that this option has a significant chance of requiring a Species Impact Statement (SIS) due to:

- Loss of the majority of hollow-bearing trees: This is a Key Threatening Process under the *Threatened Species Conservation Act*. Hollows take >100yrs to develop (small), and are required for breeding by the Squirrel Glider, Glossy Black Cockatoo and threatened Yangochiropteran bats. Breeding of all species may occur on site; certainly of the Squirrel Gliders. Both mammals also need to use multiple hollows per season and life cycle stage e.g. due to dimensions of the hollow, breeding status, pests, predators and competition. Hence significantly reducing the abundance of hollows will reduce the survivability of the Squirrel Glider on site. Nest boxes are not an adequate replacement for tree hollows due to short life span, occupation by non-target species, and poorly understood influences on hollow suitability. They are only useful as a supplement to an existing resource, or in areas where hollows are absent, and high dependence on their presence is not required for survival.
- Loss of carrying capacity below a sustainable threshold: The site has very poor connectivity to other suitable habitats for the Squirrel Glider, with movement likely to be for essential dispersal not routine foraging. This currently predisposes the resident colony to chance extinction (though this may be buffered by the number of potential refuges from predators) due to insufficient forage (e.g. no flowering trees in one year due to drought), as well as genetic constraints (though the dispersability of the species must not be underestimated). Hence the removal of most of the canopy trees will most likely see the resident colony unable to meet nutritional requirements to breed let alone survive. They may try to offset this by using the Banksia/Tea-Tree scrub along the breakwall, but lack of hollows in this area and high exposure to predators would probably see eventual mortality out-balancing recruitment, and hence extinction.
- Continued suppression of regeneration and recruitment of regeneration: The area is expected to be maintained as parkland, with no natural regeneration or insufficient replanting as trees succumb to attrition, hence eventually the remaining habitat will erode to below sustainable levels, hence leading to loss of the population.
- Reduced connectivity over the site and with coastal scrub to the east: Removal of about 70% of the site's canopy will significantly alter current connectivity for the Squirrel Glider, hence increasing exposure to predators, and also consuming more energy in movement in foraging. This all places stress on viability.
- Most likely will see loss of any potential Glossy Black Cockatoo Nests: Several large hollows possibly suitable for breeding of this bird are likely to be considered dangerous, and are expected to be removed. This will prevent any potential use of the site for breeding by this bird.

An SIS will determine the significance of the site and the population to the conservation of these species at a local, regional and state scale, and evaluate the options for the site, and what can be done to abate impacts to the insignificant level.

Mr Berrigan advised that one colony highly vulnerable to extinction is not likely to be considered significant given large populations in the locality e.g. Dunbogan, Crowdy Head, Bonny Hills, however, to obtain approval, an offset will most likely be required, most likely in the form of compensatory habitat. Ratios vary with the site situation, hence the offset area may be at least twice the size of the area affected.



## Looking After Our Environment

Council will also be required to engage an appropriately qualified person to undertake a Matter of National Environmental Significance Assessment to identify whether the works proposed with this option are likely to have an impact on the Grey-Headed Flying Fox, which is considered to be a matter of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act*.

Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts.

In addition to the loss of habitat issues associated with this option the removal of these trees raises concern as the canopies and root systems of the group as a whole are largely interdependent. That is the canopies act as one in response to wind and the root systems can graft together. Removal of individual trees increases the potential for failure in the retained trees for two reasons:

- individual tree canopies are more exposed to the wind without the time to generate adequate vascular tissue to minimise stressors and subsequent branch failure.
- the removal or grinding of the stumps of removed trees can damage roots on the retained trees and there is the likelihood of decay or soil borne pathogens setting up colonies and spreading back from stumps or roots as they decay in the ground.

This option triggers the need for a Hollow Bearing Tree Assessment to be undertaken.

### OPTION 2 - To create a managed bushland area with some passive recreation space

This option requires the removal of 36 trees classified as moderate or high risk within the subject area. The removal of these trees will provide an area approximately 4000 square metres in size which will be suitable for passive recreational uses.

Mr Berrigan, Darkheart EcoConsultancy advised that this option is better than OPTION 1 in ecological terms with about 30% canopy loss, but will probably still see loss of mostly hollow-bearing trees, hence contributing to the pressures detailed above on a population already highly vulnerable to any adverse changes to their habitat.

Mr Berrigan also advised this option will see significant fragmentation of the vegetation, increasing exposure to predation.

The proposed offset of full regeneration of two patches of woodland into forest would increase carrying capacity, especially if assisted by dense plantings of key species such as Banksias and wattles. However, the time lag between planting and recruitment, and establishment of a functioning and productive ecosystem, may well see the loss in the interim of the currently viable colony of Squirrel Gliders due to higher predation and breeding failure (e.g. due to insufficient forage). Again, the animals may be forced to extend their regular range into the coastal scrub to the east and be exposed to predation due to lack of hollows.

As a further offset, the linkage in Crown land along the breakwall extending eventually to forest to the north of North Haven and eventually extending behind the dunes to Bonny Hills (the latter being identical habitat to that on site but in natural condition, and hence a source of recruits for the site colony) could be enhanced by bush regeneration (e.g. removal of weeds, planting of eucalypts) and placement of

## Looking After Our Environment

numerous nest boxes to increase its functional effectiveness for foraging and genetic exchange. However, this would impose the liability of responsibility on Council to maintain this area to assist the Squirrel Gliders.

In summary thus, there is a lot played to chance that the colony will survive post-development, if significant offset measures are undertaken over the medium term at least. This conflicts with the Precautionary Principle, hence on the balance of probability is more likely to be called in for an SIS.

This option will also require a Matter of National Environmental Significance Assessment to identify whether the proposed works are likely to have an impact on the Grey-Headed Flying Fox, which is considered to be a matter of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act*.

Natural Resources staff have advised that the proposed revegetation area associated with this option would be actively managed by Council's bush regeneration team.

This option also requires a significant allocation of funding to allow for the SIS to be undertaken, the implementation and/or maintenance of offsets determined through the SIS, necessary tree works and site restoration costs. On this basis OPTION 2 is not seen as the best management model for Wall Reserve.

This option also triggers the need for a Hollow Bearing Tree Assessment to be undertaken.

### OPTION 3 - Formalise two walkways through the site and allow the balance of the area to regenerate.

This option was included in the draft Wall Reserve Concept Plan which proposed to undertake deadwooding of all trees around the perimeter of the subject area and along the fringes of two walkways that would be formalised to provide safe pedestrian access between The Parade and the access road through the reserve.

OPTION 3 has also been considered by Mr Berrigan who suggested that allowing the bush to fully regenerate will increase the site's carrying capacity and hence the long term viability of the Squirrel Glider. The more habitat regenerated, the greater the security, especially if linkage to the east is enhanced, for example, by strategic tree planting and through the installation of a number of nest boxes along the reserve.

The works associated with this option will not trigger the need for an SIS under the *Threatened Species Conservation Act* or a seven part test under the *Environment Protection and Biodiversity Conservation Act*.

Environmental Services staff have advised that the proposed revegetation area associated with this option would be actively managed by Council's recently established bush regeneration team.

This option will also require the removal/relocation of picnic facilities from the area, and installation of signage throughout the subject area warning the public of the danger of falling branches in untreated areas. There is also the need for reinforcement of vegetated fringes around untreated areas to provide a vegetative barrier aimed at deterring public access into the area.

This is the recommended management model for Wall Reserve on the basis that it addresses the risk to the community posed by the condition of the trees while retaining habitat for federally and state protected threatened species.

## Looking After Our Environment

### Bushfire Management

An assessment undertaken in 2009/10 by Council and RFS staff for the purpose of the draft Wall Reserve Concept plan determined that the proposed regeneration area posed no significant bushfire risk for the following reasons:

- The area is an isolated pocket of vegetation more than 100 metres from larger bushland areas,
- There is a road reserve between residences and the regeneration area that when combined with setbacks provides a 20m+ Asset Protection Zone which is the maximum possible distance for existing development under the *Bushfire Environmental Assessment Code 2006*, and
- The fuel loading within the reserve is low.

At the present time there has been no change to the size of proposed regeneration area and the fuel loads in the area are considered to be moderate.

While fuel loads will increase with time (currently moderate) the factors for bushfire risk in regards to separation distance and hence defendable space, and the size of remnant has remained the same.

The risk posed by the remnant will remain insignificant unless overall fuel hazard reaches extreme levels. Council can monitor fuel loads annually and implement measures to reduce fuel loads if necessary by using low intensity fire.

The vegetation community and associated threatened species do not preclude this as a management tool.

### Previous Council resolutions

At the Ordinary Council Meeting held on 26 August 2009 it was resolved:

1. That the proposal to upgrade the parkland areas of the concept plan be adopted with the amendment that a ramp be installed from the reserve onto the breakwall.
2. That a further report be provided to Council following investigation into the proposed bushland area being actively maintained parkland. The future report needs to determine how best to effectively manage this area as usable open space, given the constraints of the existing flora and fauna and tree maintenance issues.

As per resolution 2 included above, a further report was considered at the Ordinary Council Meeting held on 16 December 2009 it was resolved:

1. That Council recognise the immediate return to usable open space is not feasible given the threat to public safety posed by the trees in Wall Reserve.
2. The future use of Wall Reserve be considered following the completion of a Species Impact Statement and a Matters of National Environmental Significance Determination.
3. That the infrastructure improvements included in the Wall Reserve Concept Plan be implemented as soon as possible.

In accordance with resolution 3 included above, playground equipment and associated parks furniture, and the pedestrian ramp onto the breakwall was installed in the 2009/10 financial year.

## Looking After Our Environment

Resolutions 1 & 2 from the Ordinary Council Meeting held on 16 December 2009 have not been actioned due to the land tenure issues discussed earlier in this report.

### Current situation

As mentioned earlier in this report, land tenure has now been resolved with Council appointed as Trustee Manager of the reserve.

Tree health continues to decline and there has been significant branch failure since the December 2009 report to Council.

The upgraded playground area within Wall Reserve has proven popular and experiences high levels of community use.

The proposed revegetation area within the draft Wall Reserve Concept Plan has not been mown for several years and there has been significant regeneration since that time. Grass species, wattles and eucalypt species are now present within this area. Council's Natural Resource Officer has recently inspected the site and has provided the following advice in relation to regeneration performance:

*Since slashing has ceased at Wall Reserve, there has been a significant response to the natural regeneration of vegetation, from ground covers to canopy tree species. Coupled with ongoing weed control, this continued assisted natural regeneration of the Reserve will improve the habitat for gliders and other threatened species at minimal cost to Council. The natural recruitment of canopy trees and a shrub layer will provide Council with a very cost efficient means of providing for ongoing replacement of shade trees in the long term and has reduced Council's ongoing mowing liability in this locality.*

Council's Bush Regeneration team have agreed to assume maintenance responsibility for this area if Council resolves to return the regeneration area to bushland.

Even with this area being currently un-maintained there still remains significant parkland space within Wall Reserve for passive use by the community. It should be noted that there are other significant areas of parkland adjacent to the foreshore in North Haven including North Haven Beach Reserve, Hughes Road Reserve, Bowling Club Reserve, Ostler Park, Riverview Reserve and Bunny's Corner.

Council removed some Flindersia trees in poor health from Clarence Street, Port Macquarie and a number of Norfolk Island Pines were removed from the Gaol Point area in Port Macquarie in late in 2012. Both activities generated a number of enquiries from customers concerned about their removal. The removal of mature native tree species, which provide habitat for a range of protected and other species of fauna, will also likely result in some community angst.

### **Options**

Council can resolve as is recommended to consider rescinding earlier resolutions on this matter and regenerate the area within the draft Wall Reserve Concept Plan as bushland, as outlined as Option 3 within this report.

Alternatively, Council can opt to further investigate the potential for tree removal (Option 1 or 2) to allow for a return to parkland maintenance of the subject area within Wall Reserve following completion of a Hollow Bearing Tree Assessment, a Species Impact Statement (if required) and a Matter of National Environmental



## Looking After Our Environment

Significance Assessment. A report regarding the outcome of this/these assessment/s would be presented to Council at a future meeting.

Another option for Council consideration is that no option is supported at this point in time, with a Hollow Bearing Tree Assessment to be undertaken with a report regarding the outcome of this assessment presented to Council at a future meeting.

### Consultation/Submissions

In the preparation of the previous reports regarding this matter the following persons or organizations had been consulted:

Director Infrastructure Services  
Group Manager Recreation & Buildings  
Tree & Bushfire Management Officer  
Recreation & Buildings Coordinator  
Environmental Services staff  
Darkheart EcoConsultancy  
NSW Rural Fire Service  
Council's Insurer, Statewide Mutual

The Director Infrastructure Services and Council's Natural Resources Officer, Parks Management Officer, Tree Inspection Officer and Bushfire Management Officer were consulted during the development of this report.

### Planning & Policy Implications

The recommendation included within this report is consistent with the Tree Management and Environmental Management provisions included within the *Port Macquarie - Hastings Development Control Plan 2011*.

### Financial & Economic Implications

The cost of undertaking a Hollow Bearing Tree Assessment will not be significant and can be funded by the Tree Management Operational Budget.

The cost of undertaking a Species Impact Statement (if required) will be in the order of \$10,000 - 15,000.

The cost of managing high risk trees within Wall Reserve will be significant should Council resolve to adopt Option 1 or 2, and environmental approvals can be gained for these works.

### Attachments

1. Wall Reserve - proposed regeneration area
2. Wall Reserve Concept Plan
3. Wall Reserve Threatened Species Fauna Survey

## Looking After Our Environment

**Item:** 11.02

**Subject:** WOOD SMOKE REDUCTION PROGRAM 2013

**Presented by:** Development & Environmental Services, Matt Rogers

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### Alignment with Delivery Program

4.1.1 Implement a range of proactive programs for the environmental management of Council and privately owned land and waterways.

### RECOMMENDATION

**That Council accept the NSW Environment Protection Authority Wood Smoke Reduction Program 2013 grant of \$40,000 and the 2012-2013 budget be amended accordingly.**

### Executive Summary

This grant offer from the NSW Environment Protection Authority provides funding to implement a wood smoke reduction program in the Port Macquarie-Hastings area during winter. The proposed wood smoke reduction program consists of three streams: a Cash Incentive buy back scheme for old wood heaters, community education and enforcement. The aim of the program is to improve local air quality and subsequently reduce adverse impact of wood smoke on the community.

The terms of the grant to Council permits the employment of a project officer to implement, supervise and report on the program.

### Discussion

The NSW Office of Environment and Heritage (OEH) indicates that smoke from wood heaters is a major cause of air pollution and during winter, wood heaters can produce up to seven times as much particle pollution as cars. NSW OEH research indicates that there is more particle pollution caused by wood smoke than any other single source. The resultant pollution can adversely affect community health as wood smoke contains a number of noxious gases and fine particles, which go deep into the lungs. These pollutants can cause breathing difficulties even at relatively low levels, especially for people suffering existing respiratory conditions, such as asthmatics, and for very young children and frail older people. NSW OEH research indicates that wood smoke pollution can also cause cardiac problems.

The NSW OEH community research has consistently found air quality to be the second most important environmental issue to NSW residents, following water issues. Council's State of the Environment Report has identified domestic solid fuel heaters as a pressure on local air quality and Council regularly receives wood smoke complaints from residents during winter.

## Looking After Our Environment

### Options

Council could resolve to not accept the grant offer, which may have adverse implications for future grant applications. If not accepted, the opportunity to reduce wood smoke, improve local air quality and community health would be lost.

### Community Engagement & Internal Consultation

One stream of the proposed Wood Smoke Reduction Program 2013 is to educate the community on wood smoke and correct wood heater operation and maintenance. Education of individual wood heater operators will also form part of the 'Enforcement' stream of the proposed program.

### Planning & Policy Implications

At present Council does not have a policy on wood heater installation and the proposed program will inform Council as to the need to develop a wood heater installation local approvals policy.

### Financial & Economic Implications

The proposed Wood Smoke Reduction Program will be fully funded from grant funds.

### Attachments

Nil



## Planning and Providing Our Infrastructure

### What are we trying to achieve?

Our population growth is supported through public infrastructure, land use and development strategies that create a connected, sustainable and accessible community.

### What will the result be?

- Supported and integrated communities.
- Infrastructure provision and maintenance that respects community expectations and needs.
- A natural environment that can be accessed by a network of footpaths, cycleways, coastal and hinterland walkways.
- Accessible, convenient and affordable public transport.
- Employment and population growth that is clustered within urban centres.

### How do we get there?

- 5.1 Create and maintain integrated transport system that eases access between population centres and services.
- 5.2 Ensure transport options are safe, functional and meet access needs across the Local Government Area.
- 5.3 Develop and enhance quality open space and recreational facilities.
- 5.4 Plan settlements to accommodate a range of compatible land uses and projected population growth.

## Planning and Providing Our Infrastructure

**Item: 12.01**

**Subject: TENDER T-13-07 ENVIRONMENTAL ASSESSMENT & CONCEPT DESIGN FOR OCEAN DRIVE (BETWEEN MATTHEW FLINDERS DRIVE & GREENMEADOWS DRIVE)**

**Presented by: Infrastructure Services, Jeffery Sharp**

### Alignment with Delivery Program

5.1.1 Plan, investigate and design for the delivery of road and transport assets.

### RECOMMENDATION

**That Council:**

- 1. In accordance with the Local Government (General) Regulations 2005, 178 1 (b) decline to accept any of the tenders submitted.**
- 2. Decline to invite fresh tenders for the reason that the Tender Evaluation Panel (TEP) consider that of the seventeen (17) submissions received, the submission from Roadnet Pty Ltd represents best value for money; however further discussions with Roadnet are required to ensure appropriate controls and risk mitigation are included in the resultant contract in relation to the experience of the staff put forward in the tender submission.**
- 3. In accordance with the Local Government (General) Regulations 2005, 178 3 (e), enter into negotiations with Roadnet due to the favourable ranking against the overall evaluation criteria and for the reasons described above in Recommendation 2.**

### Executive Summary

The purpose of this report is to advise Council on the assessment of the tenders received for the Environmental Assessment & Concept Design for Ocean Drive Port Macquarie and to recommend that Council enter into negotiations with the recommended tenderer for this project.

## Planning and Providing Our Infrastructure

### Discussion

#### Background

Council commenced planning for the construction of Ocean Drive, Gordon Street to Matthew Flinders Drive in 1979. Traffic studies confirmed the need for dual carriageways for the entire length of this road.

Significant upgrades to provide dual carriageways and major intersection improvements have been constructed, commencing in the mid 1980's through to the most recent upgrades completed in 2007 for a total cost of \$28 million. The existing section of Ocean Drive subject of this brief was constructed in part by Council and private contractors in association with adjoining land subdivision developments.

Council's Major Roads Improvement Strategy, supported by detailed traffic modelling in 2000, recognised the need to have Ocean Drive from Gordon Street to Matthew Flinders Drive, constructed to dual carriageway standards by 2011. The strategy also identified the need to construct the upgrades, commencing from the Gordon Street end and continuing towards Matthew Flinders Drive on a staged basis.

Detailed designs and environmental assessments have been undertaken for the upgrades completed to date.

An upgrade of approximately 3 km of Ocean Drive between Matthew Flinders Drive and Greenmeadows Drive South is proposed in partnership with the NSW Government to address road safety, traffic efficiency and residential amenity issues. This section of Ocean Drive is currently carrying in excess of 20,000 vehicles per day and significant peak hour traffic delays are occurring at the local road intersections with Ocean Drive. Council's Major Roads Improvement Strategy 2001 identified the need to duplicate this section of Ocean Drive by 2011.

This project brief is limited to the preparation of concept designs and an environmental assessment pursuant to Part IV or Part V of the Environmental Planning and Assessment Act 1979 as appropriate.

This tender was advertised on 05 February 2013 and closed on 14 March 2013. During the tender period, some one hundred & forty-seven (147) individual organisations downloaded the tender documents from Council's tendering website.

At the time of closing, seventeen (17) submissions were received from the following organisations, shown in no particular order:

- Aurecon Australia Pty Ltd;
- Hopkins Consultants Pty Ltd;
- King & Campbell Pty Ltd;
- Local Government Engineering Services Pty Ltd;
- BG & E Pty Ltd;
- Bonacci Group NSW Pty Ltd;
- GHD Pty Ltd;
- Kellogg Brown & Root Pty Ltd (KBR);
- GeoLINK;
- Lambert & Rehbein (NSW) Pty Ltd;
- Monteath and Powys Pty Ltd;

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- Opus International Consultants (Australia) Pty Ltd;
- RoadNet Pty Ltd;
- SMEC Australia Pty Ltd;
- Worley Parsons Services;
- RPS;
- Yeats Consulting Pty Ltd.

A Tender Evaluation Panel (TEP) was formed which included the following staff:

- Group Manager – Infrastructure Operations;
- Group Manager - Technical Services;
- Group Manager - Development Assessment;
- Procurement Coordinator (Probity Advisor).

An initial compliance check was conducted during the week following the closing of the tender by the Procurement Coordinator to identify submissions that were non-conforming with the immediate requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

During this review it was evident that the submission received from KBR was incomplete and only one (1) document with an overview of the company was submitted before the closing of tenders. A representative from KBR had sent an email to the Procurement Coordinator within minutes of the closing time to demonstrate that they had attempted to upload a submission before the closing however due to the size, KBR had to save the submission as three (3) separate documents. At the time of closing, only one (1) of these documents was received. Upon review of these circumstances (including a clarification from Tenderlink as to the circumstances), it was deemed appropriate to accept the remaining two (2) documents and further consider the submission received from KBR.

All other tenderers had completed all schedules and addressed the specified criteria and were therefore considered conforming and further evaluated.

The qualitative criteria assessment was carried out individually by the Evaluation Panel Members in the days following the closing of the tender with Panel Members scoring the tenders in accordance with the Tender Evaluation Management Plan. An initial evaluation meeting was held on 27 March 2013. At this meeting the individual scores were combined and summarised to demonstrate a ranking for priced and non-priced criteria. Each submission was then discussed in detail. The criteria against which tenders were evaluated are;

- Lump Sum Price;
- Proposed methodology and demonstrated understanding of the project and services to be provided;
- Demonstrated capacity, experience and performance on similar projects, including provision of reference projects and referees;
- Demonstrated qualifications, experience and competency of the personnel to be appointed to the project;
- Delivery times for the project tasks as proposed on a Gantt chart to be included with the tender.



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*Please refer to the confidential spreadsheet titled "T-13-07 Evaluation & Pricing Analysis" which details the final evaluation scores for the tenders as determined by the Evaluation Panel and lists the tender prices offered by each of the tenderers. This analysis contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Local Government Act 1993 – Section 10A(2(c)).*

Please note, there are four (4) pages to the above-mentioned spreadsheet, three (3) demonstrating the individual panel members scores and one (1) showing the combined scores and the tendered pricing.

A review was conducted of each submission to gain a clear understanding of each proposal and ensure there were no compliance issues or inconsistencies between the scores from the TEP. It should be noted that due to the large number of submissions there were some minor inconsistencies to the rankings of tenders however the averaged scores did provide clarity as to the consensus of the TEP.

The evaluation spreadsheet demonstrates Roadnet as being ranked most favourably when the priced and non-priced criteria were combined however the TEP did have a number of clarification questions as to the particular experience of the proposed staff to prepare a detailed REF / Environmental assessment.

Having requested and received a response, the TEP at the second evaluation meeting held on 3 April expressed concerns as to qualifications and experience of those staff proposed and therefore could not recommend to accept the tender from Roadnet as submitted. It should be noted that despite these qualifications, the TEP were satisfied that this submission was conforming to the requirements of the tender.

Numerous discussions were had as to whether the TEP could recommend overlooking the submission from Roadnet in favour of another submission, given that a premium would be required if accepting a tender that had demonstrated this required level of qualifications and experience.

It was discussed and agreed that the qualifications and experience of the staff proposed to co-ordinate and prepare the environmental assessments did not propose a substantial risk to the overall project for the purposes of evaluating tenders, particularly having regard to the experience of the nominated sub consultants proposed to be engaged to undertake the detailed investigations for the environmental assessments. The TEP therefore considers that the tender from Roadnet should still be considered as most favoured when considering the price submitted being substantially lower than that of the average. It was recognised that Council would not be able to request that Roadnet make changes to the proposed staff as it would breach the requirements of Regulation 176 of the Local Government (General) Regulations 2005.

The evaluation spreadsheet demonstrates Roadnet as being ranked most favourably when the priced and non-priced criteria were combined, however the TEP did have a number of clarification questions as to the relevant experience of this company and particularly the experience of the proposed staff to prepare a detailed REF / Environmental assessment.

Having requested and received a response to the clarification questions, the TEP at the second evaluation meeting held on 3 April maintained concerns as to relevant

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experience of this company(for a project of this scale) and particularly the qualifications and experience of those staff proposed, and therefore could not recommend to accept the tender from Roadnet as submitted. It should be noted that despite these qualifications, the TEP were satisfied that this submission was conforming to the requirements of the tender.

Numerous discussions were had as to whether the TEP could recommend overlooking the submission from Roadnet in favour of another submission, given that a price premium would be required if recommending a tender that had demonstrated a higher level of qualifications and experience.

It was discussed and agreed that Roadnet's experience and the proposed staff included in their tender submission, to co-ordinate and prepare the environmental assessments raised some concern in regard to this aspect of the overall project. However, having regard to the experience of the nominated sub consultants proposed to be engaged to undertake the detailed investigations for the environmental assessments the TEP determined that further discussions with Roadnet would be required to ensure appropriate controls and risk mitigation were included in the tender contract. The TEP therefore considers that the tender from Roadnet should still be considered as most favoured, particularly considering the price submitted being substantially lower than that of the average, and that of the pre tender estimate. It was recognised that Council would not be able to request that Roadnet make changes to the tender submission and proposed resources as it would breach the requirements of Regulation 176 of the Local Government (General) Regulations 2005.

It is for the reasons stated above and due to favourable ranking against the evaluation criteria the TEP recommend to negotiate with Roadnet for the Environmental Assessment & Concept Design for Ocean Drive Port Macquarie.

### Options

Council's options when considering Tenders is limited to the Local Government (General) Regulation 2005 - Reg 178 as follows;

*Council must either 1. (a) Accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or (b) Decline to accept any of the tenders.*

*A Council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:*

3. *(a) postpone or cancel the proposal for the contract,*  
*(b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details,*  
*(c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract,*  
*(d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,*



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*(e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender,*

*(f) carry out the requirements of the proposed contract itself.*

*If a council resolves to enter into negotiations as referred to in subclause (3) (e), the resolution must state the following:*

*(a) the council's reasons for declining to invite fresh tenders or applications as referred to in subclause (3) (b)-(d),*

*(b) the council's reasons for determining to enter into negotiations with the person or persons referred to in subclause (3) (e).*

### Community Engagement & Internal Consultation

- Group Manager – Infrastructure Operations;
- Group Manager - Technical Services;
- Design Engineer;
- Procurement Coordinator (Probity Advisor);
- Procurement & Contracts Officer.

### Planning & Policy Implications

No implications anticipated as the Tenders have been considered in accordance with the Tender Regulations and Council's Procurement Policy.

### Financial & Economic Implications

The project is to be funded 100% from a NSW Government Special Grant (\$10 million) offered to Council to be expended during the term of the current Government. A report to Council 20<sup>th</sup> March 2013 on Transport Infrastructure priorities endorsed a proposal to seek NSW Government approval to have the balance of these funds allocated for Houston Mitchell Drive upgrades. Completion of the project, which is the subject of this Tender, will better position Council to be "construction ready" when the priority for these works is endorsed by Council.

### Attachments

1. T-13-07 Evaluation & Pricing Analysis (Confidential)

## Planning and Providing Our Infrastructure

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**Item: 12.02**

**Subject: PUBLIC AWARENESS CAMPAIGN OF COUNCIL'S  
ROADS/TRANSPORT ASSETS**

**Presented by: Infrastructure Services, Jeffery Sharp**

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### **Alignment with Delivery Program**

5.1.1 Plan, investigate and design for the delivery of road and transport assets.

### **RECOMMENDATION**

**That Council endorse the proposed Public Awareness Campaign for Roads and Transport Assets.**

### **Executive Summary**

This report is presented as it was resolved at the 12 December 2012 Ordinary Council meeting for a public awareness campaign to be devised and presented to the March 2013 Council Meeting.

### **Discussion**

Councillors will recall a report to the December 2012 Council Meeting Item 12.05 titled "Design, construction and maintenance of Transport Assets" which detailed the progress PMHC was making in relation to improving delivery of the maintenance and management of our road network and transport assets.

At the time the Council resolved that a Public Awareness Campaign be presented to the March 2013 meeting for consideration. Due to the recent floods within the LGA staff were unable to finalise the proposed campaign which is now attached for consideration.

The campaign highlights current awareness programs being undertaken together with additional opportunities to highlight to our community how and why roads maintenance and management is undertaken within the LGA.

### **Options**

Council has the option to include other measures within the campaign or adopt that as proposed within this report.

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

Consultation has occurred within the Infrastructure Services Division and the communications team of Council in generating this report.

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### **Planning & Policy Implications**

There are no planning or policy impacts associated with the adoption of this campaign.

### **Financial & Economic Implications**

There are no financial or economic implications in adopting this campaign.

### **Attachments**

1. Roads Education Campaign Communications Plan

## Planning and Providing Our Infrastructure

**Item: 12.03**

**Subject: PORT MACQUARIE TOWN CENTRE BUS ROUTE**

**Presented by: Infrastructure Services, Jeffery Sharp**

### Alignment with Delivery Program

5.2.1 Plan and implement traffic and road safety programs and activities.

### RECOMMENDATION

**That Council:**

- 1. Endorse the Port Macquarie town centre revised bus route proposed by Busways Pty Ltd.**
- 2. Implement the necessary bus seats and signage required by the plan and that this be funded from Councils' Operational Budgets - Traffic Facilities.**

### Executive Summary

Busways has undertaken a network review and consultation across all bus routes in the Port Macquarie and Hastings regions between the 4th and 29th June 2012. Residents were invited to provide their feedback on the proposed network.

The consultation proposal suggests better route coverage, services to new housing estates, improved access to industrial/commercial areas and increased bus services to the Port Macquarie Airport.

Part of the review involved a proposal to relocate the existing Port Macquarie town centre route. This report discusses the proposal, feedback from the Port Macquarie Town Centre Master Plan Committee and Port Macquarie Chamber of Commerce.

### Discussion

The bus route review undertaken by Busways involved a review of all bus routes in consultation with the community and key stakeholders. A copy of an information guide and maps on the revised routes is attached for information.

The review proposes the following common route through the Port Macquarie town centre. The route (westbound) within the CBD commences at the intersection of William and Munster Streets, along William St, left into Short St, left into Hayward St, right into Horton St and then right into Gordon St. The route also caters for eastbound services requiring bus stops and associated facilities on both sides of the roads.

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The revised route will no longer service Clarence and Short Streets (north of William Streets) including existing bus stops at Clarence St (Glasshouse area) and Short Street opposite Centre Link.

A copy of the proposed town centre route is attached.

Council staff have inspected the route with Busways representatives and the Town Centre Master Plan Sub-Committee to determine the suitability of the route, particularly in relation to location of new bus stops and facilities. Bus stop sites examined included;

### William St

1. Between Hay and Murray Streets - considered unsuitable due to the adverse road verge cross falls and relative remoteness from the town centre.
2. Between Hay and Horton Streets - considered the most suitable in terms of street access and proximity to the town centre.
3. Between Horton and William Streets - not suitable for eastbound services due to lack of space to accommodate a suitable bus bay.

### Short and Hayward Streets

1. Short Street between William and Hayward Streets - considered the most suitable in terms of street access and proximity to all businesses within the locality.
2. Hayward Street between Short and Horton Streets - suitable for westbound, unsuitable for eastbound services as there is no suitable space available adjacent to the Coles development.

A plan showing Busways preferred location for the bus stops is attached.

All bus stops will involve loss of car parking at this stage total estimated loss in the vicinity of 20 parking spaces. This would be offset in part by closure of the existing bus stops in Clarence and Short Streets, currently occupying and equivalent 12 to 15 spaces. All bus stops will need to be line marked, sign posted and seating provided. Shelters are not required at this stage, however, may be required in the future subject to available funding.

### **Options**

Whilst Council has the option to not support the revised bus route through the town centre the NSW Government has the ultimate authority via Transport NSW to determine bus routes. Given the level of support from Council's Access Committee, TCMP Sub-Committee and the Chamber of Commerce it is recommended the revised routes be supported.

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

The revised bus route proposed to be implemented through the Port Macquarie Town Centre has been consulted with the wider community and key stakeholders such as Councils' Access Committee, Town Centre Master Plan Sub-Committee and Port Macquarie Chamber of Commerce. No objections to the proposal has been raised.



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The Port Macquarie Chamber propose further consultations with affected business owners adjacent to the proposed bus stops.

The impact of the bus route and stops on adjacent business operations has been considered. The bus stops selected are considered to have the least impact , however, any site selected within the town centre is likely to attract some objection from adjacent business owners, despite the wider community benefits the bus services will provide. Council has the option to consult directly with the adjacent business owners , however, given the support of the TCMP Sub-Committee and Port Macquarie Chamber of Commerce further consultation by Council are not considered necessary.

### Planning & Policy Implications

The review of the bus routes in consultation with Council has no negative planning and policy implications. The review has been undertaken in the interests of positive transport outcomes for the community and improvements to local bus services.

### Financial & Economic Implications

Council is normally responsible for funding of bus route infrastructure ie signs , line marking, seats, shelters and occasional bus bay construction. Funding of these works is provided as part of Councils' Operational Budgets - Traffic Facilities or via a specific allocation for a capital work. Financial assistance has been made available in the past for specific works through relevant State assisted programs. The necessary infrastructure to support implementation of the revised route within the Port Macquarie town centre is limited to signs, minor line markings and approximately six (6) seats, to be funded from Council Operational budgets- traffic facilities.

### Attachments

1. Busways revised bus routes map
2. Busways revised routes information sheet
3. Busways PM Town Centre route bus stop locations



## Planning and Providing Our Infrastructure

Item: 12.04

Subject: SIGNAGE ON BUS SHELTERS

Presented by: Development & Environmental Services, Matt Rogers

### Alignment with Delivery Program

5.1.1 Plan, investigate and design for the delivery of road and transport assets.

### RECOMMENDATION

That Council:

1. Prepare a draft planning proposal, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, to amend Schedule 2 Exempt Development of Port Macquarie-Hastings LEP 2011, to permit signage on bus shelters.
2. Forward the draft planning proposal to the Department of Planning and Infrastructure for a Gateway Determination, pursuant to Section 56 of the Environmental Planning and Assessment Act, 1979,
3. Request that the Director General of the Department of Planning & Infrastructure issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under Section 59 of the Act in respect of the planning proposal.

### Executive Summary

The purpose of this report is to advise in relation to preliminary planning investigations to facilitate advertising on bus shelters on Council road reserves.

An amendment to Schedule 2 'Exempt Development' of the *Port Macquarie-Hastings Local Environmental Plan 2011* (Port Macquarie-Hastings LEP 2011) is proposed.

The proposed amendment has been triggered by recent enquiries with Council's planning staff in relation to construction or erection of bus shelters and associated signage in Wauchope, similar to that which has been erected in the past in Port Macquarie.

Council endorsement is sought to prepare and forward a planning proposal to the Department of Planning and Infrastructure seeking a Gateway Determination pursuant to section 56 of the *Environmental Planning and Assessment Act, 1979* to amend *Port Macquarie-Hastings Port Macquarie-Hastings Local Environmental Plan 2011 Schedule 2 Exempt Development* to permit signage on bus shelters.

The proposed amendments to Schedule 2 have been discussed with staff of the Regional Office of Department of Planning and Infrastructure to determine the appropriateness of including additional 'exempt' provisions for signage in the LEP.

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### Discussion

All proposed development falls within one of three categories; development that is permitted without consent, development that is permitted with consent or development that is prohibited. Exempt development may be carried out without the need for development consent under the *Environmental Planning & Assessment Act, 1979*.

*State Environmental Planning Policy (Infrastructure) 2007* provides for construction, maintenance or repair of bus shelters for or on behalf of Council (but not including any commercial advertising on them) as 'exempt development', and the Act allows shelter construction to be carried out without the need to obtain prior development consent. It is noted that while construction of bus shelters is 'Exempt' from the need to obtain development approval under the *Environmental planning and Assessment Act, 1979* approval pursuant to section 138 of the Roads Act, 1993, is required

The purpose of the planning proposal is to address the exclusion of commercial advertising on bus shelters.

*State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specifies 'exempt development' under that policy. The policy has state wide application.

Schedule 2 of Port Macquarie-Hastings LEP 2011 contains a list of additional 'Exempt Development', not specified in the state wide policy, which does not require development approval. Certain small scale *signage, advertising structures and displays* are included in Schedule 2 as 'Exempt development', including *business identification signs, building identification signs, real estate signs and temporary signs*. In all cases, signage must relate to the premises or place on which it is situated.

To facilitate signage on bus shelters, it is proposed to amend Schedule 2 to exclude signage on bus shelters from the necessity to be related to the land on which the shelter is situated and include additional criteria to ensure road safety requirements are addressed and that there is not a proliferation of advertising on the shelter structure. The following amendments (bold, italics & underlined) are proposed:

#### Signage, advertising structures and displays

- (1) Must relate to the premises on which it is situated, **unless the signage, advertising structure or display is associated with bus shelters on a road.**
- (2) Must not cover mechanical ventilation inlet or outlet vents.
- (3) Must relate to a lawful use of, and carried out on, the land.
- (3A) Must not be carried out on land that is shown as "Visually Sensitive Land" on the Visually Sensitive Land Map.
- (4) If it has red, amber, green or blue lighting, must not be erected within 50m of traffic control signals.
- (5) If affixed to a wall **or advertising structure**, must be securely fixed by rigid non-corroding metal supports.
- (6) Business identification signs in residential and environmental protection zones must comply with the following:

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- (a) maximum size in a residential zone—1m<sup>2</sup>,
  - (b) maximum size in an environmental protection zone—1.5m<sup>2</sup>,
  - (c) must not be illuminated,
  - (d) must not be more than 1 sign displayed at the premises,
  - (e) must not protrude beyond the property boundaries,
  - (f) must not be erected or affixed on land containing a heritage item.
- (7) Business identification signs in business zones must comply with and only display 1 of the following per premises:
- (a) under awning sign:
    - (i) maximum size—1.5m<sup>2</sup>, and
    - (ii) maximum length—2.5m, and
    - (iii) if over a public road, must be suspended not less than 2.6m above the road and not less than 0.6m from the vertical projection of the kerb or roadway line,
  - (b) projecting wall sign:
    - (i) maximum size—2.5m<sup>2</sup>, and
    - (ii) maximum length—2.5m, and
    - (iii) if over a public road, must be suspended not less than 2.6m above the road and not less than 0.6m from the vertical projection of the kerb or roadway line,
  - (c) flush wall sign:
    - (i) maximum size—2.5m<sup>2</sup>, and
    - (ii) must not extend above the top of the wall to which it is attached,
  - (d) top hamper sign:
    - (i) maximum size—2.5m<sup>2</sup>, and
    - (ii) must not extend below the lintel of the doorway or window over which the sign is attached, and
    - (iii) must not be fixed more than 3.7m above ground level (existing),
  - (e) signs on building walls:
    - (i) must not occupy more than 50% of the area of the wall on which it appears, and
    - (ii) must not be more than 3m above ground level (existing).
- (8) Business identification signs in industrial zones—maximum size of 1m<sup>2</sup> per metre of street frontage, up to 10m<sup>2</sup>.
- (9) Building identification signs must comply with the following:
- (a) in residential and environmental protection zones:
    - (i) maximum size in residential zones—1m<sup>2</sup>, and
    - (ii) maximum size in environmental protection zones—1.5m<sup>2</sup>, and
    - (iii) maximum height—1.8m, and
    - (iv) must not be illuminated,
  - (b) maximum size in all other zones—1.5m<sup>2</sup>,
  - (c) must not be more than 1 sign displayed at the premises,
  - (d) must not protrude beyond the property boundaries.
- (10) Real estate signs must comply with the following:
- (a) Maximum size in residential zones:
    - (i) for the sale of lots in a new subdivision comprising more than 50 lots—20m<sup>2</sup>,
    - (ii) for the sale of 50 lots or less in a new subdivision—10m<sup>2</sup>,

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- (iii) for the sale of multi dwelling housing or residential flat buildings comprising more than 10 dwellings—10m<sup>2</sup>,
  - (iv) for any other sign—3m<sup>2</sup>,
  - (b) maximum size in business and industrial zones—4m<sup>2</sup>,
  - (c) must not be more than 2 signs displayed at the premises for sale or lease,
  - (d) must not protrude beyond the property boundaries,
  - (e) must be removed within 7 days of the sale or lease of the property.
- (11) Temporary signs advertising an event and associated relevant details including sponsorship of the event must comply with the following:
- (a) maximum size—3.5m<sup>2</sup>,
  - (b) must not protrude beyond the property boundaries,
  - (c) must not be displayed earlier than 28 days before the event and must be removed within 14 days of the conclusion of the event,
  - (d) any obtrusive effects of outdoor lighting on signs must be controlled in accordance with AS 4282—1997, *Control of the obstructive effects of outdoor lighting*.
- (12) Signage on bus shelters must comply with the following:**
- (a) **Must not restrict access to the shelter**
  - (b) **Must not occupy more than the internal and external faces of the departure side panel of the shelter**
  - (c) **Must be contained within the frame of the departure side panel,**
  - (d) **Must not be more than 2 advertisements displayed on the shelter**
  - (e) **Must not reduce the safety for any public road or the safety for pedestrians or bicyclists.**

The planning proposal will contain statements in relation to the intended changes to Schedule 2 and an explanation to indicate the substantive effect of the proposed amendments to Port Macquarie Hastings Local Environmental Plan 2011.

If supported, final legal drafting of the amending LEP instrument will be undertaken by Parliamentary Counsel to ensure statutory correctness.

### Options

Council could opt to not prepare a planning proposal in relation to signage on bus shelters.

### Community Engagement & Internal Consultation

There has been preliminary internal consultation between Council's Strategic Planning and Infrastructure staff and external discussions with staff of the Regional office of the Department of Planning and Infrastructure in Grafton in relation to preparation of a planning proposal to affect the necessary changes to the LEP.

Should Council determine to prepare a planning proposal to amend the LEP in relation to 'Exempt Development' under the state governments Gateway' process, further consultation will occur. Subject to the Gateway Determination, additional consultation may be required with relevant state agencies.

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The Gateway Determination will specify the community consultation that must be undertaken in relation to the planning proposal and Public Exhibition of the planning proposal consistent with Section 5.5.2 *Guide to Preparing Local Environmental Plans* (Department of Planning and Infrastructure 2012) is required.

### Planning & Policy Implications

A resolution of Council is required to prepare a planning proposal to amend Schedule 2 of the Port Macquarie Hastings LEP 2011 in the manner described in the report. The amendment is considered reasonable to ensure an appropriate statutory exemption for signage on bus shelters.

### Financial & Economic Implications

The preparation of a planning proposal in the manner outlined in the report is able to be undertaken by Council's Strategic Planning Section in consultation with other divisions of Council can be funded as an ancillary task within Council's strategic planning program.

### Attachments

Nil



## Planning and Providing Our Infrastructure

**Item: 12.05**

**Subject: PREPARATION OF DEVELOPMENT GUIDELINES FOR THE WAUCHOPE TOWN CENTRE AS AN AMENDMENT TO PORT MACQUARIE-HASTINGS DEVELOPMENT CONTROL PLAN 2011**

**Presented by: Development & Environmental Services, Matt Rogers**

### Alignment with Delivery Program

5.4.3 Review planning framework for decisions regarding land use and development.

### RECOMMENDATION

**That Council:**

- 1. Prepare draft development guidelines for the Wauchope Town Centre/Retail precinct, based on the Wauchope Town Centre Framework Plan 2009, as an amendment to the Port Macquarie-Hastings Development Control Plan 2011.**
- 2. Exhibit the draft guidelines for a period of 28 days consistent with section 74E of the Environmental Planning and Assessment Act, 1979 and associated Regulation.**

### Executive Summary

The purpose of this report is to obtain Council's endorsement to:-

- Prepare draft precinct development guidelines for the Wauchope Town Centre based on built form and design guidelines contained in the *Wauchope Town Centre Framework Plan 2009*, as an amendment to Port Macquarie-Hastings Development Control Plan 2011, and
- Exhibit the draft development guidelines for at least 28 days in accordance with the Environmental Planning and Assessment Act, 1979 and associated regulations.

### Discussion

In 2009, Council adopted the *Wauchope Framework Plan - Wauchope Town Centre* to encapsulate a sense of community identity, revitalise the town centre and shape and enhance the future built form, movement networks and public domain within the centre.

The Plan has been based on community consultation and stakeholder input and it sets out a shared vision for the future development of the Wauchope Town Centre over a ten (10) to fifteen (15) year period.



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The plan contains implementation strategies and urban design solutions which reflect local characteristics and public domain enhancements. Components of these strategies have already been used in prioritising public domain works, including recent upgrade of Bain Park and construction of the All Abilities Playground, and development guidelines for the mixed use precinct to the north of the CBD were incorporated into the PMH Development Control Plan in 2011.

Implementation of development guidelines for the Town Centre area will conclude the land use component of the Framework Plan.

The proposed DCP provisions will be used in assessment of development applications for town centre works and they will enable development to proceed in accordance with the Framework Plan, once the DCP has been adopted.

The proposed provisions will apply to the Wauchope CBD area, being the land generally within zone *B2 Local centre*.

Preparation of precinct DCP provisions for Wauchope Town Centre based on 2009 Wauchope Framework Plan is a key short term economic and employment initiative arising from the Port Macquarie-Hastings Urban Growth Management Strategy.

### Options

Implementation of the design guidelines of the Wauchope Framework Plan is not possible without amending PMH DCP 2011. Council may opt not to prepare and exhibit provisions however this will prevent implementation of the community/Council vision for the Town Centre.

### Community Engagement & Internal Consultation

Community engagement will be carried out in accordance with the Community Participation Policy, having regard for the type of planning policy and its level of likely impact.

Consultation will also comply with the provisions of with the *Environmental Planning and Assessment Act 1979* and associated *Regulation*. The draft amendment will be notified in locally circulating print media and adjoining landowners will be notified. Public exhibition of the draft amendment will occur for a minimum period of 28 days. If required, additional days will be added for public holidays.

### Planning & Policy Implications

The proposed DCP provisions will directly translate the provisions in the *Wauchope Town Centre Framework Plan* relating to the Town Centre/retail precinct design guidelines and built form strategy.

The provisions, if adopted post exhibition, will be incorporated into the Port Macquarie-Hastings DCP 2011 and will enable Council to determine development applications consistent with the Framework Plan.

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### Financial & Economic Implications

The preparation of development control provisions for the Wauchope Town Centre has been included in Council's Strategic Planning Program for 2012-2013. Completion of an amendment to Port Macquarie-Hastings DCP 2011 in the manner outlined in the report is able to be undertaken within Council's Strategic Planning section in consultation with other divisions of Council. The work is funded as a scheduled project within Council's Strategic Planning Program.

### Attachments

Nil

## Planning and Providing Our Infrastructure

**Item: 12.06**

**Subject: STRATEGIC LAND USE PLANNING PROGRAM**

**Presented by: Development & Environmental Services, Matt Rogers**

### Alignment with Delivery Program

5.4.1 Plan settlements to accommodate a range of compatible land uses and projected population growth.

### RECOMMENDATION

**That Council:**

- 1. Confirm the strategic planning commitments and overall priorities described in this report.**
- 2. Participate in a workshop with staff in relation to proposed changes to planning legislation and planning priorities.**

### Executive Summary

Council resolved on 20 February 2013: *“That a report be prepared for consideration at Council’s April 2013 meeting as to Council’s Strategic Planning operations including resource allocation, project allocation and prioritisation, stakeholder engagement procedures, a list of current projects being undertaken including a timeline as to each project, any performance benchmarking, current and future challenges and any suggestions/recommendations for improvement and enhancement of these operations.”*

This report provides a summary of Port Macquarie-Hastings Council’s strategic land use planning for the information of Council and the community. The report includes an overview of 30 strategic projects currently being delivered by Council’s strategic planning team in accordance with planning priorities in the Port Macquarie Hastings Urban Growth Management Strategy (UGMS) 2011.

In terms of economic development, the major strategic planning projects currently being implemented include precinct planning for the Port Macquarie Airport, the Port Macquarie Base Hospital and Major Innes Drive (including Charles Sturt University), Settlement City and Wauchope Town Centre. Marine industrial investigations are being progressed for a proposed expansion of Birdon Marine and industrial planning continues for the Sancrox and Fernbank Creek areas.

Planning for forecast residential growth includes a review of planning for major urban release areas at Thrumster and Rainbow Beach (south of Lake Cathie), urban consolidation planning for the Port Macquarie Town Centre fringe and rural residential planning in the Sancrox area. Infill development is being considered in a number of locations.

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The current focus on 30 separate strategic projects means that there is very little scope to undertake additional projects within current resources (Group Manager and 4 full time staff). All 30 projects are acknowledged as important initiatives and it is therefore proposed that Council continue to prioritise all current matters to provide opportunities for sustainable growth.

The main challenges to be faced by the strategic team are resource related, having regard to the number of strategic projects being progressed, requests for site-specific LEP amendments and expected changes to national and NSW State legislation in relation to planning matters. Separate reports to Council are proposed in relation to the current comprehensive review of the Environmental Planning & Assessment Act 1979, and Council's input to the review of the Mid North Coast Regional Strategy (MNCRS) in 2013-2014.

Opportunities for improvement include the regular review of internal planning systems and liaison with other parties, both government and non-government, to ensure that the planning process is managed efficiently and that quality outcomes are achieved. Project planning and reporting systems are employed by the Strategic Planning Team to monitor performance and identify issues early in the planning process.

Coordinated planning with external funding has been trialled (e.g. Area 15 near Kew) with some success. However, this is not feasible where multiple parties exist and still places significant pressure on Council resources. Strategic fees have been reviewed to recover reasonable costs associated with Council planning.

The prioritisation of strategic projects by Council is an important element in establishing and maintaining a coordinated strategic planning framework, which promotes sustainable development in the long term interest of the PMH community. It is proposed to report on the implementation of the Strategic Planning Program through the operational reporting process and that a workshop be held with Councillors in relation to proposed changes to planning legislation and planning priorities.

### Discussion

#### 1. Introduction

The Strategic Planning Section operates within the Development & Environmental Services Division of Council and has responsibility for the preparation of land use strategy to facilitate urban growth, promote economic development and the conservation of the unique character and environment in the Port Macquarie Hastings area.

The strategic planning team is responsible for the preparation and maintenance of legislation and policy in the Port Macquarie-Hastings Local Environmental Plan (LEP) and Development Control Plan (DCP), which provide a framework for land use decisions.

#### a. Legislation

The principal guiding legislation for planning in NSW is the Environmental Planning & Assessment Act (EPAA) 1979, as amended. The EPAA provides the basis for State

## Planning and Providing Our Infrastructure

Environmental Planning Policies (SEPPs), planning directions, planning guidelines and the preparation of LEPs and DCPs in NSW.

The EPAA is currently the subject of a comprehensive review by the NSW State Government. The exact outcomes of the review are not yet known. However, the principles of the proposed legislative reforms have been communicated in a Green Paper released by the State government. The White Paper, which will provide the detail of the reforms, is expected any time now.

Council is proceeding with the implementation of strategic planning in accordance with the EPAA and will carefully consider the effect of proposed legislative changes, including any transitional arrangements, once these are announced by the State Government. The implications of the proposed legislative reforms are discussed further under Current & Future Challenges in this report.

### b. Planning Framework

Council has prepared the Port Macquarie-Hastings Urban Growth Management Strategy (UGMS) in accordance with the Mid North Coast Regional Strategy (MNCRS), to provide a framework for residential, rural residential, retail, industrial and tourism development in the PMH local government area. Major growth areas have been identified in areas of relatively low environmental constraint and a program of investigations is well underway to facilitate coordinated development outcomes in the identified areas.

LEP and DCP provisions have been finalised for new residential communities at Thrumster (Area 13), at Rainbow Beach between Lake Cathie and Bonny Hills (Area 14), and on land to the east of Kew (Area 15). Industrial growth has been facilitated at Sancrox, where Council's strategic planners have worked closely with infrastructure planners in Council, the RMS and with landowners to facilitate the funding and construction of a highway overpass access at Sancrox Rd.

### c. Stakeholder Engagement

Stakeholder engagement is an important part of the strategic landuse planning process. Engagement on planning policy and projects is carried out in accordance with the framework set out in Council's Community Participation Policy, whereby the level of engagement is tailored to the potential level of policy impact. Engagement takes various forms and often includes extensive consultation with landowner and community reference groups, public meetings, workshops and information sessions.

The following examples illustrate the level of stakeholder engagement for recent strategic landuse planning initiatives:

- Port Macquarie-Hastings Urban Growth Management Strategy - the development of this strategy was a major planning initiative for Council that set direction for landuse investigations over a 20 year period. From a policy perspective, the potential impact was significant and widespread. As a consequence, in depth stakeholder engagement was carried out including:
  - o Stakeholder group meetings prior to commencement of drafting a strategy
  - o On line surveys and questionnaires



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- Preparation of discussion papers for consultation with stakeholders to inform the policy development processes
  - Presentations to stakeholder groups on the draft strategy
  - A lengthy public exhibition process
  - Reporting to Council at key project milestones
  - Online material to direct interested parties to the adopted Strategy and supporting information.
- John Oxley Drive Structure Plan - this work aimed to establish a planning framework for a local precinct, to identify future landuses and lay the foundation for a staged LEP amendment process. The policy was expected to have a moderate impact over a local area and the engagement process was designed with this in mind and included:
- Preparation of an issues paper
  - Information sessions for residents/landowners and interested stakeholders on the issues paper (to inform plan drafting process)
  - Communication of a draft Plan to residents/landowners and interested stakeholders
  - Further information session on the draft Plan
  - Public exhibition process
  - Meetings with interested stakeholder groups
  - Reporting to Council at key project milestones

Engagement undertaken for strategic planning functions must also comply with the statutory requirements of the NSW EPAA. This includes a standard minimum 28 day exhibition period for draft DCPs. Planning Proposals for LEP amendments are referred to the Gateway Panel of the NSW Department of Planning & Infrastructure (DP&I), which sets minimum exhibition and consultation requirements for each LEP proposal.

The focus of current investigations includes areas of fragmented land ownership at Sancroix and at West Lindfield and, in these cases, Council's strategic planning involves Council planners in a facilitating role to achieve guaranteed cooperation and implementation of infrastructure and environmental management outcomes.

The coordinating role undertaken by the Strategic Planning Section includes internal consultation with relevant Council staff to ensure that outcomes are appropriate from a range of perspectives, including infrastructure planning, environmental planning and hazard management.

Specific stakeholder engagement is also achieved through quarterly meetings with the Hastings Construction Industry Association. Representatives from this industry are key participant in the planning processes (particularly local planning consultant companies) and these meetings provide a valuable forum for two-way feedback on planning matters.

#### d. Resources

The Strategic Planning section comprises a Group Manager and 4 full time staff, within the Development & Environment Division. Specialist consultants are employed, where necessary, to provide input on subjects including economic impact, environmental management, urban design and planning law.



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In addition to the above, the strategic planning process relies on the involvement of other Council staff including infrastructure asset owners, infrastructure planning staff, natural resources staff, community development staff etc. Resourcing in these areas is as critical as resourcing in the strategic planning section to ensure process efficiency and effective planning outcomes. Over recent months, staff vacancies in the traffic engineering and water & sewerage engineering areas of Council have had an impact on the effectiveness of strategic planning programs. Recruiting in these areas is proceeding and will assist in minimising any internal delays associated with infrastructure investigations that form part of the planning process.

The current size of the Strategic Planning Program is consuming the entire capacity of the Strategic Planning team. This means that the addition of any further work will have an impact on the effective delivery of strategic planning projects.

While additional resources within the Strategic Planning team would assist in progressing projects more efficiently, improvements to the timeliness of planning processes would only be incremental. This is because planning staff capacity is only one component of the process that contributes to delays. Delays associated with the need for landowners to provide the necessary information, landowner cooperation, agency referrals, Department of Planning & Infrastructure process, internal advices etc, add up to a significant part of the time taken to progress strategic planning projects.

The activities of the team are funded from general revenue, offset in part by fees charged for LEP preparation and, where practical, through coordinated landowner funding of independent peer review and coordinators engaged by Council. In practice, the opportunities for revenue generation are limited due to the impact of fees on development cost and landowner fragmentation issues that often apply.

### 2. Strategic Projects & Priorities

The Port Macquarie-Hastings Urban Growth Management Strategy identifies 70 key actions that form the basis of Council's strategic land use planning program. Current focus is on those projects which are identified as "Immediate" or "Short Term", including priorities for residential, rural residential, retail, industrial and tourism planning. A summary of the UGMS priorities is attached to this report along with a previous report to Council regarding priorities in the 2012-2013 strategic planning program.

Current strategic land use planning projects and those proposed in Council's 2013-2014 Operational Plan are consistent with adopted priorities in the UGMS. The priorities provide for growth across a range of different land use types, as summarised in the tables below:

#### a. Major Strategy Projects 2013/14

Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
1. Input to 2014 review of the Mid North Coast Regional Strategy	UGMS priority task & 2013/14 Operational Plan	Group Manager Peter Cameron	DP&I consultation with Mid North Coast Councils in 2013/14.	Submission to DP&I as input to revised MNCRS by June 2014.
2. Commence review of PMH	UGMS priority task	Group Manager	Review of population	Population forecast review by

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Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
Urban Growth Management Strategy	& 2013/14 Operational Plan	Peter Cameron	projections and development monitoring underway. Community consultation required, as for MNCRS review.	July 2013. Community consultation by Nov 2013. Review UGMS following MNCRS in 2014/15.
3. Preparation of PMH Koala Plan of Management	UGMS priority task & 2013/14 Operational Plan	Group Manager Peter Cameron + specialist ecological consultant.	Vegetation and koala habitat mapping complete. Preparation of PMH KPOM in parallel with preparation of PMH Biodiversity Strategy.	Adopted KPOM prepared by June 2014.

*\*Targets subject to external inputs, review outcomes and DP&I LEP timeframes*

### b. Economic/Employment Projects 2013/14

Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
4. Complete structure plan for land surrounding the Port Macquarie Airport and commence implementation .	UGMS priority task & 2013/14 Operational Plan	Project Coordinator - Sandra Bush	Awaiting review of Airport Master Plan. Draft Structure Plan reported to Council and exhibited for community input.	Draft Structure Plan to Council by July 2013. Subsequent LEP and DCP amendments by June 2014.
5. Amendment of PMH LEP Fernbank Creek Rd employment land.	UGMS priority task & 2012/13 Operational Plan	Project Coordinator - Sandra Bush	Exhibition of an LEP amendment, DCP precinct provisions and a Planning Agreement, in conjunction with planning for the Pacific Hwy Overpass.	Finalise LEP by June 2013. Note: subject to draft VPA being finalised by end of March 2013.
6. Finalise LEP amendment for land at Warlters St and DCP provisions for the Settlement City Precinct.	UGMS priority task	Project Coordinator - Sandra Bush	LEP/DCP amendment, in consultation with local residents/community. Amended contributions plan and planning agreement in relation to infrastructure + public domain outcomes.	Kmart final VPA offer pending. Exhibit draft LEP/DCP, Section 94 Plan and VPA in April 2013. Report to Council post exhibition in June 2013.
7. Finalise	UGMS	Project	Landowner	Landowner input

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Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
investigations and any LEP/DCP amendments for a marine industry precinct in the area surrounding Birdon Marine.	priority task & 2013/14 Operational Plan	Coordinator - Sandra Bush	investigations to be submitted and reviewed. Draft LEP/DCP amendments and consultation with local residents/community.	to be submitted by March 2013. Review and refer to DP&I by June 2013. Exhibit, if satisfactory by July 2013.
8. Staged LEP/DCP amendments from John Oxley Drive Precinct Structure Plan.	UGMS priority task	Project Coordinator - Stephen Nicholson	Bulky goods retail investigations in consultation with key stakeholders and the community. Preparation of planning agreement + revised LEP & DCP Precinct provisions.	John Oxley Dve transport planning by March 2013. Draft VPA, LEP and DCP on exhibition by April 2013.
9. Amend LEP and/or DCP to facilitate medical services cluster around the Port Macquarie Base Hospital.	UGMS priority task	Project Coordinator - Leanne Fuller	Consultation with key stakeholders and the community in the preparation of DCP Precinct provisions.	Landowner input to draft DCP by July 2013. DCP adopted by December 2013.
10. Precinct DCP provisions for the Major Innes Dve/CSU tertiary education precinct, in parallel with 8 above.	UGMS priority task & 2013/14 Operational Plan	Project Coordinator - Leanne Fuller	Consultation with key stakeholders and the community in the preparation of DCP Precinct provisions.	Transport and public domain investigations by July 2013. DCP adopted by December 2013.
11. Preparation of DCP for Wauchope Town Centre.	UGMS priority task & 2012/13 Operational Plan	Project Coordinator - Leanne Fuller	Consultation with key stakeholders and the community in the preparation of DCP Precinct provisions.	Draft DCP reported to Council by April 2013. Exhibit for community input in May 2013.
12. Review LEP/DCP provisions for the Thrumster Town Centre.	UGMS priority task & 2013/14 Operational Plan	Project Coordinator - Steve Schwartz	Consultation with key stakeholders and the community in the preparation revised LEP and DCP Precinct provisions.	Landowner input by April 2013. Draft LEP and DCP finalised by December 2013.
13. Service industrial at corner Houston	UGMS priority task	Not yet allocated	Review landowner concept and investigations once	To be determined upon receipt of landowner

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Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
Mitchell Dve and Ocean Dve, Lake Cathie.			submitted and report to Council.	investigations.
14. Cassegrain tourist development at Fernbank Creek Rd	Part of grouped site specific LEP. UGMS priority task & 2013/14 Operational Plan	Project Coordinator - Leanne Fuller	Review landowner concept and investigations once submitted and report to Council.	To be determined upon receipt of landowner investigations.

*\*Targets subject to external inputs, review outcomes and DP&I LEP timeframes*

### c. Residential/ Rural Residential Projects 2013/14

Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
15. Area 14 - St Vincent Foundation (LEP and DCP amendment)	UGMS priority task (i.e. Area 14 planning). Part 3A approval commitm't	Project Coordinator - Steve Schwartz	Finalisation of LEP and DCP amendments to reflect Part 3A approvals.	Consultation with landowner representatives from April 2013. Draft LEP and DCP exhibition by September 2013.
16. Area 13 neighbourhood planning - West Lindfield and Partridge Creek neighbourhoods.	UGMS priority task & 2013/14 Operational Plan	Project Coordinator - Steve Schwartz	Preparation of DCP provisions for neighbourhoods in the Thrumster area	Landowner input to DCP April 2013. Review, exhibit and finalise DCP by December 2013.
17. Thrumster Implementation Review	UGMS priority task & 2013/14 Operational Plan	Project Coordinator - Steve Schwartz	Completion of a review of the Thrumster Implementation report 2006.	Report to Council in conjunction with Thrumster DCP and LEP above. Finalise review by December 2013.
18. Urban consolidation – Port Macquarie Town Centre Fringe	UGMS priority task & 2012/13 Operational Plan	Project Coordinator - Steve Schwartz	Review of existing DCP provisions in relation to urban consolidation in the Port Macquarie Town Centre Fringe area.	Consult community representatives by May 2013. LEP and DCP amendments finalised by December 2013.
19. Urban consolidation – Town Beach/Lord St area	UGMS priority task & 2013/14 Operational Plan	Project Coordinator - Steve Schwartz	Review of existing DCP provisions in relation to urban consolidation in the Town Beach/Lord St area.	LEP and DCP amendments finalised by June 2014.



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Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
20. Urban Release Area - South West Lindfield	UGMS priority task	Project Coordinator - Stephen Nicholson	Preparation of a planning proposal and precinct DCP provisions for the part of West Lindfield to the south of the realignment of the Oxley Highway entry to Port Macquarie.	Landowner input to LEP/DCP solutions by April 2013. Report on draft LEP and DCP to Council by July 2013.
21. Major Innes Rd residential	UGMS priority task	Project Coordinator - Stephen Nicholson	Site specific amendment to provide for infill residential development.	Draft LEP on exhibition in April/May 2013.
22. Rural Residential investigations - Greater Sancroix area Structure Plan (includes gateway sites and potential long term industrial).	UGMS priority task	Project Coordinator - Sandra Bush	Structure Plan and possible LEP/DCP amendments + agreements with landowners (e.g. to address environmental management and coordination issues).	Review of landowner input to infrastructure and environmental issues and report to Council by August 2013.
23. Yippin Creek Wauchope	UGMS priority task. Part of grouped site specific LEP.	Project Coordinator - Leanne Fuller	Site specific amendment to provide for infill residential development.	Draft LEP on exhibition by April 2013. Report to Council June 2013.

\*Targets subject to external inputs, review outcomes and DP&I LEP timeframes

## d. LEP/DCP Review Projects 2013/14

Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
24. Administrative amendments to the new PMH LEP	UGMS priority task, 2012/13 & 2013/14 Operational Plans.	Project Coordinator - Stephen Nicholson	Finalisation of Amendment 16 to LEP 2011. Commence next staged administrative review.	DP&I finalisation of Amendment 16 by April 2013. Report to Council on next Admin LEP amendment by July 2013.
25. Existing holdings sunset provisions LEP amendment	See 24 above. UGMS priority task.	Project Coordinator - Leanne Fuller	Exhibit draft LEP, review of submissions and report to Council.	Exhibition April/May 2013. Report to Council June 2013.
26. Bus Shelter advertising LEP amendment	See 24 above.	Project Coordinator - Stephen Nicholson	Exhibit draft LEP, review of submissions and report to Council.	Exhibition in May 2013. Report to Council June 2013.
27. Administrative	See 24	Project	Exhibit draft LEP,	Exhibition by April

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Project Description	Program Alignment	Coordinator + Resources	Key Deliverables	Current Target*
LEP amendment Dunbogan E2 to E3	above.	Coordinator - Leanne Fuller	review of submissions and report to Council.	2013. Report to Council in May 2013.
28. Next round of priority site-specific LEP amendments	See 24 above.	Not yet determined	Report to Council on site specific LEP requests and priorities.	Report to Council in August 2013.
29. Staged administrative review of the PMH DCP	UGMS priority task, 2012/13 & 2013/14 Operational Plans.	Project Coordinator - Stephen Nicholson	DCP format review + minor administrative changes followed by review of DCP provisions in response to changes to NSW legislation.	Exhibition of draft DCP by April 2013. Report to Council June 2013.
30. Reformat of existing North Oxley DCP provisions	See 28 above.	Project Coordinator - Steve Schwartz	Reformatted DCP consistent with other neighbourhood DCP sections and excluding repetition with general DCP provisions.	Finalise DCP review by December 2013.

*\*Targets subject to external inputs, review outcomes and DP&I LEP timeframes*

### e. Other Projects

In addition to the 30 projects listed above, the Strategic Planning Section is providing input on a number of Council initiatives, including:

- The preparation of a Biodiversity Strategy,
- Review of Council development contributions plans,
- The preparation of a transport strategy,
- Parking strategies for key town centres (Greater Port Macquarie CBD, Wauchope & Laurieton),
- Review of the PMH Social Strategy, and
- Review of open space & community facilities planning.

The Strategic Planning team also provides input to DP&I Regional Development Monitor, coordination of demographic information to the community, population forecasts and responses to strategic planning enquiries.

### 3. Performance Management

Council's Strategic Planning section has sought to improve internal processes and the efficiency of strategic planning work over the past 5 years through the introduction of standard project planning processes, checklists and templates and regular monitoring of performance throughout the course of projects.

The project planning framework provides for early consideration of factors including the need for supporting information, community engagement, communication requirements and risk management. Each project plan establishes a project timeline, against which project performance is regularly monitored at internal fortnightly meetings. This approach enables direct performance evaluation against the Operational Plan and public reporting on a quarterly basis through Council Meetings.



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Project plans are updated where necessary to account for changed circumstances, such as delayed inputs from stakeholders and the need for multi party legal agreements to resolve infrastructure or environmental management issues.

The preparation of LEPs is monitored against timelines set by the Department of Planning & Infrastructure. These timelines have regard to the nature of the specific LEP, such as information and community consultation requirements. Pre-lodgement meetings have been implemented as an initiative to improve communication with proponents of site specific matters prior to the commencement of the LEP process.

#### 4. Current & Future Challenges

There are 30 separate planning projects that are currently being prioritised by the Strategic Planning Section, as shown above. This is a large strategic program compared to the programs implemented by Council in the past and the main challenge for the Strategic Planning section is to concurrently manage the day-to-day demands of all of these projects, without significant delays.

The scale of the strategic program is partly due to the increased emphasis which is being placed on strategic planning by Council and the NSW State Government. Since 2010, Council's Strategic Planning section has completed a new LEP, DCP and Urban Growth Management Strategy and has prioritised detailed planning in relation to urban release areas, to meet changing State Government planning requirements.

This emphasis on strategic planning is expected to continue in the foreseeable future as the Green Paper on the planning system, released by the State Government, suggests an even stronger emphasis on strategic planning from the current review of the EPAA, allowing quicker decisions in relation to developments that accord with adopted strategic plans. This goal is broadly supported but has potential implications for councils, landowners and the development industry in terms of resourcing strategic planning. It will be a major challenge for the Strategic Planning section to respond to the legislative changes in a timely manner under current circumstances.

Other key issues to be addressed in the EPAA review include the status of funding mechanisms available to Council under Section 94 of the EPAA and the relationship between planning and environment protection legislation. At present, there is a growing proportion of time spent at the strategic planning stage on infrastructure funding and environmental management issues. Managing the growing complexity of strategic planning will remain a key challenge for Council's strategic land use planning, including the preparation of legal planning agreements to resolve and coordinate key outcomes at the strategic planning stage.

This complexity often exists for individual sites (e.g. environmental management and offset requirements). It is therefore important that Council prioritise and manage the number of site specific amendments that are being progressed, with regard to the strategic planning program as a whole. In recent years, this has been done in annual reports to Council.

At present, investigations and LEP amendments are in progress in relation to a number of site specific matters, including:

## Planning and Providing Our Infrastructure

- Major Innes Rd, Port Macquarie (proposed residential)
- Oxley Hwy, Wauchope (Timbertown Estate)
- Cassegrain Winery (proposed ancillary tourist development)
- Kingfisher Rd, Port Macquarie, and
- Ruins Way, Port Macquarie.

An LEP amendment is also proposed in relation to miscellaneous administrative matters, including:

- Pacific Hwy realignment (acquisition provisions), and
- Beechwood Village – reduced minimum lot size based on sewerage infrastructure.

As a consequence, there is no scope for any additional site specific LEP amendments until existing matters have been progressed and finalised. It is therefore proposed to present a separate report to Council regarding site specific proposals, once further progress has been made on existing site specific amendments and the existing strategic planning program.

### 5. Suggestions/recommendations for improvement and enhancement of these operations

It is proposed that a workshop be held with Councillors regarding strategic planning priorities and changes resulting from EPA Act review. This will include a review of contributions and infrastructure planning changes from the EPAA review.

It is also proposed that the progress of key strategic projects be reported to Council quarterly in the context of the Operational Plan. An annual report is proposed in relation to priorities within the Strategic Planning Program and specifically to address priorities for site specific amendments, to ensure that Council is targeting those projects of benefit to the community.

The continued use of consultants is proposed to facilitate early review of site specific matters, where Council coordination and review costs are able to be met at the expense of the proponent. Note: this will impact on Council resources due to the need for review of draft documents and coordination of consultants by the Strategic Planning team.

In relation to communication, it is recommended that Council provide an increased offering of online services - improving the way that strategic planning information (documents/GIS information/resources) is made available through the website. This will reduce the workload on staff in providing information and basic advice. It is noted that there are initiatives in progress to move to an increased on line presence. However, much work is required to realise the potential benefits of such an approach.

It is proposed to continue the review of Council planning systems, including integration of Council's Authority and Trim records systems and review of GIS LEP mapping procedures to minimise potential errors and maximize efficiency. Continued refinement of internal processes and consistent use of technology is a fundamental issue for delivering more effective services.

### Options

## Planning and Providing Our Infrastructure

Council could opt to defer consideration of the above report or amend the priorities in Council's existing Strategic Planning Program therein. It is recommended that Council endorse the Strategic program, as detailed in the report.

### Community Engagement & Internal Consultation

The proposed 2013-2014 strategic planning program is consistent with the UGMS adopted by Council in December 2010. Substantial community consultation was undertaken during the preparation of that Strategy. Council has received some requests for specific matters to be included in the Strategic program for 2013-14. Further consultation will take place with these parties within the framework described above.

### Planning & Policy Implications

The maintenance of an up-to-date strategic planning framework is an important part of Council's operations. The objectives of the program are to facilitate ecologically sustainable urban development, promote economic growth and coordinate good development outcomes for the future benefit of current and future generations. The actions described above are derived from Council's adopted UGMS, which is in turn consistent with the Mid North Coast Regional Strategy.

### Financial & Economic Implications

The Strategic Planning team comprises a Manager, two Senior Strategic Planners and two Strategic Planners. The team operates with an annual budget for strategic studies, such as for ecological investigations in areas of high landowner fragmentation, where coordination of landowner funding is not possible. The proposed strategic planning program is ambitious having regard to staff resources but focuses on important strategic outcomes for the Port Macquarie-Hastings. It is proposed that Council undertake the above program within current staffing and funding allocations.

Effective strategic land use planning is an important Council contribution to the economic prosperity of the local and regional community. Planning to facilitate economic growth, while maintaining our sense of place and the natural character of the Port Macquarie-Hastings area, is a critical role for Council to perform on behalf of the community.

### Attachments

1. Council report 23 May 2012 Strategic Planning Program
2. UGMS Priority Actions Summary

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**Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE**

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**RECOMMENDATION**

1. That Council move into Confidential Committee of the Whole to receive and consider the following items:

**Item 14.01 Ironman Event**

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

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

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

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**RECOMMENDATION**

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

**Item 14.01 Ironman Event**

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

**RECOMMENDATION**