



# Economic Development Steering Group

## Business Paper

**date of meeting:** Wednesday, 30 October 2013

**location:** Committee Room,  
Port Macquarie-Hastings Council,  
17 Burrawan Street,  
Port Macquarie

**time:** 8.00am

**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.



**PORT MACQUARIE  
HASTINGS**

# Economic Development Steering Group Meeting

Wednesday, 30 October 2013

## Items of Business

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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: APOLOGIES**

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**RECOMMENDATION**

That the apologies received be accepted.

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**Item: 03****Subject: CONFIRMATION OF PREVIOUS MINUTES**

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**RECOMMENDATION**

That the Minutes of the Economic Development Steering Group Meeting held on 2 October 2013 be confirmed.

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Item: 04  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

**That Disclosures of Interest be presented**

**DISCLOSURE OF INTEREST DECLARATION**

Name of Meeting: .....  
Meeting Date: .....  
Item Number: .....  
Subject: .....  
.....

I, ..... declare the following interest:

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

**Non-Pecuniary - Significant Interest:**  
Take no part in the consideration and voting and be out of sight of the meeting.

**Non-Pecuniary - Less than Significant Interest:**  
May participate in consideration and voting.

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

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

*(Further explanation is provided on the next page)*



**Further Explanation**

(Local Government Act and Code of Conduct)

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

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

**Pecuniary Interest**

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

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

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. (section 451)

**Non-Pecuniary**

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

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

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

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

*Non Pecuniary – Significant Interest*

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

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

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

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

*Non Pecuniary – Less than Significant Interest*

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



**SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION**

<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</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.

Item: 05

Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

<b>Item:</b>	08	<b>Date:</b>	07.08.2013
<b>Subject:</b>	Priority Industry Sectors		
<b>Action Required:</b>	<ol style="list-style-type: none"> <li>1. That the Assessment and Prioritisation Framework be considered along with the points raised by Kathy Balodis under Item 7 of the Agenda. I.e. giving consideration to whether Council is an <b>enabler</b>, a <b>facilitator</b> or a <b>doer</b> in relation to the various industry sectors.</li> <li>2. That all Economic Development Steering Group Members give consideration to the Assessment and Prioritisation Framework and the enabling, facilitating and doing categories in order to determine priority sectors.</li> <li>3. That further information on each Economic Development Steering Group Member's consultation with their industry sector be circulated to the Economic Development Steering Group.</li> </ol>		
<b>Current Status:</b>	Please remove as it was incorporated into the Economic Development Outcomes and Actions Performance Measures.		

<b>Item:</b>	06	<b>Date:</b>	04.09.2013
<b>Subject:</b>	Review of the Economic Development Outcomes & Actions		
<b>Action Required:</b>	<p>The Economic Development Steering Group reviewed and agreed on the Economic Development outcomes and actions.</p> <p>CONSENSUS:</p> <ol style="list-style-type: none"> <li>1. That the changes be reflected in the next version of the draft Economic Development Strategy which will be distributed to the Group following amendment of the draft Economic Development Strategy.</li> </ol>		
<b>Current Status:</b>	Please remove as the Economic Development Outcomes and Actions have been incorporated into the Economic Development Strategy.		

<b>Item:</b>	07	<b>Date:</b>	04.09.2013
<b>Subject:</b>	Performance Measures Against the Economic Development Outcomes and Actions		
<b>Action Required:</b>	<p>Performance Measures were discussed in relation to measuring achievement and progress against the overall outcomes.</p> <p>CONSENSUS:</p> <ol style="list-style-type: none"> <li>1. That a list of the agreed Performance Measures be distributed to the Group with the minutes.</li> </ol>		
<b>Current Status:</b>	Please remove as the Performance Measures have been distributed.		



<b>Item:</b>	08	<b>Date:</b>	04.09.2013
<b>Subject:</b>	Draft Economic Development Strategy		
<b>Action Required:</b>	<p>The Economic Development Steering Group discussed the format of the Economic Development Strategy.</p> <p>A draft copy of the Economic Development Strategy was distributed to the Group. A brief discussion took place around the format of the document.</p> <p><b>CONSENSUS:</b></p> <ol style="list-style-type: none"><li>1. That the EDSG Group Members review the document so that feedback can be provided at the next meeting of the EDSG.</li></ol>		
<b>Current Status:</b>	Please remove as this item was tabled at the Meeting held on the 04.09.2013.		

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Item: 06

Subject: REVIEW OF SUBMISSIONS

Presented by: Commercial Services & Industry Engagement, Craig Swift-McNair

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## RECOMMENDATION

**That the Economic Development Steering Group (EDSG) review and discuss the Submissions received on the Draft Economic Development Strategy.**

### Discussion

At an Extra-Ordinary Council Meeting held on the 25<sup>th</sup> September 2013, Council resolved to:

*That Council:*

- 1. Place the Draft Economic Development Strategy on public exhibition for a period of 28 days from 26 September 2013 to 25 October 2013 inclusive.*
- 2. Undertake broad consultation during the exhibition period with industry and business groups.*
- 3. Request that the General Manager prepare a report for the November meeting of Council detailing information contained in submissions received during the exhibition period for further consideration by Council.*

During October 2013, workshops on the draft Economic Development Strategy were held in the Camden Haven, Wauchope and Port Macquarie with close to one hundred (100) people in attendance across the three workshops. During these workshops, much information was collated with this information now being presented to the EDSG for review and comment.

In addition to the workshops, comments were able to be made via Council's PMHC Listening web site, plus public submissions were invited.

The EDSG are to review the information received and agree any changes that might be required to the draft strategy so that a report can be tabled at the November meeting of Council with a view to Council adopting the strategy.

### Attachments

Nil