



Ordinary Council

Business Paper

date of meeting: Wednesday, 16 October 2013

location: Council Chambers, 17 Burrawan Street, Port Macquarie

time: 5.30pm

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



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.
- 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 Group Manager Governance & Executive Services prior to the commencement of the meeting.
- Where speakers wish to make an audio visual presentation, a copy is to be provided to the Group Manager Governance & Executive Services by 4.30pm on the day prior to 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.
- 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, 16 October 2013

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**PORT MACQUARIE
HASTINGS**

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**PORT MACQUARIE
HASTINGS**

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

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

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

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

Item: 03**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

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

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 18 September 2013 be confirmed.

RECOMMENDATION

That the Minutes of the Extra-Ordinary Council Meeting held on 25 September 2013 be confirmed.

PRESENT**Members:**

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

Other Attendees:

General Manager (Tony Hayward)
Director of Infrastructure & Asset Management (Jeffery Sharp)
Director of Commercial Services & Industry Engagement (Craig Swift-McNair)
Director of Development & Environment (Matt Rogers)
Director of Community & Organisational Development (Lesley Atkinson)
Group Manager Governance & Executive Services (Stewart Todd)
Communications Co-ordinator (Lyndal Harper)
Governance Support Officer (Bronwyn Lyon)

The meeting opened at 5.31pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Reverend David Bell from the Baptist Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

04 CONFIRMATION OF MINUTES

RESOLVED: Roberts/Levido

That the Minutes of the Ordinary Council Meeting held on 21 August 2013 be confirmed with the following amendment:

Item 12.08 FERNBANK PARK EMPLOYMENT LANDS - PLANNING
PROPOSAL, DRAFT DCP PROVISIONS AND PLANNING AGREEMENT

Mr Gary Murcott, Developer, addressed Council in support of the recommendation and answered questions from Councillors.

CARRIED: 9/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 12.05 - Stormwater Drainage and Flooding - Short Street, Port Macquarie, the reason being that Councillor Levido is a partner in law firm acting for a landowner of a commercial building in the relevant section of Short Street which is severely affected by stormwater flooding issues.

Councillor Cusato declared a Non-Pecuniary, Significant Interest in Item 12.07 - Tender T-13-23 Provision of Civil Construction Services, the reason being that Councillor Cusato has a cousin in the tender process.

Councillor Griffiths declared a Non-Pecuniary, Insignificant Interest in Item 12.07 - Tender T-13-23 Provision of Civil Construction Services, the reason being that Councillor Griffiths' business has a number of customers are tenderers.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 8 August to 5 September 2013 be noted.

CARRIED: 9/0

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

AGAINST: Nil

06.02 TOWN CENTRE MASTER PLAN SUB-COMMITTEE TERMS OF REFERENCE

MOVED: Besseling

That the Town Centre Master Plan Sub-Committee review their Terms of Reference to specifically consider the inclusion of a member from the Port Macquarie-Hastings Council Access Sub-Committee as a voting member of the Town Centre Master Plan Sub-Committee.

CARRIED: 9/0

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

AGAINST: Nil

06.03 REVIEW OF COUNCIL'S ROAD MAINTENANCE & CONSTRUCTION PRACTICES

MOVED: Besseling

That Council note that ARRB Group has been appointed to undertake the review of Council's road maintenance and construction practices.

CARRIED: 9/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Sargeant/Cusato

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

CARRIED: 9/0

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

AGAINST: Nil

08.01 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Levido/Intemann

That Council determine that the attachments to Item number 12.07 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 9/0

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

AGAINST: Nil

07 PUBLIC FORUM

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

1. Mr Barry Dowse regarding pedestrian safety on Hastings River Drive.
2. Mrs Diane Gilbert regarding funding for Wauchope Pool project.
3. Mrs Billie Scott regarding Busways routes through Wauchope.

RESOLVED: Intemann/Turner

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

CARRIED: 9/0

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

AGAINST: Nil

07.01 PEDESTRIAN SAFETY ON HASTINGS RIVER DRIVE

Mr Barry Dowse addressed Council in regard to pedestrian safety on Hastings River Drive and answered questions from Councillors.

07.02 FUNDING FOR WAUCHOPE POOL PROJECT

Mrs Diane Gilbert, representing the Wauchope Heated Indoor Pool Association, addressed Council in regard to funding for the Wauchope Pool Project and answered questions from Councillors.

07.03 BUSWAYS ROUTES THROUGH WAUCHOPE

Mrs Billie Scott addressed Council in regard to Busways routes through Wauchope, submitted a petition and answered questions from Councillors.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 12.01 - Mr Les Calleja in support of the recommendation.

Item 12.07 - Mr Mark Pilgrim in opposition of the recommendation.

RESOLVED: Turner/Cusato

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

CARRIED: 9/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Cusato

That Standing Orders be suspended to allow Items 12.01 and 12.07 to be brought forward and considered next.

CARRIED: 9/0

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

AGAINST: Nil

12.01 QUESTION ON NOTICE - CROWN ROAD NATURAL DISASTER FUNDING APPLICATIONS

Mr Les Calleja was not present at the meeting.

RESOLVED: Griffiths/Sargeant

That Council:

1. Note the limitations of Local Government responsibilities concerning the responsibility for and administration of Natural Disaster funding for the repair of Crown roads.
2. Through the Mayor, write to the NSW Minister for Finance and Services and NSW Minister for Regional Infrastructure and Services highlighting both Council's and our Community's concerns with the current administration and arrangements concerning Natural Disaster Funding for Crown Roads.

CARRIED: 9/0

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

AGAINST: Nil

12.07 TENDER T-13-23 PROVISION OF CIVIL CONSTRUCTION SERVICES

Councillor Cusato declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 06:10pm.

Councillor Griffiths declared a Non-Pecuniary, Insignificant Interest in this matter and remained in the room during the Council's consideration.

Mr Mark Pilgrim, representing Diveva Pty Ltd T/as Mid Coast Road Services, addressed Council in opposition to the recommendation and answered questions from Councillors.

RESOLVED: Levido/Intemann

That Council:

1. Reject all tenders for the Provision of Civil Construction Services due to the pricing schedule included in the tender not allowing tenderers to adequately address the requirements of the tender.
2. Forthwith develop revised comprehensive tender documents for the provision of civil construction services and call and advertise fresh open tenders in accordance with clause 167 of the Local Government (General) Regulation 2005 as soon as reasonably practicable.

CARRIED: 7/1

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

Councillor Cusato returned to the meeting, the time being 06:19pm.

08.02 CREATION OF OFFICE OF DEPUTY MAYOR

RESOLVED: Levido/Intemann

That Council:

1. Create the Office of Deputy Mayor.
2. Set the term of the Office of Deputy Mayor to be twelve (12) months, concluding at the September Ordinary Council Meeting 2014.
3. Elect the Deputy Mayor by way of ordinary ballot if more than one nomination for Deputy Mayor is received.
4. That Councillor Trevor Sargeant be thanked for his service as Deputy Mayor for the past year.

CARRIED: 9/0

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

The Mayor thanked Councillor Sargeant for his service as Deputy Mayor for the past year.

The General Manager, acting as Returning Officer, called for nominations for the Office of Deputy Mayor.

The Returning Officer, advised that nominations for the Office of Deputy Mayor have been received for:

Councillor Roberts, nominated by Councillors Cusato and Griffiths.

There being no other nominations, the Returning Officer declared Councillor Roberts elected to the Office of Deputy Mayor for the ensuing period as resolved by Council.

The Mayor congratulated Councillor Roberts on his election to the Office of Deputy Mayor.

Councillor Roberts, Deputy Mayor, thanked the Councillors for their support.

08.03 STATUS OF OUTSTANDING REPORTS TO COUNCIL - SEPTEMBER 2013

RESOLVED: Griffiths/Turner

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

CARRIED: 9/0

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

AGAINST: Nil

08.04 COUNCIL MEETINGS DATES FOR 2014

RESOLVED: Intemann/Cusato

That Council set the Ordinary Council Meeting dates for 2014 as the third Wednesday of each month (excluding January) being 19 February, 19 March (Taking the Council to the Community - Wauchope), 16 April, 21 May, 18 June, 16 July, 20 August, 17 September (Taking the Council to the Community - Laurieton), 15 October, 19 November and 17 December.

CARRIED: 9/0

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

AGAINST: Nil

08.05 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER

RESOLVED: Intemann/Levido

That Council:

1. Revoke all previous delegations of Functions to the General Manager.
2. Delegate / sub-delegate to the General Manager of Port Macquarie-Hastings Council the Functions in accordance with the Instrument of Delegation to the General Manager, attached to this report as Attachment 1, save and except the delegation "To sign any Contract of Sale of Land where such land is sold by auction, in pursuance of a resolution of Council to sell such land".
3. Delegate / sub-delegate to the General Manager of Port Macquarie-Hastings Council delegated authority to "To sign any Contract of Sale of Land where such land is sold, pursuant to a resolution of Council to sell such land".
4. That all relevant information be provided to Councillors and a briefing session be held prior to re-visiting the delegations by March 2014.

CARRIED: 8/1

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

08.06 MIDROC (MID NORTH COAST REGIONAL ORGANISATION OF COUNCILS)

MOTION

MOVED: Intemann/Roberts

That Council:

1. Provide in principle support to MIDROC (Mid North Coast Regional Organisation of Councils) forming a Corporation, to provide agreed regional based services and agreed lobbying on behalf of MIDROC member councils.
2. Be advised and consulted on all relevant details (including articles, role and participation levy) should any such corporation be proposed, whilst retaining full rights to reject any such proposal.

AMENDMENT

MOVED: Sargeant

That Council:

1. Provide in principle support to MIDROC (Mid North Coast Regional Organisation of Councils) forming a Corporation, to provide agreed regional based services and agreed lobbying on behalf of MIDROC member councils.
2. Be advised and consulted on all relevant details (including articles, role and participation levy) should any such corporation be proposed, whilst retaining full rights to reject any such proposal.
3. That no further action on this matter take place until after the presentation by the Chair of MIDROC.

MAYOR RULED AMENDMENT OUT OF ORDER

FORESHADOWED MOTION

MOVED: Sargeant

That no further action on Council's involvement in MIDROC take place until after the presentation by the Chair of MIDROC to be held on 23 October 2013.

THE MOTION WAS PUT

RESOLVED: Intemann/Roberts

That Council:

1. Provide in principle support to MIDROC (Mid North Coast Regional Organisation of Councils) forming a Corporation, to provide agreed regional based services and agreed lobbying on behalf of MIDROC member councils.
2. Be advised and consulted on all relevant details (including articles, role and participation levy) should any such corporation be proposed, whilst retaining full rights to reject any such proposal.

CARRIED: 5/4

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

**08.07 REPORT ON ATTENDANCE AT THE AUSTRALIAN UNIVERSITIES
HEADS OF CAMPUS FORUM CONFERENCE 2013**

RESOLVED: Roberts/Griffiths

That Council:

1. Note the conference report provided by Councillor Turner on his attendance at the Australian Universities Heads of Campus Forum Conference 2013.
2. Maintain participation in the Hastings Education and Skills Forum.

CARRIED: 9/0

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

AGAINST: Nil

**08.08 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO
COUNCILLORS POLICY**

RESOLVED: Turner/Levido

That Council:

1. Adopt for the purposes of exhibition the draft Payment of Expenses and Provision of Facilities to Councillors Policy.
2. Pursuant to section 253 of the Local Government Act 1993, place on exhibition the draft Payment of Expenses and Provision of Facilities to Councillors Policy from 20 September 2013 until 1 November 2013. During the exhibition period Council will call for and accept submissions from the public.

CARRIED: 9/0

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

AGAINST: Nil

08.09 COUNCILLOR INDUCTION POLICY

RESOLVED: Turner/Cusato

That Council formally adopt the Councillor Induction Policy.

CARRIED: 9/0

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

AGAINST: Nil

08.10 PROCUREMENT STRATEGY

RESOLVED: Hawkins/Roberts

That Council:

1. Endorse the Procurement Strategy as detailed in this report.
2. Approve the appointment of two (2) x Procurement Officers on a contract basis for a period of two (2) years (as detailed in the Procurement Strategy), to be initially funded across each fund of Council i.e. General, Water, Sewer & Waste, with a view to the roles becoming self-funding from savings achieved through the implementation of the Procurement Strategy.
3. Request that, commencing April 2014, the General Manager table a report at future Council meetings, at quarterly intervals, detailing progress made against the action plan as detailed in the Procurement Strategy, including savings and efficiencies achieved.
4. Request that at the December 2013 Council Meeting, the General Manager advise how effective organisational support for the procurement strategy can be encouraged and incorporated into Group Managers', Directors' and the General Manager's performance measurement plans for the remainder of the 2013-2014 year and into the 2014-2015 financial year.

CARRIED: 8/1

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

AGAINST: Sargeant

08.11 INVESTMENTS - AUGUST 2013

RESOLVED: Levido/Hawkins

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

CARRIED: 9/0

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

AGAINST: Nil

08.12 MONTHLY REVIEW OF FINANCIAL POSITION - AUGUST 2013

RESOLVED: Sargeant/Cusato

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

CARRIED: 9/0

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

AGAINST: Nil

08.13 COMPLIMENTS AND COMPLAINTS ANNUAL REPORT 2012-2013

RESOLVED: Sargeant/Intemann

That Council:

1. Note the Compliments and Complaints Annual Report for 2012-2013.
2. Formally congratulate the Infrastructure roads team on their performance over the 2012-2013 period.

CARRIED: 9/0

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

AGAINST: Nil

08.14 2013-2014 COMMUNITY GRANTS PROJECTS FOR ENDORSEMENT

RESOLVED: Intemann/Cusato

1. That Council, pursuant to provisions of section 356 of the Local Government Act 1993, grant financial assistance from the Community Grants 2013-2014 round to:

Organisation Name	Project	Funding (\$)
General		
Alzheimer's Australia NSW	Establish Dementia Resource Centre	\$9,995
Sailability NSW Inc.	Purchase of Sailing Dinghy	\$9,270
Hastings District Respite Care Inc	Workshops & Performance	\$7,515
Port Macquarie Boxing Club Inc	Replace equipment and accredit coaches	\$4,505
St Josephs Family Services	Aboriginal cultural awareness training	\$2,265
Hastings Valley Miniature Railway Society Inc	Bridge Stage 1B of DA521/2011 Build track	\$4,070
Hastings Autism & Aspergers Resource Group	Autism Awareness Event (15.4.14)	\$4,500
Uniting Care Burnside Hastings Family Support Service	Swim Lessons and packs	\$5,000
Port Macquarie Historical Society Inc	Six drawer plan cabinet	\$1,915
Girl Guides Telegraph Point	Grow Guiding 2013/14	\$1,925

UnitingCare Burnside Hastings Family Support Service	Engaging Adolescents Program	\$2,270
Hastings Early Intervention Program Inc	Reading Nooks and Chairs	\$2,385
Wauchope Poultry Club Inc	100 new stackable chairs	\$3,520
Community Housing Limited	Youth Homelessness Matters Day (2014)	\$5,000
Mid Coast Care (Hope Shop)	Volunteer Kitchenette	\$4,750
Riding for the Disabled Kendall Centre	8 Horse Rugs	\$880
Environmental	Sub Total	\$69,765
Port Macquarie Landcare Group Inc.	Reinforce local bush regeneration and community involvement	\$5,000
Port Macquarie Landcare Group Inc.	Reducing the weed load through a catchment approach	\$5,000
Friends of Kooloonbung	Eradicating noxious weeds from Kooloonbung Creek Nature Park.	\$5,000
	Sub Total	\$15,000
Christmas and New Year's Eve Events		
Camden Haven Chamber of Commerce, Industry and Tourism.	Santa walks the streets of Laurieton, North Haven and Kendall.	\$3,500
Werin Aboriginal Medical Clinic	Celebrate Christmas for the Aboriginal Community of the Hastings area	\$3,000
Wauchope Chamber of Commerce and Industry Inc	The Wauchope and Hinterland Christmas Celebration.	\$3,900
Lake Cathie - Bonny Hills Lions Club	Carols by the Lake 2013 at the Lake Cathie Foreshore Reserve.	\$1,500
	Sub Total	\$11,900
	TOTAL ALLOCATED	\$96,665

2. That Council note the outcome of applications for non-Council halls.
3. That Council note the process for the allocation of remaining funds.
4. That Council note the analysis of issues arising from the grant round (Attachment 1) as it will inform future grant round processes.
5. That Council note that cheques will be presented to successful applicants at an event hosted by the Mayor on 9 October 2013.

CARRIED: 9/0

FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant

and Turner
AGAINST: Nil

08.15 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR INTEMANN

RESOLVED: Intemann/Turner

That Councillor Intemann be granted leave of absence for the period 19 September 2013 to 28 September 2013, which includes the Extra-Ordinary Meeting of Council scheduled for 25 September 2013.

CARRIED: 9/0
FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner
AGAINST: Nil

09.01 RECOMMENDATIONS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE MEETING HELD ON THURSDAY 29 AUGUST 2013

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. Mr Liam Magennis in the amount of \$350.00 (ex GST) to assist with the expenses he will incur travelling and competing as part of the NSW State Team at the 2013 Cycling Australia Junior Road National Championships to be held in Wagga from 5 - 8 September 2013 inclusive.
2. Mr Kane Pollard in the amount of \$250.00 (ex GST) to assist with the expenses he will incur travelling and competing as part of the Under 14's Northern NSW Football Team at the National Football Championships to be held in Coffs Harbour from 29 September to 5 October 2013 inclusive.
3. Wauchope High School's Under 15's Girls Rugby Team in the amount of \$900.00 (ex GST) to assist with the expenses they incurred travelling to and competing at the Combined High Schools State Rugby Finals held in Sydney on 27 & 28 August 2013. The Team won on the day and are now CHS State Champions.

CARRIED: 9/0
FOR: Besseling, Cusato, Griffiths, Hawkins, Intemann, Levido, Roberts, Sargeant and Turner
AGAINST: Nil

10.01 MANAGEMENT OF CROWN RESERVES

RESOLVED: Griffiths/Intemann

That Council:

1. In its capacity as Reserve Trust Manager of the Flynns Beach Reserve (R610024) Trust, the Bonny Hills Beach Reserve (R81643) Trust, the North Haven Beach (R80643) Reserve Trust and the Tacking Point Beach (R88609) Reserve Trust Council request that the Minister administering the Crown Lands Act 1989 disband the Trusts and combine them into a single new Trust.
2. Endorse the suggested name for the new Trust to be "The Port Macquarie-Hastings Surf Clubs Trust" or other similar name determined by the Minister administering the Crown Lands Act 1989 that recognises that the lands under Trust are occupied by surf clubs.
3. Advise the Minister administering the Crown Lands Act 1989 that it is prepared to be appointed Trust Manager of the new combined reserve.
4. That these arrangements be reported on annually.

CARRIED: 9/0

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

AGAINST: Nil

10.02 PORT MACQUARIE AIRPORT MASTER PLAN 2010 - DRAFT ADDENDUM REPORT

MOTION

MOVED: Levido/Roberts

That Council place the Port Macquarie Airport Master Plan 2010 draft Addendum Report on public exhibition for a period of 28 days in order to engage with and seek feedback from the community and key stakeholders on the future development of the Airport.

AMENDMENT

MOVED: Sargeant

That Council place the Port Macquarie Airport Master Plan 2010 draft Addendum Report on public exhibition for a period of 28 days.

Given the importance of this matter to a very wide range of residents that a comprehensive communication strategy be developed so as to ensure that a wide cross-section of the populace are aware of the opportunity to comment.

LAPSED FOR WANT OF A SECONDER

THE MOTION WAS PUT

RESOLVED: Levido/Roberts

That Council place the Port Macquarie Airport Master Plan 2010 draft Addendum Report on public exhibition for a period of 28 days in order to engage with and seek feedback from the community and key stakeholders on the future development of the Airport.

CARRIED: 9/0

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

AGAINST: Nil

10.03 QUESTION ON NOTICE - PACIFIC HIGHWAY TOURISM AND DESTINATION SIGNAGE

RESOLVED: Cusato/Turner

That Council:

1. Undertake an audit of Tourist Route 10 signage, with a view to seeking RMS and TASAC approval for new and / or replacement signage as required.
2. Request the General Manager provide a separate report to the March 2014 Council Meeting in relation to LEP options for billboard advertising in rural areas, and specifically regarding destination marketing on the main approaches to Port Macquarie.
3. That consideration be given to including funding to progress this item in the 2014-2015 budget.
4. Seek clarification from the relevant State Minister on inconsistencies of the highway signage.

CARRIED: 9/0

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

AGAINST: Nil

10.04 LOCAL HERITAGE ASSISTANCE FUND (2012/13)

RESOLVED: Sargeant/Cusato

Council approve the following Local Heritage Assistance Fund grants:

Kendall Community Centre	\$3,000.00
Port Macquarie Historic Museum	\$5,000.00
Ritz Theatre	\$3,000.00
Maritime Museum	\$910.00
Coolenberg	\$1,915.00
St Thomas' Church	\$1,275.00

That the efforts of the Heritage and Museums Sub-Committee be noted and thanked for their assistance in this matter.

CARRIED: 9/0

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

AGAINST: Nil

**11.01 RECOMMENDED ITEM FROM HASTINGS LGA FLOODPLAIN
MANAGEMENT SUB-COMMITTEE - HASTINGS RIVER FLOODPLAIN
RISK MANAGEMENT PLAN**

RESOLVED: Griffiths/Levido

That the draft Hastings River Floodplain Risk Management Plan (2013) be placed on public exhibition for six (6) weeks.

CARRIED: 9/0

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

AGAINST: Nil

**11.02 DA 2013/0018 - 14 LOT LARGE LOT RESIDENTIAL SUBDIVISION AND
CLAUSE 4.6 VARIATION TO CLAUSE 4.1 BEING THE MINIMUM LOT SIZE
STANDARD IN PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL
PLAN 2011 (PIN51650)**

RESOLVED: Sargeant/Levido

That the approval of DA 2013/0018 for a 14 lot large lot residential subdivision including a clause 4.6 variation to clause 4.1, being the minimum lot size standard, of the Port Macquarie Hastings Local Environmental Plan 2011 at Lot 1, DP 1108064, Lot 61, DP 754418, Lot 101, DP 836522, Lot 66, DP 754418, Logans Crossing Road, Logans Crossing, be noted.

CARRIED: 9/0

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

AGAINST: Nil

**11.03 DA2013 - 0119 - SINGLE DWELLING INCLUDING CLAUSE 4.6 VARIATION
TO CLAUSE 4.2A OF THE PORT MACQUARIE-HASTINGS LOCAL
ENVIRONMENTAL PLAN 2011 - LOT 6 DP 1046995, 3459 OXLEY
HIGHWAY, HYNDMANS CREEK**

RESOLVED: Roberts/Hawkins

That DA 2013 - 0119 for a Single Dwelling including Clause 4.6 Variation to Clause 4.2A of the PMH LEP 2011 at Lot 6, DP 1046995, No. 3459 Oxley Highway, be determined by granting consent subject to the recommended conditions.

CARRIED: 9/0

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

AGAINST: Nil

12.02 QUESTION ON NOTICE - HASTINGS RIVER DRIVE, PORT MACQUARIE

RESOLVED: Griffiths/Cusato

That Council note the response to this question on notice.

CARRIED: 9/0

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

AGAINST: Nil

12.03 QUESTION ON NOTICE - ROADS CROSSING PRIVATE PROPERTY

RESOLVED: Griffiths/Levido

That the issue of road openings and closures including their impacts on private property be further reported as part of the overall review of Council's Road related policies.

CARRIED: 9/0

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

AGAINST: Nil

12.04 QUESTION ON NOTICE - ROADWORKS

RESOLVED: Intemann/Sargeant

That Council receive and note the information in this report.

CARRIED: 9/0

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

AGAINST: Nil

12.05 STORMWATER DRAINAGE AND FLOODING - SHORT STREET, PORT MACQUARIE

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 07:57pm.

RESOLVED: Hawkins/Turner

That Council:

1. Endorse Option 2 as outlined in this report as the preferred work to provide relief to the existing drainage and flooding problems in the southern section of Short Street, Port Macquarie and;
2. Recognise Options 1A, 1B and 3 as medium to long term options with opportunities for their implementation to be considered in conjunction with any future redevelopment of the affected properties and/or proposed road improvement works for Short Street and;
3. Fund Option 2 from the current 2013-2014 Operational Plan allocations as outlined in this report and;
4. Request the Director Development & Environment to examine planning options to provide incentives for redevelopment of the flood affected Short Street properties.

CARRIED: 8/0

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

AGAINST: Nil

Councillor Levido returned to the meeting, the time being 08:01pm.

12.06 DUNBOGAN FLOOD ACCESS STAGE 1C PROJECT UPDATE

RESOLVED: Cusato/Hawkins

That Council note that the construction contract for the Dunbogan Flood Access works stage 1C between Council and Downer Works EDI Pty Ltd has been terminated via mutual agreement.

CARRIED: 9/0

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

AGAINST: Nil

12.08 ROAD SAFETY REPORT 2012/13

RESOLVED: Sargeant/Cusato

That Council:

1. Receive and note the Road Safety Report 2012-2013 for the Port Macquarie-Hastings LGA.
2. Continue to fund its 50% share of the Roads & Maritime Services Road Safety Program, conducting an annual review in consultation with Roads & Maritime Services.
3. That future reports, subject to being readily available, include commentary on trends and relevant comparisons with other LGAs. Such analysis to include graphs.

CARRIED: 9/0

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

AGAINST: Nil

12.09 PARKING FOR RECREATIONAL VEHICLES

RESOLVED: Griffiths/Turner

1. That Council complete investigations into the provision of suitable short term on-street parking locations for RV vehicles in Port Macquarie, Camden Haven and Wauchope in conjunction with current adopted Parking Strategy commitments for 2013/14 in relation to parking usage and time limits.
2. That the broader issue of facilities and access for RVs be given consideration in the development of the destination management plan.

CARRIED: 9/0

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

AGAINST: Nil

12.10 DRAFT SECTION 94 LOCAL ROADS CONTRIBUTIONS PLAN - AREAS 13, 14 AND 15

RESOLVED: Levido/Roberts

That:

1. The draft Section 94 Local Roads Contribution Plan for Areas 13, 14 and 15 be publicly exhibited for 4 weeks.
2. The exhibition of the draft plan shall be accompanied, from its commencement, by:
 - a) detail outlining the cost calculations for the proposed works
 - b) details depicting the actual works indicating (where applicable) what is being apportioned to local road contributions and what is being

apportioned to regional road contributions.

CARRIED: 9/0

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

AGAINST: Nil

12.11 LEP 2011 - REFINEMENTS (PP2013-8.1)

RESOLVED: Cusato/Griffiths

That this item be deferred to a future meeting of Council until further information briefings are provided to Councillors on details included in this report.

CARRIED: 9/0

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

AGAINST: Nil

13 QUESTIONS FOR NEXT MEETING

13.01 Local Government Area Traffic Study

Question from Councillor Roberts:

Can the General Manager please provide information as to when the last Local Government Area Traffic Study was completed and by whom and a summary of where specifically the identified critical areas for consideration are in regards to infrastructure works requiring immediate consideration and also works required to be considered now to accommodate for future growth in traffic movements in the Local Government Area?

Comments by Councillor (if provided):

Nil.

13.02 Options for Council Owned Land in William Street, Port Macquarie known as “The Hole in the Ground”

Question from Councillor Roberts:

Can the General Manager provide the history of and the potential future options for the William St Port Macquarie, 'hole in the ground', land holding including how and when Council will present this asset for any future Expression of Interest noting that current development restrictions on the site have made it an unviable proposition for potential buyers or joint ventures. What are, and how will the current restrictions on the site be relieved to present an attractive opportunity for development?

Comments by Councillor (if provided):

Nil.

13.03 Safety of the bend east of the intersection of Redbank Road and Stoney Creek Road

Question from Councillor Griffiths:

That Council investigate the safety of the bend east of the intersection of Redbank Road and Stoney Creek Road and that a report be provided to the December 2013 Council Meeting.

Comments by Councillor (if provided):

Traffic is expected to increase due to growth west of Wauchope. The Roads & Maritime Services have identified this road in the road network report with increased usage in the future.

The meeting closed at 8.25pm.

.....
Peter Besseling
Mayor

PRESENT**Members:**

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

Other Attendees:

General Manager (Tony Hayward)
Director of Infrastructure & Asset Management (Jeffery Sharp)
Director of Commercial Services & Industry Engagement (Craig Swift-McNair)
Director of Community & Organisational Development (Lesley Atkinson)
Group Manager Governance & Executive Services (Stewart Todd)
Communications Co-ordinator (Lyndal Harper)
Governance Support Officer (Bronwyn Lyon)

The meeting opened at 4.00pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 APOLOGIES

There were no apologies and the Mayor noted the approved leave of absence for Councillor Intemann.

03 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

REQUEST TO SPEAK ON AN AGENDA ITEM

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

Item 06.01 - Mr Tony Thorne in support of the recommendation.

MOVED: Cusato/Griffiths

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

CARRIED: 8/0

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

AGAINST: Nil

06.01 ECONOMIC DEVELOPMENT STRATEGY

Mr Tony Thorne, representing the Hastings Construction Industry Association, addressed Council in support of the recommendation.

RESOLVED: Turner/Cusato

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.

CARRIED: 8/0

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

AGAINST: Nil

The meeting closed at 4.12pm.

.....
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 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

By <i>[insert full name of councillor]</i>	
In the matter of <i>[insert name of environmental planning instrument]</i>	
Which is to be considered at a meeting of the <i>[insert name of meeting]</i>	
Held on <i>[insert date of meeting]</i>	
PECUNIARY INTEREST	
Address of land in which councillor or an associated person, company or body has a proprietary interest (<i>the identified land</i>) ⁱ	
Relationship of identified land to councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
MATTER GIVING RISE TO PECUNIARY INTEREST	
Nature of land that is subject to a change in zone/planning control by proposed LEP (<i>the subject land</i>) ⁱⁱⁱ [Tick or cross one box]	<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 [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Tick or cross one box]	<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.

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

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

iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section **443** (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—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: 06.01**Subject: MAYORAL MINUTE - MAYORAL DISCRETIONARY FUND
ALLOCATIONS****Mayor, Peter Besseling**

RECOMMENDATION

That the Mayoral Discretionary Fund allocations for the period 6 September to 4 October 2013 be noted.

Discussion**Mayoral Discretionary Fund Allocations**

The total commitment from the Mayoral Discretionary Fund from 6 September to 4 October 2013 was \$1,651.82.

This included the following:

Westpac Rescue Helicopter Service - Sponsorship of Golf Team	\$300.00
Lily Bones - Contribution to Cancer Fundraising Activity	\$100.00
Centenarian Flowers - Alice Fountain	\$18.18
Hope Shop - Glasshouse Voucher Donation to Fundraiser	\$100.00
Centenarian Flowers - Daisy Wilson	\$13.64
Camden Haven Neighbourhood Centre - Donation	\$700.00
Governor's Retirement Resort - Glasshouse Voucher Donation to Prostate Cancer Fundraiser	\$120.00
FAWNA - Donation	\$200.00
Friends of Mental Health - Glasshouse Voucher Donation to Fundraiser	\$100.00

TOTAL	<u>\$1,651.82</u>
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Attachments

Nil

Item: 07**Subject: PUBLIC FORUM**

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

A maximum of eight speakers can address any one Council Meeting Public Forum and each speaker will be given a maximum of five minutes to address Council.

Council may wish to ask questions following an address, but a speaker cannot ask questions of Council.

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

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

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

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

RECOMMENDATION

That Council determine that the attachments to Item numbers 09.03 and 12.08 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.

Item No.: 09.03
Subject: Tender T-13-27 Provision of Group Training Services
Attachment Description: T-13-27 Evaluation & Pricing Analysis
Confidential Reason: 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))

Item No.: 12.08
Subject: Tender T-13-26 Port Macquarie Airport - New Car Park for rental Cars and Staff Vehicles
Attachment Description: Tender T-13-26 Tender Evaluation & Pricing Analysis
Confidential Reason: 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))

Attachments

Nil

Ensuring Good Governance

Item: 08.02

Subject: STATUS OF OUTSTANDING REPORTS TO COUNCIL - OCTOBER 2013

Presented by: General Manager, Anthony Hayward

Alignment with Delivery Program

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

RECOMMENDATION

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

Discussion

Report	Status	Reporting Officer	Current Anticipated Date for Report
Report on Cllr Roberts' attendance at the "In the Room" Conference 15 & 16 August 2013. (Item 08.03 - ORD 17/07/13)	Reported to this meeting	GM	Oct 2013
Supplementary Report - 2012-2013 Operational Plan (Item 08.15 - ORD 21/08/13)	Reported to this meeting	DCOD	Oct 2013
Options to reinstate the use of McInherney Park Beach (Item 12.01 - ORD 21/08/13)	Reported to this meeting	DIAM	Oct 2013
Glasshouse Quarterly Financial Report	Reported to this meeting	DCSIE	Oct 2013
QON - Local Government Area Traffic Study (Item 13.01 - ORD 18/09/13)	Reported to this meeting	DIAM	Oct 2013
Report on Cllr Intemann's attendance at the 2013 AAPA International Flexible Pavements Conference 22 & 23 September 2013. (Item 08.04 - ORD 21/08/13)		GM	Nov 2013
North Shelly Beach Pedestrian Access (Item 12.01 - ORD 17/07/13)		DIAM	Nov 2013
Draft Economic Development Strategy - Submissions Received (Item 06.01 - Ex-ORD 25/09/13)		DCSIE	Nov 2013

Ensuring Good Governance

QON - Options for Council Owned Land in William Street, Port Macquarie known as "The Hole in the Ground" (Item 13.02 - ORD 18/09/13)		DCSIE	Nov 2013
Procurement Strategy - Organisational Support (Item 08.10 - ORD 18/09/13)		DCSIE	Dec 2013
QON - Safety of the bend east of the intersection of Redbank Road and Stoney Creek Road (Item 13.03 - ORD 18/09/13)		DIAM	Dec 2013
Glasshouse Quarterly Financial Report		DCSIE	Feb 2014
Pacific Highway Destination and Tourism Signage - LEP Options		DDE	March 2014
Impact of Road Openings and Closures on Private Property (Item 12.03 - ORD 18/09/13)		DIAM	March 2014
Glasshouse Quarterly Financial Report		DCSIE	April 2014
Tender for the Management & Operation of Council Owned Swimming Pools (Item 12.03 - ORD 19/06/13)		DIAM	April 2014
Glasshouse Quarterly Financial Report		DCSIE	July 2014
MIDROC Strategic Plan 2013-2017 Outcomes (Item 08.03 - ORD 21/08/13)	Annually	GM	July 2014
Benefits and future options for engagement of community volunteers (Item 10.02 - ORD 21/08/13)	Report after three months of operation of volunteer arrangement	DIAM	TBA

Attachments

Nil

Ensuring Good Governance

Item: 08.03

Subject: DISCLOSURES REGISTER - ANNUAL RETURNS 2012/2013

Presented by: General Manager, Anthony Hayward

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. **Note the information in the Disclosure Register for 2012/2013.**
2. **Determine that the following positions become Designated Persons pursuant to the provisions of section 441 of the Local Government Act 1993:**
 - a) **Group Manager Water and Sewer**
 - b) **Group Manager Infrastructure Delivery**
 - c) **Group Manager Transport and Stormwater Network**
 - d) **Group Manager Asset Services**
 - e) **Water and Sewer Planning Manager**

Executive Summary

The Disclosure of Interest Returns for the period ended 30 June 2013 have been received from Designated Persons.

The *Local Government Act 1993* requires the General Manager to keep a register of the returns and table the returns to the first Council meeting after 30 September each year.

The Disclosure Register is public register and can be accessed by members of the public, by appointment.

A review of Designated Persons has been undertaken and identified five (5) positions to be designated pursuant to section 441 of the Local Government Act.

Discussion

Section 449 of the Local Government Act, requires Councillors and Designated Persons to submit a disclosure return on an annual basis and lodge it with the General Manager by 30 September each year.

Ensuring Good Governance

Section 450A(1) requires the General Manager to keep a Register of the Returns and section 450A(2) requires the General Manager to table the Returns at the first Council meeting held after 30 September each year.

A review of Designated Persons has been completed and all disclosure returns for the period 1 July 2012 to 30 June 2013 have been lodged and will be tabled when this report is dealt with by Council.

The disclosure returns will be held in the Disclosure Register in the Governance and Executive Services Section of Council and, as required by Section 6 of the *Government Information (Public Access) Act 2009*, are available for public inspection, by appointment.

New Positions

As new positions are established or positions responsibilities change, it is necessary to review the list of Council positions which should become Designated Persons.

The following positions should be added to the existing list of Designated Persons:

- Group Manager Water and Sewer.
- Group Manager Infrastructure Delivery.
- Group Manager Transport and Stormwater Network.
- Group Manager Asset Services.
- Water and Sewer Planning Manager.

Options

Nil. It is a requirement under the Local Government Act that the disclosure returns be presented to Council.

Community Engagement & Internal Consultation

Internal Consultation

- Councillors.
- Designated Persons.

Planning & Policy Implications

Nil.

Financial & Economic Implications

Nil.

Attachments

Nil

Ensuring Good Governance

Item: 08.04

Subject: REPORT ON ATTENDANCE AT THE 'IN THE ROOM' CONFERENCE

Presented by: General Manager, Anthony Hayward

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the conference report provided by Councillor Roberts on his attendance at the 'In the Room' Conference 2013.

Executive Summary

The 'In the Room' Conference was held in Sydney, from 15 to 16 August 2013. The Conference was specifically dealing with Leadership, Innovation and Risk Management as major discussion points with multiple speakers covering these topics either exclusively or all three elements combined within their presentations.

Keynote speaker and former New York Mayor Rudi Giuliani started the conference with an hour long discussion on leadership and shared his insights into what he believes are the six key attributes of a leader.

Discussion

The 'In the Room' Conference was held in Sydney, from 15 to 16 August 2013.

At the Ordinary Meeting of Council held 17 July 2013, Council resolved that Councillor Roberts attend the 'In the Room' Conference as a Council delegate.

The In the Room Conference 2013 was specifically dealing with Leadership, Innovation and Risk Management as major discussion points with multiple speakers covering these topics either exclusively or all three elements combined within their presentations.

The 'In the Room' Conference 2013 program can be accessed via the 'In the Room' website at: <http://www.intheroom.com.au/program/>

A list of conference presenters can also be accessed via the 'In the Room' website at: <http://www.intheroom.com.au/>

Councillor Roberts Report on the 'In the Room' Conference

Ensuring Good Governance

Keynote speaker and former New York Mayor Rudi Giuliani started the conference with an hour long discussion on leadership and shared his insights into what he believes are the six key attributes of a leader. The six attributes he shared in summary are:

- Vision/Goals
- Optimist/Problem Solver
- Courage
- Relentless Preparation
- Teamwork
- Love of People

Rudi provided practical examples of how he and his team halved the crime rate in New York City within a decade and also how he utilised his attributes as a leader to coordinate the first response to the 9/11 terrorist attacks on the World Trade Center's in lower Manhattan.

Rudi backed up on the second morning of the conference and participated in a Q&A session with the conference audience, taking multiple questions from the floor on the topic of leadership with Rudi reinforcing points made from the previous morning's session. My notes on key points relevant to Councillors and/or leaders are:

A leader has a vision, sets clearly defined goals for others to work towards, focuses on the bigger picture, brings people along on the journey 'in step', is prepared to take risks in order to achieve goals, motivates others to achieve and is in constant communication with all around them.

A great leader is a very good problem solver, an optimist, has courage (not lacking fear but advancing through it), relentlessly prepares for scenarios and loves people and being around people.

Rudi spoke about a leader needing to have a great team around them to ensure the vision and goals were achieved. He spoke about rewarding those that served well and quickly discarding those who were opposed to achieving the goals set. Rudi spoke about having his best people in the key and critical positions and personally found people with skills that he as an individual lacked and brought them into his team to learn off them until he was proficient in that skill.

Other key discussion points were around the need to measure performance, regularly. Rudi spoke about meeting with his New York City Police Commissioner on a weekly basis to review the crime statistics. When crime went up in a particular area of the city, he allocated more resources until the problems declined – he continued to allocate resources to the critical areas as required to ensure his goal of reducing crime across the city was achieved.

Rudi also spoke about a leader needing to 'be there when things are going wrong', instead of distancing themselves from a difficult time or situation, they're there in the thick of it problem solving, rolling up their sleeves and supporting the team, staff or community.

I had the privilege of asking Rudi a question in the Q&A session. The question was as follows:

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Question:

Following on from the discussion we have just had on leadership qualities, what qualities or skills were evident in 'exceptional leaders' In the context of an elected representative (councillor) trying to affect lasting cultural change in a bureaucracy, who are generally risk averse?

Answer:

Rudi suggested, first, you had to have all of the afore mentioned qualities of a leader. Then, your ideas/vision/goals needed to be powerful and positive and that you had to go out after what you wanted to achieve with vigour. You must show enthusiasm, desire and stand up for what you believe in. Ultimately, and when you achieve results, others will gravitate to you and look to you to lead them.

Rudi Giuliani left the attendees with a point to remember: *Never fear failure, failure, it's how you eventually succeed.*

Other stand-out sessions of the conference included topics relevant to myself as a Councillor, to Council or the Community and they were:

- The end of economic growth and its consequences.
- The democratisation of innovation in an era of accelerating technologies.
- Where we are headed in this Asian Century.
- Resilient leadership in challenging times.
- The agile leader in an evolving world.
- Innovation driven sustainability.
- The art of leadership and the business of social change.
- The importance of vision.

There were many more detailed key topics of discussion throughout the conference and of special mention are the following summaries, in no particular order.

- Always re-examine what you think you know.
- Celebrate life, people with passion become addicted to life.
- Turn liabilities into assets.
- If you want youth to be part of the community, make the community accessible to them.
- Welfare is a state of mind.
- Make the impossible possible.
- Terrorism has a foothold when there is no hope.
- Do not rely on current technology, advance with it, continuously improve your technology.
- Cultural due diligence.
- Own your own decisions, avoid consultancy 'drip feed'.
- Resilient leadership in challenging times.
- Leadership – it's not all about you.

Of the above list of topics covered, several key points of discussion stood out for special note and further consideration.

Ensuring Good Governance

- We must have a positive, clearly defined, measurable vision in order to effect positive change.
- Identify what skills we have and identify our skills gap. Then surround ourselves with good people who can bring those missing skills to the table to complete the suite.
- Avoid the consultancy drip feed through identifying what you can do yourself, outsource the critical expert advice but own the final decision.
- If you're not making mistakes, you're not trying hard enough to succeed.

Final word on Leadership: *Managers do things right, leaders do the right things.*

Options

Nil.

Community Engagement & Internal Consultation

Community Engagement

Nil.

Internal Consultation

- Group Manager Governance and Executive Services.

Planning & Policy Implications

Reporting Requirements for Conferences

As per the Payment of Expenses & Provision of Facilities to Councillors 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.*

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- *Recommendations for further areas of action or investigation (if applicable).*

Financial & Economic Implications

Nil.

Attachments

Nil

Ensuring Good Governance

Item: 08.05

Subject: QUARTERLY BUDGET REVIEW STATEMENT AND MONTHLY BUDGET REVIEW - SEPTEMBER 2013

Presented by: Commercial Services & Industry Engagement, 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 September Quarter.**
 - **2. Adopt the adjustments in the "Financial Implications" section of the report for September 2013.**

Executive Summary

This report details the monthly budget adjustments for September, plus presents the Quarterly Budget Review Statement (QBRs) for the end of the first quarter of the 2013-2014 financial year. 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 as per this report.

The September budget review forecasts a deficit for the 2013-2014 financial year of \$867,149. This is a deterioration of \$81,870 over the August result and a deterioration of \$61,006 over the original budget, which projected a deficit of \$806,143.

Commentary of Key Variance Items

1. Council has sold two properties. The first was an unused portion of road, therefore the proceeds are required to be allocated to road maintenance and are restricted for this purpose. The funds have therefore been transferred to the road renewal reserve. The second property was part of the Flynn's Beach

Ensuring Good Governance

Caravan Park and the proceeds have been transferred to the Property Development Reserve.

2. Council resolved at the 20 February 2013 meeting of Council to provide a grant to Rotary Lodge to assist with the expansion of the lodge and this has been included in the budget this month.
3. Council is expecting a saving in the workers compensation allocation in this financial year. The surplus funds have been transferred to employee training.
4. New grants and contributions have been received and the income and expenditure budget for these grants is included this month.
5. A budget to cover the expected Building Better Regional Cities rebates has been included.

-

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 September 2013 quarter for Council's information.

Options

The QBRS part of this report is for noting, however with regard to the monthly financial adjustments for September, Council may adopt the adjustments 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

Not Applicable

Financial & Economic Implications

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

Responsible Accounting Officer Statement

Ensuring Good Governance

The approved budget deficit currently stands at \$785,279. The adjustments included in this report will increase this deficit by \$81,870 to \$867,149. This is considered to be an un-satisfactory result for the year and as such budgets will continue to be monitored closely during the year so that any savings can be applied to this deficit.

Attachments

1. 2013 - 2014 September Quarterly Budget Review Statement
2. 2013 - 2014 September Review

Ensuring Good Governance

Item: 08.06

Subject: INVESTMENTS - SEPTEMBER 2013

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

Alignment with Delivery Program

1.4.2 Manage Council's financial assets, and provide accurate, timely and reliable financial information for management purposes and provide plain English community reporting.

RECOMMENDATION

That Council receive and note the Investment Report for the month of September 2013.

Executive Summary

Investment balances and performance for the month of September 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 30 September 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 30 September 2013 is as follows:

Ensuring Good Governance

Port Macquarie Hastings Council

Investment Summary - 30 September 2013

Inv Name	Type	Purchase Date	Maturity Date	Current Yield	Face Value	Valuation	\$ Value
Royal Bank of Scotland	FRN	10-Mar-11	10-Mar-14	4.5500%	\$2,000,000	100.468	\$2,009,360
Total FRN's					\$2,000,000		\$2,009,360

Inv Name	Type	Purchase Date	Maturity Date	Yield	Face Value		
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	29-May-13	25-Nov-13	4.3000%	\$4,000,000		
Bank of Queensland	TD	20-Jun-13	20-Jun-18	5.0000%	\$4,000,000		
Bank of Queensland	TD	6-Sep-13	6-Jun-14	3.9000%	\$4,000,000		
Bank of Queensland	TD	6-Sep-13	6-Sep-15	4.2000%	\$4,000,000		
Bank of Queensland	TD	13-Sep-13	13-Sep-16	4.5500%	\$3,000,000		
Bendigo Bank	TD	27-Mar-13	27-Nov-13	4.4500%	\$2,000,000		
Bendigo Bank	TD	6-Sep-13	6-Mar-15	4.0500%	\$4,000,000		
Commonwealth Bank	TD	20-Dec-11	18-Dec-14	5.7600%	\$2,000,000		
Commonwealth Bank	TD	10-May-13	9-May-16	4.5000%	\$1,000,000		
Commonwealth Bank	TD	13-May-13	13-May-16	4.5000%	\$1,000,000		
Commonwealth Bank	TD	27-May-13	27-May-16	4.5500%	\$1,000,000		
ING Bank (Australia) Limited	TD	20-Dec-11	20-Dec-16	6.1600%	\$3,000,000		
Investec Bank (Australia) Limited	TD	13-Sep-13	14-Sep-15	4.2900%	\$4,000,000		
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	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		
National Australia Bank	TD	29-Aug-13	29-Aug-14	3.9500%	\$6,000,000		
National Australia Bank	TD	6-Sep-13	6-Sep-14	3.9700%	\$4,000,000		
National Australia Bank	TD	6-Sep-13	6-Mar-15	4.0400%	\$4,000,000		
Rabobank	TD	11-Nov-11	11-Nov-16	6.3000%	\$2,000,000		
Rabobank	TD	9-Sep-13	9-Sep-14	3.9500%	\$2,000,000		
Rural Bank	TD	27-Jun-13	24-Mar-14	4.3200%	\$2,000,000		
St George Bank	TD	19-Sep-12	13-Mar-14	4.8800%	\$4,000,000		
St George Bank	TD	27-Aug-13	23-Feb-14	4.0000%	\$3,000,000		
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		
Westpac Term Deposit	TD	20-Jun-13	22-Jun-14	4.3000%	\$3,000,000		
Westpac Term Deposit	TD	20-Jun-13	20-Jun-16	4.5100%	\$3,000,000		
Westpac Term Deposit	TD	26-Jun-13	26-Dec-13	4.2900%	\$5,000,000		
Westpac Term Deposit	TD	26-Jun-13	26-Feb-14	4.3100%	\$4,000,000		
Total TD's					\$115,000,000		

Cash Fund

Westpac Business Cash Reserve

Account	CASH	3.20%	\$17,345,153
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Capital Protected Equity Linked Notes	Rating	Purchase Date	Maturity Date	Valuation	Face Value	\$ Value	Comment / Protection
Emu Note	A-	26-Oct-05	30-Oct-15	94.010	\$1,000,000	\$940,100	Commerzbank
L'reach S32 Partnership	A+	30-Nov-07	23-Nov-14	94.250	\$3,000,000	\$2,827,500	Delevered - UBS
Total Cap Protected Notes					\$4,000,000	\$3,767,600	
Portfolio					\$138,345,153	\$138,122,113	

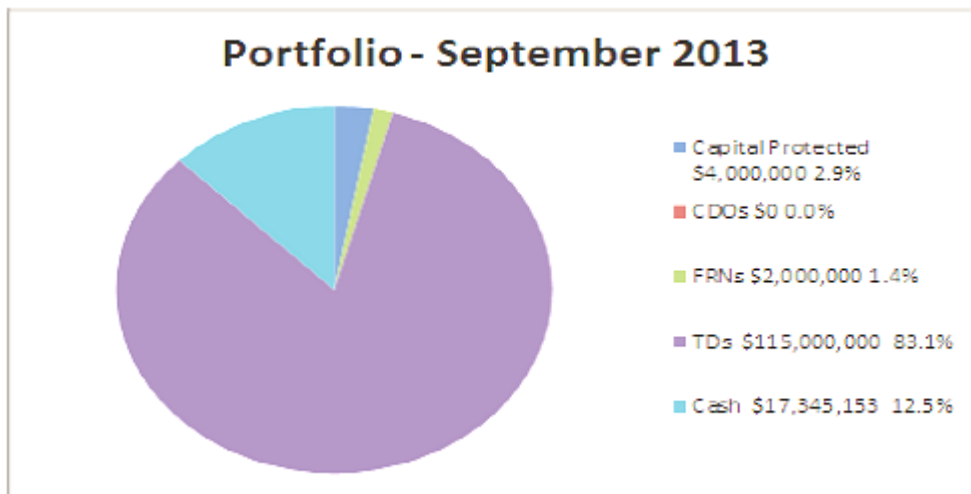
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Other Issues

“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 September month end. PMHC’s portfolio totals \$138.3mm (August \$140.2mm) and is represented in the graph below showing each component – note that these amounts use the face value amounts of each investment made.



At September month end the market valuation for the portfolio was \$138.1mm.

The pricing for Floating Rate Notes was relatively flat as they dropped marginally whilst the Capital Protected Notes were flat (note we had revised the estimate for Longreach Series 32 to 95.00c but came in at 94.25c). The portfolio continues to retain a very high level of overall liquidity. The cash component totals \$17.3mm (up from \$10.2mm 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.

Market News - Interest Rates

The RBA left the cash rate at 2.50% following on from Augusts’ quarter point decrease - early October has also seen the rate unchanged.

Bank bill yields were largely unchanged on a month-on-month basis with a 2 basis point rise to 2.60% - the selloff in rates early in the month was driven by apparent signs of improving growth momentum.

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On the inflation front there were no direct data releases however sustained high prices at the petrol pump which should see a higher reading for the September quarter release.

The average yield for the 12 bank bill futures contracts (a 3yr period) is currently at 3.13% a large rise from July's end of month level of 2.90% and is just below the level of last year at 3.16% and also the 4.44% back in 2011.

Forward expectations for short term rates in Australia were steady from the previous month with slightly lower expectations in years 2 and 3. The market view is that rates may drop slightly into the current year end and early 2014 but then rise less aggressively than previously thought.

The Australian Dollar

The Australian dollar was stronger both against the USD and on the trade weighted index basis reversing moves seen in previous months. The Australian dollar rose nearly 3% during September on a trade weighted basis.

The US currency was weaker on the non-taper status whilst the Aussie benefitted from improved investor sentiment and risk taking appetite.

Our currency hit a multi month high of USD95.29c mid-month but fell back slightly to settle in the low to mid 90c range.

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.

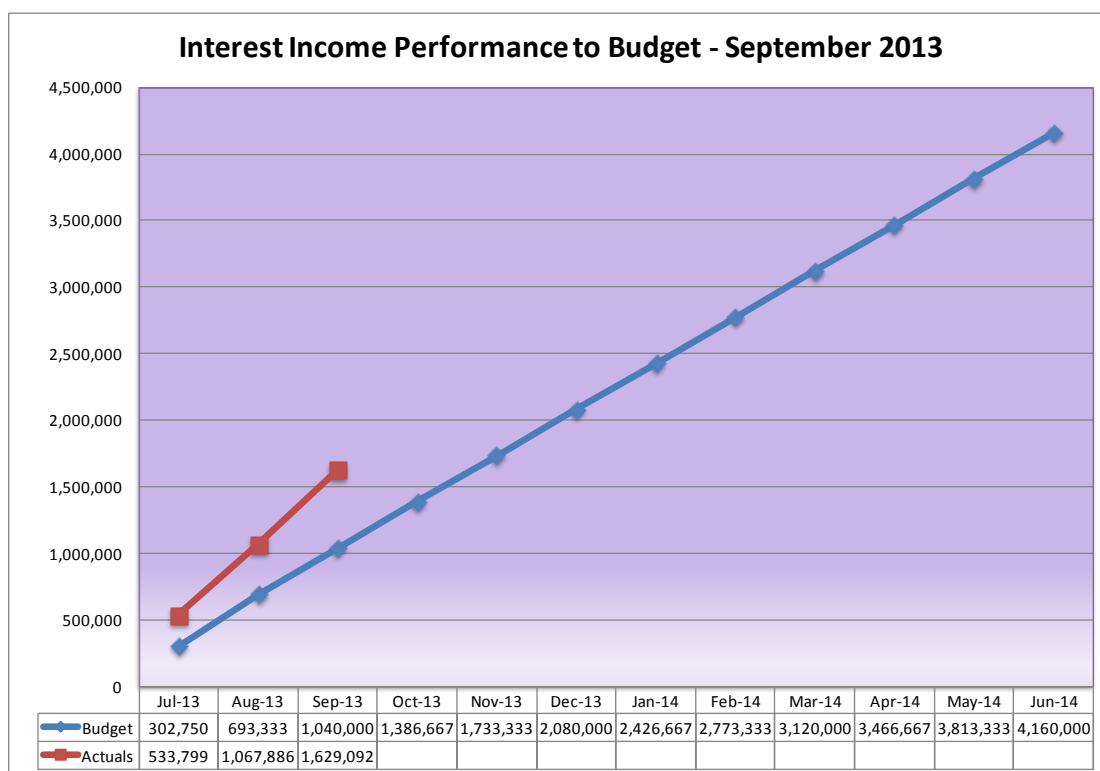
Planning & Policy Implications

Not applicable.

Financial & Economic Implications

Council's total investment portfolio performance for September 2013 was 2.19% above the benchmark (4.87 % against 2.68%) and year-to-date investment income has reached 39.16% of the total annual budget. Details of investment income performance (Year to Date):

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The graph shows YTD investment income has reached \$1,629,092 of the total budget of \$4,160,000 (39.16%)

Attachments

Nil

Ensuring Good Governance

Item: 08.07

Subject: GLASSHOUSE FINANCIAL QUARTERLY REPORTING

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

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the information provided in the report.

Executive Summary

At the February 2013 Ordinary Meeting of Council a report was provided on the status of Glasshouse finances. The following resolution, in part, was made:

That Council request a detailed quarterly Glasshouse financial report to be tabled at relevant Council meetings commencing from the fourth quarter reporting period of the 2012/2013 financial year i.e. the first quarterly report to be tabled in July 2013. The report should be sufficiently detailed to provide a break down across the key reporting categories for the Glasshouse i.e. Commercial, Community, Cultural, Front of House, Back of House and Glasshouse Management.

Additional Glasshouse financial information was also provided to Council in March 2013 (Glasshouse Debt Reduction Options) and in June 2013 (Future Strategic Direction of the Glasshouse).

The Glasshouse general ledger was restructured during the 2012/2013 financial year to ensure that a clear separation of key Glasshouse activities of Commercial, Cultural and Commercial could be achieved in the accounting framework. This required a change from accounting on an "integrated facility" basis to one where costs such as staff labour, building costs, marketing and internal services are allocated to the activity which incurs the cost. Given the change in accounting procedures, and the amendment to general ledger structure during the year, it was therefore considered that the first quarter of the 2013/2014 year, which is the first full financial year with the new ledger structure in place, was a more appropriate time to commence quarterly reporting. The first quarter of this financial year ends on 30 September 2013 and therefore a number of financial reports are provided for information.

Ongoing management is occurring to ensure that income opportunities are maximised, and expenditure is managed appropriately. Whilst management continue to review Glasshouse financial data on an ongoing basis, the aim is to reduce the

Ensuring Good Governance

impact of the Glasshouse on the community by performing within budget forecasts by 30 June 2013.

Ensuring Good Governance

Discussion

Background

As noted in the report to the February 2012 Ordinary Meeting of Council. It was noted that the general ledger had been rewritten to enable the Glasshouse financial to be represented by the key activities of Commercial, Cultural and Community.

It was further explained that Council Overhead charges, Glasshouse Management charges; and Glasshouse Front of House, Glasshouse Back of House and Glasshouse Marketing now allocate their costs back to Commercial, Cultural and Community. The Commercial function charges other Glasshouse activities (for example, the Gallery), a rental fee based on indicative market rent; and Performing Arts/Public Programs a venue hire fee as per the fees charged to external hirers. On a consolidated basis, these charges net to nil, however, provides an indication of the true cost of Cultural Programs.

Internal venue hire charges (given that the facility has not previously operated under this model) are estimated. These may need to be reviewed in the future, however will not affect the consolidated Glasshouse budget. The effect will only be between Cultural and Commercial activities within the Glasshouse.

The annual budget of the Glasshouse (excluding loans and transfers to reserves) is \$2,930,911. The result to 30 September 2013 is \$568,999. If the annual budget was to be applied evenly across four (4) quarterly reporting periods, this would represent a saving for the quarter of \$163,729.

However, it should be noted that not all income and expenditure line items track evenly across the financial year. January in particular is a very slow month in terms of both the Performing Arts Industry and Venue Hire. The line item "Show Income" appears to be low compared to annual budget currently, however ticket sales are expected to spike following the launch of the 2014 Season in early November 2013.

Some expenses are paid in advance (for example Artist Fees and Show Fees) and do not necessarily align with box office receipts. The electricity budget is likely to be exceeded due to increased electricity costs and consumption, however to offset this, the full Salary budget will not be required, predominantly due to the Venue Manager position being vacant for the entire quarter.

In December 2012, Council resolved to implement a tiered pricing structure to provide a 40% discount to eligible not for profit community based groups, following a period of public exhibition from 22nd October to 19th November 2012. Over the past 3 months, the Glasshouse has provided \$8,782 of support to eligible groups for a range of purposes including school and university functions and the provision of support for the Luminosity Youth Summit.

As part of ongoing management, the Glasshouse financial data will continue to be reviewed. It is anticipated that following the December quarter, budgets will be adjusted in line with end of June forecasts. As Glasshouse management continue to adopt a more commercial focus, budgets and forecasts will continue to be monitored and adjusted. As at 30 September 2013, and allowing for nuances in relation to timing of income and expenditure, the actual position in relation to budget is positive,

Ensuring Good Governance

noting that as stated earlier in this report, the annual budget of the Glasshouse (excluding loans and transfers to reserves) is \$2,930,911. The result to 30 September 2013 is \$568,999.

The following financial reports are attached for information:

Glasshouse 2013/2014 Annual Budget by Functional Area ;
Glasshouse 2013/2014 Actuals to End September by Functional Area;
Glasshouse Financial Report by Function - September Quarter 2013;
Glasshouse Consolidated Profit and Loss Report - 30 September 2013.

Options

This report is for information only.

Community Engagement & Internal Consultation

Not applicable.

Planning & Policy Implications

There are no direct planning and / or policy implications from this report.

Financial & Economic Implications

The adopted budget for the Glasshouse for 2013/2014 is \$5,748,059. This includes loan interest and principle repayments in addition to transfers to reserves. The original adopted budget for the Glasshouse for the 2012/2013 financial year was \$6,243,534. The current budget represents a reduction of \$495,475 over the 2012/2013 budget.

In line with the adopted strategic direction of the Glasshouse, management are attempting to reduce the costs of the Glasshouse further over time. The budget for 2013/2014 excluding loans and transfers to reserves is \$2,930,911. As at 30 September 2013, net actual revenue and expenditure are tracking well within budget. If require, any budget adjustments will be made following the December quarter review.

Attachments

1. Glasshouse 2013/2014 Annual Budget by Functional Area
2. Glasshouse 2013/2014 Actuals to End September by Functional Area
3. Glasshouse Financial Report by Function - September Quarter 2013
4. Glasshouse Consolidated Profit and Loss Report - 30 September 2013

Ensuring Good Governance

Item: 08.08

Subject: A PROPOSAL TO ALTER THE BOUNDARIES OF THE LOCALITIES OF LAKE CATHIE AND BONNY HILLS

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

Alignment with Delivery Program

1.3.1 Participate in active alliances with other agencies to make effective decisions that address the needs of our community.

RECOMMENDATION

That Council make application to the Geographical Names Board to alter the boundaries of Lake Cathie and Bonny Hills as depicted by the red and white dashed line in the plan "Proposed Boundary - Lake Cathie and Bonny Hills" attached to this report.

Executive Summary

A further report to consider the alteration of the geographic locality boundaries of Lake Cathie and Bonny Hills.

Discussion

Council at its meeting of 20 February 2013 considered a report (Ensuring Good Governance 08.20) concerning the alteration of the locality boundaries of Lake Innes, Lake Cathie and Bonny Hills. Council resolved to:

- 1. Make application to the Geographical Names Board to alter the boundaries of Lake Innes and Lake Cathie as depicted by the red line in the attachment titled "Lake Innes / Lake Cathie Boundary Proposal."*
- 2. Defer any decision on altering the boundary of Lake Cathie and Bonny Hills as depicted by the red and white dashed line in the attachment titled "Rainbow Beach Development" pending further consultation with the community."*

With regard to Resolution 1, Council is advised that the alteration of the boundaries between Lake Innes and Lake Cathie has been completed.

With regard to Resolution 2, Council is advised that consultation has occurred with the Lake Cathie Progress Association and the Bonny Hills Progress Association. Both Associations have confirmed their support for the boundary as originally proposed and as depicted by the red and white dashed line in the plan "Proposed

Ensuring Good Governance

Boundary - Lake Cathie and Bonny Hills” attached to this report. The responses from both Associations are provided as attachments to this report.

The matter is now reported to Council for further consideration.

Options

There is the option to:

1. Proceed with the boundary alterations as depicted in the plan attached to this report.
2. Proceed with the boundary alterations on an alignment different to that depicted in the plan attached to this report.
3. Remain with the status quo.

Community Engagement & Internal Consultation

There has been consultation with the Lake Cathie Progress Association and the Bonny Hills Progress Association. In late March and in early April, correspondence was sent to the Bonny Hills Progress Association and Lake Cathie Progress Association providing an overview of the need to alter the boundaries, providing some boundary options including the one recommended to the February 2013 Council meeting and inviting comments on the options. Written responses were received from the Lake Cathie Progress Association in April 2013, and Bonny Hills Progress Association in September 2013. Both Associations supported the boundary as recommended to Council at the February 2013 meeting.

Planning & Policy Implications

Not applicable.

Financial & Economic Implications

Not applicable.

Attachments

1. Proposed Boundary - Lake Cathie and Bonny Hills
2. Response from Bonny Hills Progress Association
3. Response from Lake Cathie Progress Association

Ensuring Good Governance

Item: 08.09

Subject: SUPPLEMENTARY REPORT ON THE 2012-2013 OPERATIONAL PLAN

Presented by: Community & Organisational Development, Lesley Atkinson

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 note the supplementary report on the delivery of the 2012-2013 Operational Plan.

Executive Summary

Council, at its Ordinary Council Meeting of 21 August 2013, requested that a supplementary report be tabled at the October Ordinary Council meeting detailing why certain activities in the 2012-2013 Operational Plan had not been achieved. It also resolved that an outline is to be provided on how Council will ensure there will be a significant reduction in the number of activities not achieved or not commenced in the 2013-2014 Operational Plan.

An exception report of the 2012-2013 Operational Plan has been developed which provides commentary on the individual action, unit of measure, the performance target for the year as well as the actual result. These are grouped under the four focus areas and the guiding principle of the Towards 2030 Community Strategic Plan.

In relation to future reporting against the 2013-2014 Operational Plan, a report will continue to be provided to Council on a quarterly basis on progress in achieving activities. Further details will be provided on an exception basis on specific activities that are not meeting expected targets, this will include appropriate commentary.

Discussion

A six month progress report on the 2011-2015 Delivery Program was provided to the August 2013 Ordinary Council meeting. An attachment to that report outlined the individual action items achievements against the 2012-2013 Operational Plan. This indicated that approximately 83% of Operational Plan activities had been achieved or were within 10% of their target. There were 17% that have not been commenced or not been achieved. Council requested additional information be provided on the action items that had not been achieved and also those that were within 10% of target.

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This report provides information on those activities that were not achieved or were within 10% of target in the 2012-2013 Operational Plan. Specific information on the relevant success measure, its target and comments on its status for each activity by focus area is included. A snapshot summary of the reasons why the activities were not achieved has been provided at the beginning of each focus area.

This process of reviewing these activities has enabled Council staff to re-validate the information and where appropriate make corrections, as well as given the opportunity to more carefully consider the commentary associated with the performance measures and targets. This evaluation process will enable more careful development of performance measures and reporting arrangements in the future.

In general, there is an assumption that the non-achievement of a particular target suggests a poor performance result or at the very least an assessment of what went wrong. In undertaking this process, while there are examples of activities where performance was not what it should have been, the majority of cases reveal other contributing factors that require further analysis as to why particular targets were not achieved. This has been a valuable learning process.

Summarised below are some of the issues that became apparent upon review:

- Forecasting, in some cases up to 18 months in advance, as to what the level of demand will be from the community has been challenging. An example relates to the over-estimation of the level of school education programs required in a year;
- Estimations of actual business and/or community requirements require further finetuning in some cases
- Council relied on receiving information or input for many of its activities from the State Government and/or the community and/or businesses and this was either not forthcoming or delayed - this caused targets to not be achieved in a number of cases. For example, a grant program for international women's day was withdrawn, reviews of development control plans required community input which at times took longer than anticipated;
- Some performance targets were outside the control of Council and therefore difficult to undertake interventions that would impact on the delivery of the activity when it was not meeting the target. For example, reduction in road accidents and increase in overnight stays; and
- In some cases, the performance targets were incorrectly set, given the resourcing available for that activity;
1.
- There were cases of activities not being met due to planning or resourcing issues which require further consideration.

What is clear is that performance measurement and reporting will require further development and work across the entire organisation in order to be clear about

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performance expectations, monitoring and evaluation of service delivery against the Operational Plan and Delivery Program.

An extract of the updated 2012-2013 Operational Plan performance report is included in this report. This provides a snapshot of the data as well as the reference number to review additional details. Also attached to this report is detail of the information originally provided to the August 2013 meeting together with the updated information and the end of year report for the 2012-2013 works program. This enables the tracking of changes that have now been made to the Operational Plan Report.

Guiding Principle - Ensuring good governance:

	Total Measures	Achieved	Within 10% of Target	Not Achieved
Report to August meeting	53	44	5	4
Corrected Figures	56	50	2	4

A review of the success measures targets and actual results has revealed that:

1a) two items had incorrect actual results (now corrected) - 1.4.1.07 and 1.4.5.1,

1b) one item had an incorrect target, 1.4.2.1, should have been 3 not 4 and the result was achieved,

1c) one item, 1.4.3.1, Council had determined to modify the activity to develop a procurement strategy rather than the procurement roadmap,

1d) one items, 1.5.3.1, had developed a “stretch” target of 14 days down from a previous standard of 21 days. The achievement of the actual result of 15 days delivered better service delivery than in previous years and the team will continue to aim for the 14 days in the future,

1e) two other items, 1.2.13 and 1.4.5.2 had made good progress towards the target, and

1f) the remaining items had resourcing issues.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
1.2.1.3 Conduct skills gap analysis to plan induction, training and ongoing support services for new Councillors	Governance & Executive Services	1. Annual Councillor training plan developed	1. 100%	1. 90%	Not achieved. The Councillor development plan is in draft.
1.4.1.04 Implement the 2012-2013 Internal Audit Plan.	Governance & Executive Services	1. Implement the Internal Audit Plan	1. 100%	1. 66%	Not achieved. Four (4) out of six (6) audit projects have been completed. The Asset Management Audit has been carried over to 2013 - 2014. Outstanding audits have been delayed due to external resourcing complications.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
1.4.1.07 Ensure the Workplace Health and Safety policy. Practices and systems are current and in line with the 2012 WHS revised legislation	Employee Engagement	1. WHS policy and systems updated	1. 100%	1. 100%	Achieved. All policies being updated with review plan based on urgency of change required by new WH&S legislation. PMHC compliant with new legislation and work continues to be updated as new codes of practices are released. This means that work is ongoing as new releases occur and will continue to be rolled out.
1.4.2.1 Monitor and report on Council's financial position	Financial Services	2. Quarterly Budget Review Statement (QBRs) to Council	2. 4# s/b 3	1.3#	Achieved. Quarterly Budget Review Statements (QBRs) covering the September 2012, December 2012 and March 2013 quarters submitted to Council in October 2012, February 2013 and April 2013 respectively. There is no requirement to complete a QBRs for the June quarter as a Annual Report is delivered and accordingly the target should have been be three (3).
1.4.3.1 Review current procurement processes to achieve cost savings across the organisation	Financial Services	2. Implement the actions as listed in the procurement roadmap	2. 100%	1. 75%	Not achieved. Several actions in the roadmap have been deferred to 2013 - 2014. In place of the procurement roadmap is the newly developed Procurement Strategy, to be tabled in 2013 - 2014. The actions as listed in the procurement roadmap will be incorporated into the procurement strategy.
1.4.5.1 Update the Human Resources System (HRS) to allow recording and reporting of Equal Employment Opportunities (EEO)	Employee Engagement	1. Update the Human Resources System	1. 100%	1. 100%	Achieved. An EEO statistics report is able to be prepared.
1.4.5.2 Conduct training to ensure staff awareness of EEO and Anti Discrimination policies	Employee Engagement	1. All employees to attend Equal Employment Opportunity & Anti-Discrimination training	1. 100%	1. 90%	Not achieved. EEO training delivered to 90% of current staff with follow up for all new starters at induction. Target of 100% is difficult to achieve given staff absences and lag times between training delivery mechanisms and onboarding of new staff.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
1.5.1.5 Undertake a review of the Complaints Management policy and procedure.	Community Development	1. Review completed and changes tabled at a meeting of Council for consideration	1. 100%	1. 50%	Not achieved. The Complaints Management Policy and Procedure will be reviewed once the Customer Service Policy and Customer Experience Charter have been approved at the July 2013 Council meeting.
1.5.3.1 Ensure efficient processing of development applications, construction certificates and complying development certificates.	Development Assessment	2. Average Construction Certificates processed within 14 days	2. 14d	1. 15d	Not achieved. 104 Building Construction Certificates determined for the period, with an average net processing time of 15 days. Previously the target was 21 days and 14 days was set as an aspiration for the future. 15 days has been a major improvement in service delivery to industry and 14 days will remain as the target.

Focus Area - Looking after our people:

	Total Measures	Achieved	Within 10% of Target	Not Achieved
Report to August meeting	141	110	16	15
Corrected Figures	126	97	12	17

A review of the success measures targets and actual results has revealed that:

2a) two items had incorrect actual results (now corrected), 2.1.1.3 and 2.3.1.2.

2b) four items had been incorrectly recorded as being not achieved in the original report when they had been achieved, 2.4.1.5, 2.8.1.09 and 2.9.2.1 (2 targets),

2c) one item was recorded as not achieved as it had not been completed by the required timeframe but was actually delivered during the Operational Plan cycle - 2.4.1.5 - it is still shown as not achieved given it was not to the required timeframe,

2d) one item was unable to be achieved due to a change in a NSW State Government funding program - 2.5.1.09,

2e) ten items, 2.8.1.01 (2 targets), 2.8.1.02, 2.8.1.08 (2 targets), 2.8.1.09 (2 targets) 2.8.1.11, 2.5.2.2 and 2.6.2.3 had a Council approved change of direction during the

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year which was not updated in the Operational Plan. This related to a number of Glasshouse related activities and the Environment and Creativity Centre,

2f) five items, 2.8.1.11 (2 targets), 2.6.2.5, 2.9.2.6 and 2.8.1.01 had made good progress and were close to achieving their target, and
2g) the remaining items had a range of reasons including resourcing limitations, the community modifying its requirements and a volunteer group not pursuing a particular action in the plan.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
2.1.1.3 Improve existing public spaces and ensure future public spaces are safe and accessible	Community Development	1. Number of interactions involving Recreation and Building & Community Development projects	1. 5#	1. 5#	Achieved. Planning meetings and support given to Recreation and Buildings to obtain funding for Smoke Free Zone signage for sporting fields and public buildings. Funding secured from Cancer Council. Signage installed on public buildings, bus shelters and Hay Street Forecourt. In addition, work was undertaken relating to the Port Macquarie Indoor Stadium and Westport Park Playground.
2.1.2.3 Coordinate the emergency disaster plan (DISPLAN)	Infrastructure & Asset Management	1. Complete a review of the DISPLAN	1. 100%	1. 90%	Ongoing. DISPLAN review being completed by Local Emergency Management Committee.
2.1.3.1 Monitor and report on compliance with building standards, including fire safety requirements	Compliance	2. Percentage of Building related complaints responded to within set customer service standards.	2. 80%	2. 59%	Not achieved. Due to the very large number of building complaints received in this reporting period and an increase in swimming pool certification necessitated by change in legislation, the optimum service standard has been difficult to achieve. A review of customer request service standards for compliance requests and existing resourcing level is being undertaken in response to this performance outcome. It is also proposed to monitor the impact of the new Swimming Pools legislation on compliance activity service levels to determine long term impact and any need for intervention.
2.1.3.4 Provide for the effective, responsible care and management of companion animals	Compliance	1. Companion Animal education programs conducted for schools and the public	1. 20#	1. 17#	Not achieved. Slightly lower number of events held as a result of lower than expected school participation. Programs included School education visits, Microchipping/education days, Library visits, Local Government week and Seniors Week programs. This is not considered a significant under achievement. No specific action proposed.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
2.1.3.6 Deliver water and sewer services to ensure public health and safety	Water & Sewer	1. Number of environmental issues relating to the operation of the sewer network	1. 0#	1. 4#	Not achieved. Four major recorded surcharges from sewer system reported to environmental hotline during 2012 - 2013 as a result of significant wet weather events. A number of minor incidents also reported for precautionary purposes.
2.3.1.2 Advocate for increased social & health services i.e. housing, education, integrated transport, employment, medical and participate in the medical health network	Community Development	1. Social and/or health advocacy activities undertaken	1. 2#	1. 2#	Achieved. Advocacy occurred on affordable housing and on the Social Strategy, Social Impact Assessments advice/evaluation for two developments projects have been undertaken during the 2012 - 2013 period.
2.4.1.5 Work with the Bearlay Interagency to identify and prioritise strategies in the Aboriginal Reconciliation Action Plan 2008-2012	Community Development	1. By the 31st August 2012, identify the Reconciliation action Plan strategies to be implemented in 2012-2013	1. 100%	1. 50%	Ongoing. A report of achievements against the PMHC Aboriginal Reconciliation Action Plan 2008 - 2012 was presented to the December Bearlay Interagency Meeting and to the December 2012 Council Meeting. This forms the basis for the discussion with the community on the development of the 2013 - 2017 Aboriginal Reconciliation Strategy.
2.5.1.09 Seek grant funding to undertake an intergenerational forum for Aboriginal women for International Women's Day if grant funding achieved	Community Development	1. Grant funding application submitted	1. 100%	1. 0%	Not achieved. No funding grant opportunities available in 2012 - 2013 year. Target not able to be achieved due to change of NSW Government policy on provision of funding for International Women's Day activities.
2.5.1.11 Coordinate the development of the Heritage Festival program and promotion of the festival	Community and Organisational Development	1. Evaluation of Heritage Festival Program undertaken	1. 100%	1. 0%	Not achieved. To be progressed by the Museums Heritage Group. They are a volunteer group and will determine what actions are to be undertaken.
2.5.2.2 Implement school education programs for performing and visual artists engagements		2. Number of School Education Programs delivered	2. 123#	2. 84#	Not achieved. However, whilst the actual number of programs delivered has decreased on previous year, programs delivered were larger in size, resulting in a 15% overall growth in participants. The draft Strategic Business Plan is under development.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
2.5.2.8 Seek external grant funding to assist in the maintenance of heritage sites	Community and Organisational Development	1. Minimum number of grant applications applied for	1. 4#	1. 2#	Not achieved. Two grant applications completed during 2012 - 2013 period.
2.6.2.3 Complete the Masterplan for the Environment and Creativity Centre (ECC)	Community Development	Environment and Creativity Centre Masterplan completed	1. 100%	1. 50%	Not achieved. Project delayed due to site constraints. DA being developed to place excess fill on the site to enable it to be incrementally site ready for future works as funding becomes available and post community engagement. ECC project report provided to November 2012 Council meeting outlining constraints on site and cost indications to Council. Second Report provided to Council in February 2013 noting the background and the constraints in detail and indicative costing. Master planning is being suspended.
2.6.2.5 Undertake Social Impact Assessments on relevant Development Applications	Community Development	Assessments analysed within 30 days of receipt	1. 100%	1. 95%	Not achieved. The majority of Social Impact Assessments were undertaken within the service target and there are no outstanding social impact assessments at end of year.
2.7.1.2 Offer NSW Sport & Recreation capacity building programs	Recreation & Buildings	1. Training programs offered within the Local Government Area	1. 2#	1. 0#	Not achieved. There has been little demand from the sporting community for additional training requirements this year.
2.8.1.01 Develop and implement an artistic and cultural program which supports best arts practice in line with state and national arts industry bodies	Glasshouse	1. Number of participants	1. 125,000#	1. 93,196#	Not achieved. Reduction in Gallery visitation is partially due to some lengthy exhibition change-over's in the period. In the prior period, the Gallery also presented Art Express which was a high profile exhibition with high visitation and as content in exhibitions can vary significantly, visitation can vary from year to year. Target is being reviewed. The draft Strategic Business Plan is under development.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
		2. Number of programs delivered	2. 420#	2. 401#	Not achieved. A total of 401 programs including Performing Arts, Public Programs, Education and Gallery Exhibitions have been delivered during the 2012 - 2013 period at the Glasshouse. Target is also being reviewed. The draft Strategic Business Plan is under development.
2.8.1.02 Build and develop links with the local community, business networks, regional and national government bodies to deliver cultural program	Glasshouse	2. Number of community groups worked with and number of attendees	2. 55#	2. 32#	Not achieved. Council has resolved to implement a tiered pricing structure to enable a 40% discount to be applied to eligible community groups to encourage community use of the Glasshouse. Target is being reviewed. The draft Strategic Business Plan is under development.
2.8.1.08 Promote participation and engagement of arts and cultural activities through marketing strategy	Glasshouse	1. Attendance at events increased	1. 3%	1. 18%	Not achieved. Data is not currently available to measure this target. Target is being reviewed. Draft Strategic Business Plan is under development.
		2. Public relations value received	2. 3%	2. 0%	Not achieved. Data is not currently available to measure this target. Target is being reviewed. The draft Strategic Business Plan is under development.
2.8.1.09 Implement Glasshouse business plan focussing on catering, retail, visitor services, conferencing, visitations and increase revenue streams	Glasshouse	1. Increase retail and catering turnover	1. 3%	1. 0%	Not achieved. The Management Rights for Food & Beverage Services is now outsourced following a resolution of Council at the November Ordinary Council Meeting, which accepting the tender from Qsine Group Pty Ltd for the Management Rights for Food and Beverage Services at the Glasshouse. Qsine commenced operation at the Glasshouse in mid January 2013. Target is being reviewed. The draft Strategic Business Plan is under development.
		3. Number of visitations	3. 3%	3. 0%	Not achieved. Data is not currently available to measure this target (overall Glasshouse visitation). Target is being reviewed. The draft Strategic Business Plan is under development.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
2.8.1.11 Provide ticketing and box office services to the Glasshouse	Glasshouse	1. Increase revenue from ticket sales	1. \$118,150	1. \$117,822	Not achieved. Ticketing revenue for the period 1 July 2012 to 30 June 2013 was \$117,822 and is within targeted range. Noting the EOY result is short by \$328 which is minimal. Target is being reviewed. The draft Strategic Business Plan is under development.
		2. Number of external ticketed events	2. 7#	2. 6#	Not achieved. Six external separate events have engaged the Glasshouse for external ticketing services (noting that these events have multiple performances). Target is being reviewed. The draft Strategic Business Plan is under development.
		3. Number of tickets sold	3. 59,250#	3. 50,432#	Not achieved. However, ticket sales were consistent compared to the same period last year. Target is being reviewed. The draft Strategic Business Plan is under development.
2.9.2.6 Promote 2012 as the National Year of Reading including placement of books at the Glasshouse	Community Development	1. 2% increase in Library membership	1. 30,793#	1. 30,359#	Not achieved. However, figures are within 10% of target.

Focus Area - Helping our community prosper:

	Total Measures	Achieved	Within 10% of Target	Not Achieved
Report to August meeting	16	7	3	6
Corrected Figures	20	11	3	6

A review of the success measures targets and actual results has revealed that:

3a) one item - 3.3.2.1 was suspended while the Tourism and Economic Development Review was undertaken,

3b) two items, 3.3.3.1 and 3.3.3.2 while not achieved were not solely within the control of Council,

3c) one item, 3.4.1.1 had an incorrect actual result recorded (now corrected),

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3d) two items, 3.5.1.1 (2 targets) had made good progress towards achievement of the target, and

3e) the remaining items were largely delayed due to resource limitations.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
3.3.2.1 Draft a Tourism Development Plan 2012-2016 which will identify strategies to grow the tourism sector	Tourism & Events	1. Tourism Development Plan drafted and implemented	1. 100%	1. 25%	Not achieved. The Tourism Development Plan was 'on hold' until the Tourism and Economic Development review was completed and the outcomes of the review known. However, as a result of state funding requirements a Destination Management Plan is being developed. This document is a new state government requirement and a pre-requisite for accessing state and federal funding. The purpose of the document is to take a holistic look at tourism in the region and involves extensive stakeholder engagement. This process has been initiated and consultants appointed. The Destination Management Plan workshops will commence in October 2013, with the final document expected to be finalised by November 2013. This success measure is not solely within the control of Council.
3.3.3.1 Undertake destination advertising and promotions to increase awareness in target markets	Tourism & Events	1. Increase of 3% in annual nights	1. 3%	1. -7%	Not achieved. By year end March 2013 Greater Port Macquarie market share of total visitor nights (domestic and international visitor nights) declined by 7% compared to the same time last year. In March 2013 Greater Port Macquarie achieved 2.7 million nights compared to 2.9 million nights in March 2012. The % change in nights vs. year end March 2012 is not statistically significant; however, it is one of the lower estimates for a few years. This indicator is one to watch and address where possible. This decrease can be largely attributed to the decrease in domestic overnight visitors, this is supported by a corresponding increase in domestic day visitors. This success measure is not solely within the control of Council.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
3.3.3.2 Develop and implement targeted campaigns that prompt a call to action	Tourism & Events	1. Increase market share of Mid North Coast and regional NSW tourism by 2% (noting that the current market share is 24%)	1. 2%	1. -2%	Not achieved. The latest National Visitor Survey Data for year end March 2013 indicates Greater Port Macquarie has achieved 22% of the market share of the Mid North Coast Region - 2% less than last year. However, in a challenging marketplace that is flat overall, this data change versus year end March 2012 is not statistically significant. This success measure is not solely within the control Council.
3.4.1.1 Proactive seek Government funding support for increased broadband capacity across the LGA	Economic Development	1. Seek Government funding support	1. 100%	1. 100%	Achieved. Although no funding support provided, Council continues to work with stakeholders to explore high speed broadband options for our LGA. The development of a digital strategy during 2013 - 2014 will also address the issue of how best use can be made of existing technologies.
3.5.1.1 Continue to facilitate a range of regular public transport (RPT) airline services at Port Macquarie Airport	Commercial and Business Services	1. Increase in aircraft numbers	1. 5,500#	1. 5,400#	Not achieved. Data based on statistics available from the Avdata reporting system and is close to target. Continuing to work with airlines to build growth on existing routes and attract interest in new routes during 2013-2014.
		2. Increase in passenger numbers	2. 235,000#	2. 227,271#	Not achieved. The result does however represent a 1.9% increase on the 2011 - 2012 financial year period. Continuing to work with airlines to build growth on existing routes and attract interest in new routes during 2013 - 2014.
3.5.1.2 Completion of Stage 1 upgrade works at the airport (subject to regulatory approval)	Commercial and Business Services	1. Completion of Stage 1 of upgrade works	1. 100%	1. 75%	Not achieved. Project delayed due to significant wet weather events in early 2013. Management of the project continues with expected completion date now October 2013.
3.5.2.1 Complete the development of a Transport Strategy for the local government area	Technical Services	1. Completion of the Transport Strategy	1. 100%	1. 20%	Not achieved. Delayed due to Transport & Traffic resource shortages. Propose report to Council with a recommendation to launch the project for wider community consultations and stakeholder engagement.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
3.5.3.1 Review of the Economic Development Strategy (Business Plan) & Economic Development Programs	Economic Development	1. Reviews undertaken	1. 100%	1. 50%	Ongoing. An Economic Development Steering Group has been appointed and will assist Council in the development of an overarching Economic Development Strategy and action items. Draft Economic Development Strategy to be presented to Council in 2013 - 2014.

Focus Area - Looking after our environment:

	Total Measures	Achieved	Within 10% of Target	Not Achieved
Report to August meeting	43	28	5	10
Corrected Figures	32	20	3	9

A review of the success measures targets and actual results has revealed that:

4a) one item, 4.3.4.1, was incorrectly recorded as not achieved when it was achieved,

4b) three items, 4.1.1.4, 4.6.1.1 and 4.9.1.1, were not delivered fully due to resource capacity issues,

4d) four items, 4.1.1.6, 4.7.1.1, 4.7.1.2 and 4.8.1.1, all required additional work to be undertaken which delayed the completion of the projects,

4e) one item, 4.1.1.5, was delayed due to the need to redesign aspects of the work to meet the Federal Government requirements, and

4f) one item, 4.6.1.2, was not commenced due to a change of approach given some costing information that became available during the year.

Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
4.1.1.4 Prepare the Hastings River Floodplain Risk Management Plan	Environmental Services	1. Management plan completed	1. 100%	1. 90%	Ongoing. Draft Floodplain Risk Management Plan prepared. Plan will be reported to the September 2013 Council Meeting for endorsement for exhibition. The revised date for completion is December 2013.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
4.1.1.5 Complete construction of Stage 1 of the Dunbogan Flood Access	Environmental Services	1. Construction completed	1. 100%	1. 10%	Not commenced. Project delayed pending consultants redesign of works to comply with Federal Government EPBC Act. Additional studies and data have been provided to the Federal Department of Sustainability, Environment, Water, Population and Communities (SEWPaC). Recommencement of project is subject to SEWPaC approval.
4.1.1.6 Complete the Lake Cathie Coastal Zone Management Plan	Environmental Services	1. Management plan completed	1. 100%	1. 90%	Ongoing. Draft plan reported to Coasts and Estuary Committee. Report to Council for approval July 2013. Draft Plan currently on public exhibition.
4.3.2.1 Construct additional reclaimed water infrastructure in accordance with anticipated demand	Water and Sewer	1. Increase of 20 additional connections to the reclaimed water and reused effluent networks	1. 20#	1. 11#	Not achieved. Four additional agreements for the period April - June 2013. Total for 2012 - 2013 period was 11.
4.4.1.1 Prepare a Commercial and Industrial Education Strategy to encourage source separation of waste	Environmental Services	1. Strategy completed	1. 100%	1. 75%	Ongoing. Draft strategy in preparation. Business survey being undertaken as part of Midwaste Group. Components of strategy being undertaken as part of MidWaste Group.
4.4.1.2 Implement resident education program on waste separation	Environmental Services	1. Percentage of municipal waste diverted from Landfill in source separation undertaken by residential customers	1. 66%	1. 61%	Ongoing. Education strategy to be developed in conjunction with new waste collection contract to increase diversion rate. Project is ongoing.
4.6.1.1 Develop a Council wide renewable energy strategy	Environmental Services	1. Strategy Developed	1. 100%	1. 50%	Ongoing. Draft strategy in preparation. Delay due to staff resource capacity. Policy position to be developed on Council use of renewable energy.

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Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
4.6.1.2 Increase the use of renewable fuels in Council plant and vehicle fleet by developing a renewable fuel strategy	Commercial and Business Services	1. Renewable fuel strategy developed	1. 100%	1. 0%	Not commenced. It has been determined through an independent fleet review that there is no immediate value in developing a renewable fuel strategy for Council's fleet at this stage due to the fact most renewable fuels are currently very expensive. Council's light fleet generally use E10 type fuels. Council will continue to trial various bio-diesel products on our major plant as they improve and become available.
4.7.1.1 Prepare Koala Plan of Management (KPoM) for existing urban areas and those being considered	Strategic Land Use Planning	1. Koala Plan of Management for existing urban areas developed	1. 100%	1. 25%	Ongoing. Draft koala habitat mapping completed and Koala Plan of Management (KPoM) scoping undertaken. Exhibition of vegetation and koala habitat mapping delayed following report to Council. Preparation of KPoM deferred pending outcomes of mapping exhibition.
4.7.1.2 Prepare a draft Biodiversity Strategy to determine environmental priorities for conservation and restoration	Environmental Services	1. Draft Biodiversity Strategy completed	1. 100%	1. 30%	Ongoing. Project delayed due to additional work on vegetation mapping. Draft plan due for completion February 2014. Preparation of Biodiversity Strategy deferred pending outcomes of mapping exhibition.
4.8.1.1 Complete the climate change management strategy	Environmental Services	1. Climate change strategy completed	1. 100%	1. 20%	Ongoing. Consultants appointed to undertake sea level rise mapping. Strategy document to be prepared. Components of strategy will continue to be undertaken as resourcing permits.
4.9.1.1 Review Council's Development Contributions Plans	Environmental Services	1. Plans reviewed and draft prepared	1. 100%	1. 60%	Ongoing. Draft plans in preparation. Some delay with preparation of work schedules due to staff resource capacity. Report to September Council on draft Local Roads Plan. The revised date for completion is December 2013. Consultants appointed to review Water and Sewer DCPs. The revised date for completion is June 2014.

Ensuring Good Governance

Focus Area - Planning and providing our infrastructure:

	Total Measures	Achieved	Within 10% of Target	Not Achieved
Report to August meeting	72	42	9	21
Corrected Figures	77	47	9	21

A review of the success measures targets and actual results has revealed that:

5a) seven items were not achieved, 5.4.1.1, 5.4.1.2, 5.4.2.1, 5.4.2.2, 5.4.3.2, 5.4.3.3 and 5.5.7.5, as it was necessary to gain additional information from third parties and this was not provided in a timely manner to enable the activity to be completed within the financial year,

5b) one item, 5.2.1.4, the performance target was not solely within Council's control,

5c) four items, 5.1.2.1 (2 targets), 5.1.3.3 and 5.3.2.1 were adversely impacted by unanticipated weather/climatic events,

5d) eight items, 5.1.1.4, 5.1.1.1, 5.1.1.5, 5.1.1.7, 5.2.1.6, 5.3.1.2, 5.5.8.2 and 5.5.10.1 were delayed due to resource limitations related to staff resignations, recruitment lags, transitioning to new structural arrangements, staff shortages and budget limitations, and

5e) a number of performance targets were set at best estimates/forecasts of what could be achieved and required some flexibility and adjustment in day to day management during the year. This is particularly relevant to a number of the maintenance of asset items which require daily oversight and adjustment. Setting these targets up to 12 months in advance needs to recognise the need for some contingency.

Ensuring Good Governance

Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
5.1.1.1 Complete surveys and engineering designs for the delivery of road and transport infrastructure works	Technical Services	1. Surveys and Designs are completed ahead of Construction Scheduling	1. 100%	1. 46%	Ongoing. 46 scheduled transport designs estimated construction value \$67.7 million, 21 were 100% complete, Six (6) > 75% complete, four (4) > 50% complete, three (3) < 50% complete. Delays in design delivery are mainly due to scope changes, unexpected extent of agency/community consultations, environmental investigations and limited control of design consultants resourcing. All designs have progressed, 3 out of 46 programmed designs less than 50% complete. Significant improvement in the delivery of this service was made during 2012 - 2013 and is expected to continue. Retention of the additional part time staffing, further recruitment of design staff as part of the recent restructure. Combining of asset design services with infrastructure delivery under the recent restructure is expected to result in design productivity gains.
5.1.1.4 Monitor the presence of Koala's in the Link Road area	Technical Services	1. Koala numbers monitored within planted corridors.	1. 100%	1. 0%	Not commenced. Project deferred to 2013 - 2014 due to staff resourcing shortages. With recruitment of Transport Engineer a commitment to this project is made to complete during 2013 - 2014.
5.1.1.5 Ongoing monitoring of traffic noise on the Link Road	Technical Services	1. Noise levels within EPA Guidelines.	1. 100%	1. 0%	Not commenced. Project deferred to 2013 - 2014 due to staff resourcing shortages. With recruitment of Transport Engineer a commitment to this project is made to complete during 2013 - 2014.
5.1.1.6 Collect condition data for asset replacements and upgrades	Asset Services	1. Condition data collected	1. 100%	1. 80%	Ongoing. Data collection on various asset types underway and being updated. Road condition inspections were scheduled to be undertaken in May 2013 however tender called in May for inspection in August - September 2013.
5.1.1.7 Undertake stage 2 timber bridge condition ratings	Asset Services	1. Timber bridge ratings completed	1. 100%	1. 20%	Ongoing. Level 2 bridge inspection training/accreditation proposed for March 2013, however this has not occurred. Delayed due to staff resourcing. Restructure now completed and vacancy advertised.

Ensuring Good Governance

Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
5.1.2.1 Undertake the construction of road and transport assets in line with the 2012-2013 capital works program (Refer to the separate attachment for the 2012-2013 capital works program)	Infrastructure Delivery	1. Works constructed within budget (as detailed in the Capital Works program)	1. 100%	1. 90%	Ongoing. See attached Major Works Program spreadsheet for project status. Construction works significantly affected by natural disaster events of early 2013. Detailed design readiness for various projects also affected delivery capacity.
		2. Works constructed within the timeframes as detailed in the capital works program	2. 100%	2. 85%	Ongoing. See attached Major Works Program spreadsheet for project status. Construction works significantly affected by natural disaster events of early 2013. Detailed design readiness for various projects also affected delivery capacity.
5.1.3.1 Implement sealed road maintenance program including pothole repairs, jet patching and shoulder maintenance	Infrastructure Delivery	1. Maintenance works completed in accordance with approved program budgets	1. 100%	1. 83%	Ongoing. The risk based approach to sealed road maintenance has seen jet patching and pothole repairs continuously undertaken throughout the reporting period. Make safe, urgent and high priority works have generally been attended to within the service standards of 24 hours, two days and two week respectively. Medium priority works have a service standard of three months with the current status being 21 open at the start of the reporting period, 241 total received, 113 completed and 28 outstanding. Low priority tasks have a service standard of six months with the current status being two (2) open at the start of the reporting period, 14 total received, eight (8) completed and six (6) outstanding. Roads maintenance works remain prioritised based on risk and public safety. This approach is in accordance with the best practise guidelines published by Council's public liability insurer.

Ensuring Good Governance

GOVERNANCE

Ensuring Good Governance

Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
		2. Maintenance works completed in accordance with the approved program timeframes	2. 100%	2. 75%	Ongoing. The high priority maintenance works within this performance indicator are being generally completed in accordance with the specified time frames. Some medium and all low priority works are not being completed in accordance with the adopted time frames and programs due to limitations on resources and the existence of other relatively higher priority works within other key road maintenance areas (i.e. heavy patching or road drainage repairs). Roads maintenance works remain prioritised based on risk and public safety. This approach is in accordance with the best practise guidelines published by Council's public liability insurer.
5.1.3.2 Implement unsealed road maintenance program including gravel resheeting and rural maintenance grading	Infrastructure Delivery	1. Completed in accordance with approved programs, the Roads Maintenance Hierarchy and within operational budget	1. 100%	1. 97%	Achieved. Unsealed road maintenance (Maintenance grading, gravel resheeting) operational budget overall 97% expended at 30 June 2013. All higher traffic unsealed roads contained within the six monthly grading program being attended to twice during the reporting period. The fourth maintenance grading crew resultant from the special rate variation has contributed significantly to this outcome. The natural disaster events of early 2013 have impacted negatively on the maintenance grading programs also, however due to the majority of the unsealed road network being graded within the 12 months preceding the disaster events, many roads came through the flooding and wet weather in better condition than previously, as a result of the improved maintenance preceding the storms and floods. Given numerous declared natural disaster events during the reporting period, a 97% expended outcome at financial year end is considered reasonable.
		2. High priority unsealed roads graded twice within reporting period	2. 100%	2. 97%	Achieved. The high priority program achieved two grades within the reporting period. The other roads program is being improved by virtue of the fourth fulltime maintenance grading crew funded by the Special Rate Variation. Despite the severe weather of early 2013, the majority of unsealed roads within the network were graded once during 2012 - 2013 period. Given numerous declared Natural Disaster events during the reporting period, a 97% expended outcome at financial year end is considered reasonable.

Ensuring Good Governance

Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
5.1.3.3 Implement sealed road repairs program including heavy patching, kerb and gutter repairs, road reseals, footpaths and cycleway	Infrastructure Delivery	2. Percentage of sealed road network resealed	2. 100%	2. 60%	Ongoing. The bitumen resealing program and specific roads have been adopted by Council and preparatory works are underway and bitumen spraying commenced in November 2012. This \$2.3M program is funding in part by the Special Rate Variation (SRV). Bitumen resurfacing was effectively completed on Randall and Cameron Streets in Wauchope, Pacific Drive and Gordon Street in Port Macquarie, Ocean Drive at Lake Cathie and Panorama Drive and Beach Street in Bonny Hills. The SRV was fully expended on sealed road resurfacing in accordance with the adopted program. Given numerous declared natural disaster events during the reporting period, the 60% outcome at financial year end is considered reasonable given the additional constraint concerning climatic limitations on resurfacing works.
5.1.3.5 Implement roadside furnishing program including barriers, guideposts, line marking, signs, bus stops and seats	Infrastructure Delivery	1. Completed in accordance with approved programs, the Roads Maintenance Hierarchy and within operational budget.	1. 100%	1. 92%	Ongoing. Roadside furnishings (including linemarking, signs, traffic barriers, graffiti removal) Operational budget overall 92% expended at 30 June 2013. Roadside furnishings maintenance has been undertaken in accordance with the best practice risk based prioritisation process with the current status being seven (7) open at the start of the reporting period, 64 total received, 42 completed and 29 outstanding. Reactive works completed in accordance with adopted prioritisation processes, 92% expended at end year is considered a reasonable outcome.
5.1.3.6 Implement Bridges and Culverts maintenance and repair program including inspections, monitoring and bridge repair works	Infrastructure Delivery	1. Completed in accordance with approved programs, the Roads/bridges Maintenance Hierarchy and within operational budget.	1. 100%	1. 78%	Ongoing. Bridge and culvert maintenance has been undertaken continuously throughout the 2012 - 2013 period with programs constrained by the available resources. The apparent under expenditure as at 30 June 2013 is resultant from the bridgework's crews focus on the reconstruction of the Saltwater Creek Bridge on Pembroke Road. This bridge reconstruction was programmed to utilise the whole bridgeworks staff resource. Operational bridge and culvert maintenance has been continuously undertaken since the completion of the Saltwater Creek bridge.

Ensuring Good Governance

Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
5.2.1.4 Implement local area traffic management schemes (LATMS) as scheduled in the Roads & Transport delivery program	Technical Services	1. 10% reduction in local area accidents	1. 10%	1. 5%	Not achieved. Only minor traffic management works implemented during 2012 - 2013. No capital works programmed that are targeted towards traffic accident reductions. RTA traffic data collected for LGA 2010 - 2011. 2011 - 2012 indicates a 5% reduction in accidents, however an increase in three (3) fatal accidents (two (2) state highways) was recorded.
5.2.1.5 Implement bus route facilities as scheduled in the Roads & Transport Delivery	Technical Services	1. Completed in accordance with the bus route facilities program.	1. 100%	1. 90%	Ongoing. Implemented in accordance with Council approved programs. 2012 - 2013 shelters implemented under the NSW Governments Country Passenger Transport Infrastructure Grants Scheme Program. Bus stop facilities to service Busways planned routes currently under review.
5.2.1.6 Install & maintain street lights in accordance with the Street Lighting program	Technical Services	1. Completed in accordance with the Street Lighting program	1. 100%	1. 90%	Ongoing. Delays in service provider installations.
5.3.1.2 Complete surveys and engineering designs for the delivery of road and upgrade of open spaces and recreational facilities	Recreation and Buildings	1. Surveys and Designs are completed ahead of Construction Scheduling	1. 100%	1. 57%	Not achieved. A number of designs have not been completed to allow for construction for the 2012 - 2013 period. Parks Works Program have been modified to include design allocations within the financial year preceding construction from 2013 - 2014 on. Significant improvement in the delivery of this service was made during 2012 - 2013 and is expected to continue with the retention of the additional part time staffing and further recruitment of design staff as part of the recent restructure. Also combining of asset design services with infrastructure delivery under the recent restructure is expected to result in design productivity gains.

Ensuring Good Governance

GOVERNANCE

Ensuring Good Governance

Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
		2. Surveys and Designs are completed within approved budgets	2. 100%	2. 90%	Not achieved. The coordination of outsourced detailed designs has been well managed by design engineers in relation to project briefs and cost tracking. Significant improvement in the delivery of this service was made during 2012 - 2013 and is expected to continue with the retention of the additional part time staffing and further recruitment of design staff as part of the recent restructure. Also combining of asset design services with infrastructure delivery under the recent restructure is expected to result in design productivity gains.
5.3.2.1 Undertake the construction & upgrade of existing open spaces and recreational facilities in line with the 2012-2013 capital works program	Recreation and Buildings	1. Works constructed within budget	1. 100%	1. 75%	Not achieved. For most of those projects it was understood that works would exceed allocated budget and budget adjustments will be made through the over-expenditure reporting process.
		2. Works constructed within the timeframes as detailed in the capital works program	2. 100%	2. 75%	Not achieved. There have been a number of projects that have been scheduled for completion prior to end of year which have been impacted by recent wet weather events. Other projects have been delayed due to design complexity or additional community engagement requirements.
5.4.1.1 Investigate land use at Fernbank Creek Road for potential industrial development and amend Local Environmental Plan (LEP) 2011 accordingly	Strategic Land Use Planning	2. LEP 2011 updated	2. 100%	2. 75%	Not achieved. Draft LEP and DCP exhibited. Delayed due to need for landowner input to support planning proposal and re proposed planning agreement. Council has now resolved to amend the LEP. Staff finalising amendment in consultation with Parliamentary Counsel.
5.4.1.2 Investigate land use for a business park near Port Macquarie Airport	Strategic Land Use Planning	1. Investigations finalised and Airport Structure Plan completed	1. 100%	1. 75%	Ongoing. Investigations undertaken in consultation with Landowner Reference Group. Awaiting completion of Airport Master Plan review. Delayed due to uncertainty surrounding Airport operational requirements. Monitor progress of airport planning and recommence when appropriate.
5.4.2.1 Review draft neighbourhood plan for Thrumster (Area 13) and amend the Development Control Plan (DCP) accordingly	Strategic Land Use Planning	1. DCP amendment completed	1. 100%	1. 75%	Ongoing. Initial DCP preparation by landowner representatives delayed. Draft DCP nearing completion for exhibition. Draft DCPs reported to Council in August 2013. Exhibition until 4 October 2013. Expect finalisation by December 2013.




Ensuring Good Governance




Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
5.4.2.2 Complete an urban consolidation policy for Port Macquarie CBD fringe	Strategic Land Use Planning	1. Policy developed	1. 100%	1. 90%	Ongoing. Draft policy developed for Council review prior to exhibition. Deferred due to higher strategic planning priorities. Revised memorandum of understanding agreed with NSW Department of Infrastructure & Planning. Finalisation expected by June 2014.
5.4.3.2 Undertake a staged review of Development Control Plan (DCP) policy having regard to relevant legislation and Council's StratPlan	Strategic Land Use Planning	1. Policy reviewed and staged DCP amendment completed	1. 100%	1. 75%	Ongoing. Draft DCP completed for exhibition commencing July 2013. Delayed due to amended legislation. Exhibition commenced 23 August 2013. Finalisation expected by June 2014.
5.4.3.3 Use ABS data to review housing and land monitoring in relation to the Urban Growth Management Strategy (UGMS)	Strategic Land Use Planning	1. Review of the UGMS completed	1. 100%	1. 75%	Ongoing. Regular review of housing and land statistics in train. Supply and demand forecasts underway with i.d. consulting for completion July 2013. Federal government to provide corrected ABS statistics. Delayed to align with revised regional forecast and demographic modelling. Regional land monitor information provided to DP&I on 30 August 2013. Finalisation expected by June 2014.
5.5.7.5 Implement and update dam safety emergency plans for Port Macquarie and Cowarra dams	Water and Sewer	1. Dam Safety Emergency Plan completed and trialled	1. 100%	1. 85%	Not achieved. Draft document completed. Feedback on draft received. Awaiting final document with a view to consult with emergency services and finalisation.
5.5.8.2 Undertake surveys and complete engineering designs for the delivery of stormwater infrastructure works	Technical Services	1. Surveys and Designs are completed ahead of Construction Scheduling,	1. 100%	1. 72%	Ongoing. 14 scheduled stormwater designs estimated construction value \$1.8 million, 10 = 100% complete, 0 > 75% complete, 1 > 50% complete, 3 < 50% complete. Delays in design delivery are mainly due to unexpected extent of agency/community consultations, environmental investigations and limited control of design consultants resourcing. Significant improvement in the delivery of this service was made during 2012 - 2013 and is expected to continue with the retention of the additional part time staffing and further recruitment of design staff as part of the recent restructure. Also combining of asset design services with infrastructure delivery under the recent restructure is expected to result in design productivity gains.

Ensuring Good Governance

Operational Plan Activity 2012 - 2013	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on progress - Final for Annual Report
5.5.10.1 Implement Stormwater Maintenance and repairs program including inspections, cleaning and clearing (Refer to the separate attachment for the 2012-2013 capital works program)	Infrastructure Delivery	2. Maintenance works completed in accordance with the approved program timeframes	2. 100%	2. 75%	Ongoing. Road Drainage maintenance has been undertaken continuously throughout the reporting period with programs constrained by the available resources. The best practice risk based approach to prioritisation has been implemented with the current status being 83 open at the start of the reporting period, 180 total received, 136 completed and 127 outstanding. The large number of road drainage requests and backlog in this quarter are attributable to the natural disaster events of the early 2013. Backlog of drainage works due to limitations of resources.

Summarised below is the updated and correct table providing a snapshot of Council's focus areas and the overall performance against targets and measures for the 2012-2013 Operational Plan activities. The 2012-2013 Operational Plan has a total of 311 success measures.

Table: Summary of Operational Plan achievements							
Focus Area	Total activities		%		%		%
Ensuring good governance	56	50	83%	2	9%	4	8%
Looking after our people	126	97	79%	12	11%	17	10%
Helping our community prosper	20	11	44%	3	19%	6	38%
Looking after our environment	32	20	67%	3	11%	9	22%
Planning and providing our infrastructure	77	47	59%	9	12%	21	29%
Total	311	225	73%	29	9%	57	18%

Legend	Indicator
Achieved	
Within 10% of target	
Not commenced or not achieved	

Future Quarterly Reporting and Exception Reports against the 2013 - 2014 Operational Plan

Ensuring Good Governance

In future, to ensure there is greater visibility on the progress, or otherwise, of individual action items in the Operational Plan Quarterly Report, a specific exception report will be presented as well as the detailed performance report. In addition, a specific monthly performance report is to be developed and presented to the Executive which will enable early identification of non-performance and or slippages against the Operational Plan.

Options

Council may seek additional information.

Community Engagement & Internal Consultation

The following staff have been consulted in the development of this report:

- General Manager
- Directors
- Group Managers

An Annual Report will be developed and reported to the November 2013 Ordinary Council meeting. The Annual Report must be submitted to the Division of Local Government no later than 30 November 2013.

Planning & Policy Implications

Nil.

Financial & Economic Implications

Nil.

Attachments

1. 2012-2013 Works Program - End of year report.
2. Supplementary report on 2012-2013 Operational Plan

Ensuring Good Governance

Item: 08.10

Subject: 2013 - 2014 OPERATIONAL PLAN MODIFICATIONS

Presented by: Community & Organisational 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 transparent, effective, relevant and inclusive.

RECOMMENDATION

That Council adopt changes to the 2013-2014 Operational Plan actions as detailed in this report.

Executive Summary

The purpose of this report is to seek Council's endorsement to modify the 2013-2014 Operational Plan.

Firstly, there is a need to include an additional action resulting from the planning resolution agenda item 12.07 at the 17 July 2013 Ordinary Council meeting relating to the Settlement City Precinct Draft Development Control Plan and Kmart Planning proposal.

Secondly, there is a need to make some minor technical amendments to reflect the corrected name of the lead responsibility area in the 2013-2014 Operational Plan.

Discussion

The addition of the action item 3.2.3.8 ensures the actions of the 2013-2014 Operational Plan (OP) are in line with the work being carried out as outlined below.

New action item details:

OP Ref	Action description	Lead responsibility	Success measure	Target
3.2.3.8	Preparation of an LEP amendment in relation to land at Park St, Port Macquarie	Strategic Planning	LEP amendments completed and reported to Council	By 30 June 2014

This item is directly related to the decision by Council at its 17 July 2013 Ordinary Council meeting relating to the Settlement City Precinct Draft Development Control Plan and Kmart Planning proposal.

Ensuring Good Governance

The names of three areas in the Infrastructure and Asset Management Division are incorrectly shown in the 2013-2014 Operational Plan and need to be modified as follows:

Current wording	Proposed wording
Infrastructure Projects	Infrastructure Delivery
Transport Network Management	Transport & Stormwater Management
Asset Services	Asset Systems

The proposed recommendation will result in the 2013-2014 Operational Plan reflecting all of the actions to be undertaken to deliver the strategies outlined in the 2013-2017 Delivery Program.

Options

To not adopt these changes would result in key actions not being tracked or reported against accurately in the regular reporting schedule for the 2013-2014 Operational Plan.

Community Engagement & Internal Consultation

Internal communication has occurred with the relevant Directors and Group Managers.

Planning & Policy Implications

The proposed 2013-2014 Operational Plan modification will provide additional information and transparency to the community on the activities of Council and ultimately in the reports presented to the community.

Financial & Economic Implications

There is no financial implication to the 2013-2014 Operational Plan modification as this new action item is included in the budget adopted by Council 19 June 2013.

Attachments

Nil

Ensuring Good Governance

Item: 08.11

Subject: RESCIND CORRESPONDENCE-RESPONSE/ACKNOWLEDGEMENT POLICY

Presented by: Community & Organisational Development, Lesley Atkinson

Alignment with Delivery Program

1.5.3 Ensure ratepayer value for money through continuous improvement in quality, effectiveness and efficiency of delivery of Council services.

RECOMMENDATION

That Council rescind the Policy titled “Correspondence - Response/Acknowledgement “ as superceded by the Customer Service Policy and Customer Experience Charter.

Executive Summary

At the 17 July 2013 Ordinary Council meeting, Council resolved to formally adopt the Customer Service Policy and Customer Experience Charter which modified a number of different service standards and incorporated these into one policy statement.

In order to give effect to this policy, there is a requirement to rescind the “Correspondence - Response/Acknowledgement” policy as it has a different response time.

Discussion

At the Ordinary Council meeting 17 July 2013, Council resolved to formally adopt the Customer Service Policy and Customer Experience Charter. Due to an oversight the recommendation did not make reference to rescinding an existing policy that dealt with acknowledgement standards for customer correspondence that was referred to in the text of the report. The policy in question, “Correspondence - Response/Acknowledgement “ included an acknowledgement response time of 15 days for customer correspondence.

The recently adopted Customer Service Policy includes an improved acknowledgement service standard of 10 working days for correspondence, rather than the 15 days mentioned above. Rescinding the “Correspondence Response/Acknowledgement” Policy will allow Council to standardise response times for correspondence.

Options

Ensuring Good Governance

Retain the existing policy.

Community Engagement & Internal Consultation

Internal and external engagement with key staff took place prior to the adoption of the Customer Service Policy and Customer Experience Charter at the 17 July 2013 Ordinary Council meeting

Planning & Policy Implications

The adopted Customer Service Policy replaces the Correspondence-Response/Acknowledgement Policy

Financial & Economic Implications

Nil relating to rescinding this Policy

Attachments

Nil

Ensuring Good Governance

Item: 08.12

Subject: RECOMMENDED ITEM FROM THE AUSTRALIA DAY SUB-COMMITTEE MEMBERS APPOINTMENT

Presented by: Community & Organisational Development, Lesley Atkinson

Alignment with Delivery Program

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

RECOMMENDATION

That:

- 1. The Expressions of Interest for Membership to the Australia Day Sub-Committee received from the Camden Haven Rotary Club be accepted.**
- 2. Council advise the Camden Haven Rotary Club in writing of the groups appointment to the Australia Day Sub-Committee.**

Executive Summary

At the Australia Day Sub-Committee meeting held on Friday 20 September 2013, The Committee reached consensus on Item 06 - Expressions of Interest - Australia Day Celebrations in the Camden Haven and now submits the above recommendation for Council consideration.

Attachments

1. Item 06 - Expressions of Interest - Australia Day Sub-Committee

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

Item: 09.01

Subject: NOTICE OF MOTION - GLASSHOUSE SUB-COMMITTEE

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

RECOMMENDATION

That Council:

- 1. Support the establishment of a Sub-Committee of Council titled the Glasshouse Sub-Committee (GSC);**
- 2. Endorse the Glasshouse Sub-Committee Charter as attached to this Notice of Motion.**
- 3. Call for public Expressions of Interest from independent, community members for membership of the GSC, in line with the GSC Charter.**
- 4. Appoint the Glasshouse Councillor Portfolio Chairperson as Chairperson of the GSC as outlined in the Charter, noting that the Mayor is ex-officio Chairperson and member of any Committee of Council at any time.**
- 5. Request the General Manager to report back to the December 2013 meeting of Council with the results and evaluation of the public Expression of Interest for consideration by Council.**

Comments by Councillor (if provided)

In the nine months since the adoption of the Councillors' Portfolio Structure and the creation of the Glasshouse Portfolio in December 2012, the Glasshouse Portfolio has facilitated a range of measures and activities related to the Glasshouse including but not limited to the below:

- Research, data collection and reporting of such to Council.
- Key stakeholder engagement.
- Community consultation and information exhibition.
- The case and decision for Council to continue to manage the Glasshouse.
- Creation and adoption of the Glasshouse Strategic Direction.
- Preparations for developing a Strategic Business Plan.

The Glasshouse Portfolio has now collected and compiled feedback, financial data, research and a broad range of key issues relating to the Glasshouse. This information has been received from community members, staff, Councillors, key stakeholders and consultants for the purpose of creating of a Strategic Business Plan for the facility.

It has been a key strategic theme of the Glasshouse Portfolio to ensure transparency, accountability and community input in the decision-making process of determining the future strategic direction of the Glasshouse and also that decisions that are made in this regard are predominantly based on data, facts and/or evidence.

Looking After Our People

It is now proposed that a Glasshouse Sub-Committee (GSC) be formed to develop this collected raw data into a Strategic Business Plan for the Glasshouse.

The GSC would be tasked with developing within that Plan a range of prioritised actions and also a method (matrix) of determining future functions and services of the Glasshouse as its immediate focus. The GSC would then present its recommendations to Council as soon as practicably possible after formation.

In light of the afore mentioned key strategic theme it is also proposed that up to three (3) eligible community members be appointed to the GSC who have a demonstrated background and/or ability in key focus areas relevant to ensuring a positive and sustainable future for the Glasshouse and its Strategic Direction as outlined in the Charter.

The GSC would continue to meet monthly or more frequently as required for up to two years to oversee the implementation, monitoring and measuring of the Strategic Business Plan and make further recommendations to Council as required and outlined in the Charter.

As also outlined in the GSC Charter, a Chairperson and committee members must be appointed by way of a Council resolution.

Independent community members will be selected through an expression of interest process consistent with normal practice of Council.

Attachments

1. Glasshouse Sub-Committee Charter

Looking After Our People

Item: 09.02

Subject: RECOMMENDATIONS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE MEETING HELD ON THURSDAY 26 SEPTEMBER 2013

Presented by: Community & Organisational Development, Lesley Atkinson

Alignment with Delivery Program

2.9.1 Provide a range of sporting and recreational opportunities.

RECOMMENDATION

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 Sharni-Lee Pollard in the amount of \$200.00 (ex GST) to assist with the expenses she will incur travelling and competing at the National Futsal School Championships to be held in Sydney from 29 September to 4 October 2013 inclusive.
2. Mr Bradley Paterson in the amount of \$700.00 (ex GST) to assist with the expenses he will incur travelling and competing at the Australian National Hockey Championships to be held in Melbourne from 26 September to 6 October 2013 inclusive.

Executive Summary

The Mayor's Sporting Fund Sub-Committee met on Thursday 26 September 2013, reached consensus on Item 7 (attached) and now submits the above recommendation for Council consideration.

Attachments

1. Item 07 - Mayor's Sporting Fund Applications

Looking After Our People

Item: 09.03

Subject: TENDER T-13-27 PROVISION OF GROUP TRAINING SERVICES

Presented by: Community & Organisational Development, Lesley Atkinson

Alignment with Delivery Program

1.5.6 Create a workplace that reflects Human Resources current best practices.

RECOMMENDATION

That Council:

- 1. Accept the tender from HGT Australia Ltd, T/A Novaskill for the Provision of Group Training Services for the period 17 October 2013 to 16 October 2015 with a further twelve (12) month option available.**
- 2. Affix the seal of Council to the necessary documents.**

Executive Summary

The purpose of this report is to advise Council of the results of a recent tender for the Provision of Group Training Services and to recommend a successful tenderer to be appointed for these services.

Discussion

Council currently hosts a total of nine (9) full-time Certificate II and III trainees in the areas of Horticulture, Arboriculture and Water/Sewer Operations with the duration of each traineeship being either 12 months or 2 years. Typically, Council hosts a new group of trainees on an annual basis; however the exact number of trainees and their related traineeship fields will vary dependent on Council's annual operational requirements. Council has in the past hosted or considered hosting, trainees in classifications including;

- Horticulture,
- Arboriculture,
- Water/Sewer Operations,
- Administration,
- Finance,
- Roads construction
- Bridge construction.

Council's Workforce Management Plan outlines Council's approach to proactively manage and resource necessary skills. This extends to ensuring we provide opportunities for young people within our community and assist in providing

Looking After Our People

necessary skills to ensure our young people become competitive in a merit based selection process.

Tenders seeking submissions from suitably experienced firms or persons for the provision of Group Training Services were first advertised on the 3rd September 2013 and closed on the 26th September 2013.

During the tender period, some thirty five (35) individual organisations downloaded the tender documents from Council's tendering website.

At the closing of tenders, three (3) submissions were received from the following organisations (shown in alphabetical order):

- HGT Australia Ltd T/A Novaskill
 - HVTC Mid Coast T/A Hunter Valley Group Training Company, and known locally as Mid-Coast Group Training.
 - Skilled Group Training Services
- 1.

In accordance with the Tender Evaluation Plan, a Tender Evaluation Panel was formed consisting of:

- Group Manager Employee Engagement
- Human Resources Advisor
- Group Manager Water & Sewer
- Group Manager Recreation & Buildings
- Acting Procurement Coordinator (Probity Advisor).

An initial compliance check was conducted during the week following the closing of the tender by the Acting 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. All 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 1st October 2013. Each submission was then discussed in detail.

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. From this review it was evident that there were no inconsistencies identified. It was discussed and agreed that the majority of submissions demonstrated competitive pricing and overall ability to meet the non-priced criteria. It should be noted that some clarification was required to ensure that an evaluation could be made consistently and that all submissions were clearly understood.

The criteria against which tenders were evaluated are;

- Conformity with the tender documents;
- Demonstrated previous experience in the provision and management of Trainees, preferably Local Government Sector;
- Extent of support services provided and capacity to deliver;

Looking After Our People

- Proposed methodology and compliance to scope;
- References.

The weighting of the above criteria was not disclosed to any tenderer.

A second evaluation meeting was held 3rd October 2013. At this meeting the individual scores were combined and summarised to demonstrate a ranking for priced and non-priced criteria.

During the evaluation process two (2) scenarios for full-time Certificate II Arboriculture and Water/Sewer Operations trainees were considered to gain a clear understanding of the rates offered from all tenderers and to identify the true cost to Council. These scenarios were modelled across each of the tenderers submissions in order to see what price would apply to each tenderer for the same work. A straight comparison of rates was also undertaken in order to provide a different pricing view to the 'real-life' scenario. Regardless of the pricing scenario used, it was evident that the overall rankings of price were consistent and were a true reflection of cost to Council from each tenderer.

Please refer to the confidential spreadsheet titled "T-13-27 Evaluation & Pricing Analysis" which details the final evaluation scores for the tenders as determined by the Evaluation Panel and lists the tender rates 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)).

Due to favourable ranking against both the priced and non-priced criteria the Tender Evaluation Panel recommended acceptance of the Tender from HGT Australia Ltd. T/A Novaskill for the provision of Group Training Services for the period 16 October 2013 to 15 October 2015 with a further twelve (12) month option available.

Options

Council has the option of accepting the recommendation or not accepting the same, in which case Council would be required to re-tender for these goods and services.

Community Engagement & Internal Consultation

- Group Manager Organisational Development
- Human Resources Advisor
- Group Manager Water & Sewer
- Group Manager Recreation & Buildings
- Acting Procurement Coordinator (Probity Advisor)
- Learning and Development Officer

Planning & Policy Implications

Nil

Financial & Economic Implications

Potential for greater transparency and control over trainee expenses.

Looking After Our People

Attachments

1. T-13-27 Provision of Group Training Services Pricing and Analysis
(Confidential)

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: DEFERRAL OF PAYMENT OF DEVELOPMENT CONTRIBUTIONS

Presented by: Development & Environment, Matt Rogers

Alignment with Delivery Program

3.2.1 Identify, support and advocate for effective programs that assist the growth of appropriate business and industry.

RECOMMENDATION

That Council:

1. Commence a 12 month trial to allow the deferral of payment of development contributions for building development or other development not involving subdivision of land subject to:
 - a) The deferral period being for a maximum of 2 years from the release of the construction or complying development certificate for building works or from the date of occupation/use commencing where no building works are proposed.
 - b) An application made in writing to defer the payment of contributions.
 - c) Contributions being secured by an irrevocable, non- time limited Bank Guarantee for the amount of the contributions plus a 12 month interest amount calculated at the average rate of Council's investments performance over the past 12 months plus 1%.
 - d) Contributions to be calculated at the current rate applicable at the time of payment, including contributions paid by instalment during the approved deferral period.
2. That a report on the progress of expanded deferral provisions be provided in 12 months.
 - 1.

Executive Summary

This report has been prepared in response to Council's resolution of 21 August 2013 (Item 10.1) *"That the General Manager advise by the October 2013 Council Meeting on the current process of , and options for the future in deferring development contributions to better reflect the cash flow needs of business."*

This report outlines the current process for deferral of payment of contributions and considers options for expanded deferral provisions for up to two years from release of the construction or complying development certificate for building works. For situations where no building works are proposed the deferral will be for up to two years from occupation/use commencing. In both cases adequate security by way of an irrevocable bank guarantee would need to be provided.

Helping Our Community Prosper

Discussion

Council's current policy framework in relation to the timing of payment of development contributions (s.94 contributions, water and sewer headworks charges) is contained in Council's contribution plans and development servicing plans.

Generally, where the development involves building works, payment of development contributions is required prior to release of the construction certificate or complying development certificate or as specified in the development consent. Where no building work is proposed, contributions are required to be paid prior to occupation or prior to the use commencing.

Deferral of payment of contributions is currently allowed for up to 12 months or prior to occupation, whichever occurs first, subject to the lodgement of a bank guarantee for the amount of the development contributions plus a 12 month interest amount. This works well in the cases where building works take many months, but does not suit cases where building works and subsequent occupation occur quickly - for example a change of use that does not involve building work or fit-out for a new business.

In relation to residential subdivision, Council resolved at the meeting of meeting of 15 May 2013 to extend a trial period allowing for the deferral of contributions for subdivisions for a period of up to 2 years. This has been generally well received with several developers electing to defer contributions until settlement of the sale of individual allotments.

It is also noted in the release (July 2012) of the Green Paper "A New Planning System For NSW" the State Government flagged an intention to provide for deferral of contributions as highlighted by the following statement:

"The new framework for development contributions will provide for payment of levies as late as practically achievable in the development process. The Government recognises the need to limit any unnecessary cost burdens on the development industry and will ensure that the new contributions system is consistent with this objective."

The following main opportunities have been identified to extend the deferral provisions to better assist business particularly where no building works are proposed or where occupation and commencement of the use will occur within a short timeframe.

1. Extend the time frame for deferral payment of contributions in relation to building works for two years (currently one year or prior to occupation, whichever occurs first).
2. Provide for the deferral of payment of contributions where no buildings works are proposed, for up to two years.

In both cases, approval of an application for deferral of payment of contributions would be required with the total bank guarantee amount to be calculated by council staff. Lodgement of the bank guarantee would be required prior to release of the construction certificate where building work is proposed, prior to work commencing in the case of a complying development certificate and prior to occupation/use

Helping Our Community Prosper

commencing in all other cases. Contributions would be levied at the rate that is applicable at the time of payment.

It is imperative that adequate security by way of a bank guarantee is in place that provides for Council to call in the amount of the contributions should the applicant fail to pay the contributions. It is proposed to continue the current security provisions which require contributions being secured by an irrevocable, non- time limited Bank Guarantee for the amount of the contributions plus a 12 month interest amount calculated at the average rate of Council's investments performance over the past 12 months plus 1%.

It is proposed that the expanded deferral provisions be put in place on a trial basis for 12 months to enable the impact of the provisions from both a business and Council perspective to be assessed.

Options

The following options/issues have been identified:

1. Allow deferral of contributions for 12 months for non building related developments in a similar manner to current provisions for building developments. *Comment: This option may not provide sufficient time of deferral to provide for an adequate cash flow for new businesses.*
2. Require payment of contributions prior to occupation. *Comment: Council's current policy allows deferral of contributions prior to occupation with the lodgement of security. Allowing deferral of payment to occupation without security is likely to create significant compliance issues as experience shows that application for occupation does not always occur and that continued follow up is required. Also payment prior to occupation will not satisfy the many businesses that occupy soon after consent is granted when cash flow is most important to the new business.*
3. Allow deferral for up to 2 years for building and non building development, in a similar manner to current trial for subdivision development. *Comment: This is the recommended option for a 12 month trial. As noted in the Financial and Economic Section below, there would be some impact on contribution income and for staff time in processing applications and following up on payments. For this reason it is proposed that the provisions be introduced for a 12 month trial to enable a report on the impact to be presented to Council.*
4. Payment of contributions in instalments. *Comment: Option 3 above would allow for the payment in instalments subject to the provision of security.*
5. Restrict the total amount of contributions deferred. *Comment: Council could restrict the deferred amount if there was concern that there may be too great an impact on Council cash flow.*
6. Restrict deferral provisions to specific development types. *Comment: Council could restrict the deferral provisions to specific development types if Council was of the opinion that specific business types needed assistance.*

Businesses could also opt to defer some contribution payments by undertaking staging of development via the development consent process.

Incentive type schemes that reduce contribution amounts for specific businesses (such as those that operate at Tweed Shire Council) are considered to be outside the scope of this report.

Helping Our Community Prosper

Community Engagement & Internal Consultation

The Group Manager Development Assessment, Group Manager Water & Sewer, Group Manager Economic Development, and Director Commercial Services and Industry Engagement have been consulted.

Planning & Policy Implications

Subject to the trial and review of the expanded deferral provisions, consideration could be given to incorporation of expanded provisions as part of Council's development contributions plans and development servicing plans.

Financial & Economic Implications

The proposal may have a some impact on contribution income due to the delayed payment of contributions. There will also be additional staff time in processing and following up on the deferred contributions. While these impacts are unclear at this stage, it is considered that the level of risk is not such that would prevent the implementation of the recommended trial. The extent of any impacts can be identified and reported in a review of the trial in 12 months time.

Attachments

Nil

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

Item: 11.01

Subject: DA2013 - 349 - ALTERATIONS AND ADDITIONS TO 3 STOREY DWELLING-HOUSE INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 3 DP 236279, 105 MATTHEW FLINDERS DRIVE, PORT MACQUARIE (PIN 13336)

Report Author: Matt Rogers

Property:	Lot 3 DP 236279, 105 Matthew Flinders Drive, Port Macquarie
Applicant:	BJ & BJ Kemmett CARE King and Campbell
Owner:	BJ & BJ Kemmett
Application Date:	27 June 2013
Estimated Cost:	\$185,000
Location:	Port Macquarie
File no:	DA 2013 - 349
Parcel no:	13336

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2013 - 349 for alterations and additions to a 3 storey dwelling-house, including clause 4.6 variation to clause 4.3 (height of buildings) of the Port Macquarie-Hastings Local Environmental Plan 2011, at Lot 3, DP 236279, No. 105 Matthew Flinders Drive, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a Development Application for alterations and additions to a 3 storey dwelling-house including a clause 4.6 variation to Clause 4.3 (height of building) of the Port Macquarie-Hastings Local Environmental Plan 2011 at the subject site.

This report provides an assessment of the application in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

Looking After Our Environment

The proposal has been amended during the assessment of the application. The amendment includes reducing the extent of additions to the top level of the dwelling in response to initial assessment concerns.

The application has been exhibited on two (2) occasions. Three (3) submissions have been received, including one (1) submission on the amended proposal.

The matter was reported to Council's Development Assessment Panel on 25 September 2013 for prior consideration. The following resolution was made:

The Panel were unable to reach consensus.

For: David Troemel, David Fletcher and Dan Croft subject to the following change to conditions of consent:

- *Replace conditions E(3) and E(4) with the following condition:*

'The existing kitchen shall be altered prior to issue of an Occupation Certificate to satisfy the following:

The existing kitchen and cupboards shall be either:

- 1. fully removed*
- 2. fully removed and only replaced with a new single sink and bar*
- 3. remove all cupboards on the northern side of existing kitchen and only keep sink and bench on west side.'*

Against: Paul Drake

The dissenting recommendation was:

'That the application be deferred to enable the plans to be amended to maintain the existing overall building height so as to maintain the integrity of the 8.5m height limit in the Port Macquarie-Hastings Local Environmental Plan 2011.'

The Applicant has chosen not to submit any further amended plans, however has provided further additional information in response to the DAP meeting resolution which is attached to this report.

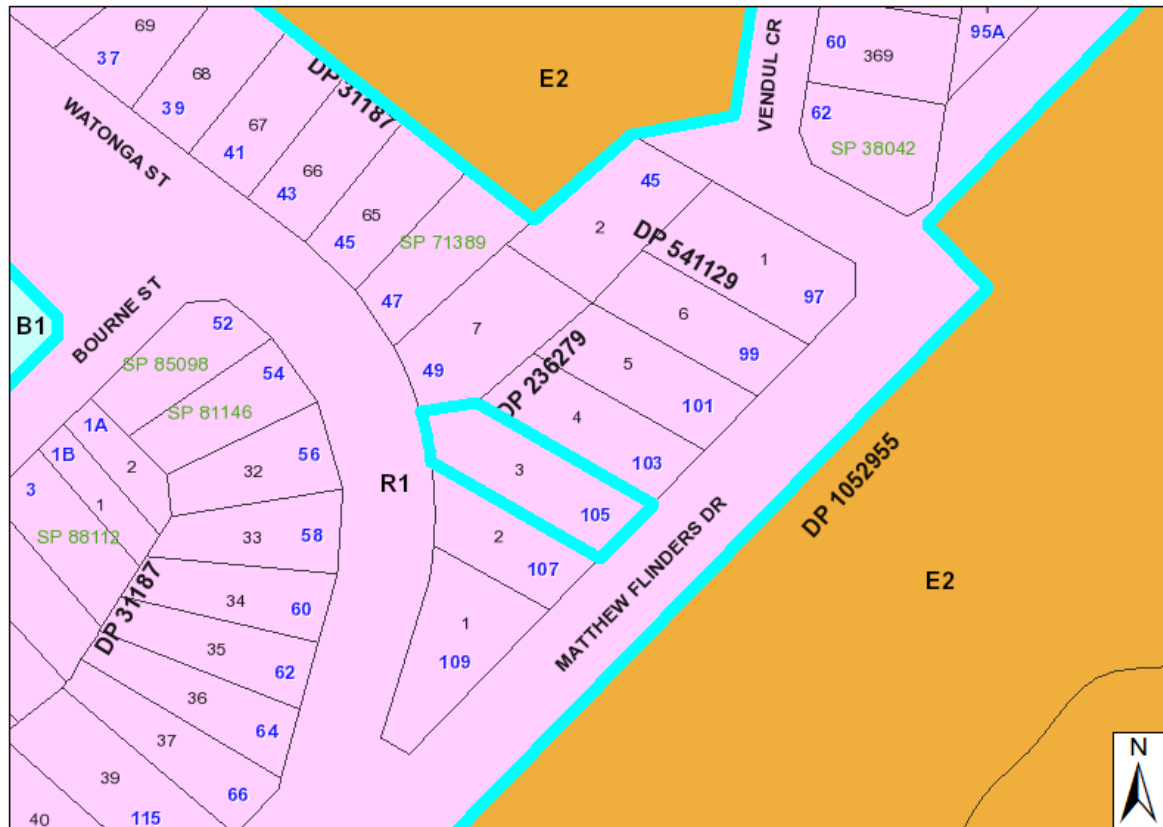
This report to Council is required due to the Clause 4.6 variation to the height limit set by the Port Macquarie Hastings LEP 2011, being greater than 10%. A detailed assessment, as reported to Council's Development Assessment Panel on 25 September 2013 is provided as an attachment.

1. BACKGROUND

The site has an area of 809.4m².

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

Looking After Our Environment



The site is currently occupied by an existing 3 storey dwelling-house with the top floor level setback from the front and eastern sides of the building.

The site has a primary frontage to Matthew Flinders Drive and secondary rear frontage to Watonga Street.

The site has a moderate fall from west to east towards Matthew Flinders Drive.

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

Looking After Our Environment



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the application proposal include the following:

Ground floor (garage level)

- Extension of the southern garage's eastern walls to provide an additional 10m² of garage area.
- Inclusion of columns adjacent the existing entry door to accommodate alterations on upper floors.

First floor

- Conversion of the existing kitchen to a wet bar.
- Inclusion of a new wall opening.

Second floor

- Expansion of the gross floor area to include relocation of the living/dining area to this level and expand the floor space including addition of a multipurpose room.
- New bedroom and sitting area within north-western corner, new master bedroom and expansion of outdoor terrace area.

Refer to attachments at the end of this report.

Application Chronology

- 10 to 24 July 2013 - Neighbour notification (original proposal)

Looking After Our Environment

- 26 July 2013 - Additional information requested - initial concerns with building height
- 1 August 2013 - Meeting with applicant and follow up additional information requested to address submission issues and clarified assessment concerns.
- 13 August 2013 - Additional information received.
- 23 August to 6 September 2013 - Neighbour notification of amended plans.
- 9 September 2013 - Summary of submission issues forwarded to Applicant.
- 11 September 2013 - Additional information received.
- 29 September 2013 - Report to Council's Development Assessment Panel.

Attachments

1. DAP Meeting 20130925 Agenda Item.pdf
2. DA2013 - 0349 DAP Meeting - Recommended Conditions.pdf
3. DA2013 - 0349 Additional Information to support application

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: NEW POSITION - OPERATIONS MANAGER, TRANSPORT AND STORMWATER NETWORK MANAGEMENT.

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.1.2 Develop and implement the annual maintenance and preventative Works Programs for Roads and Transport assets.

RECOMMENDATION

That Council approve the employment of a new role of Operations Manager - Transport and Stormwater Network in the organisational structure.

Executive Summary

This report identifies the key responsibilities of the proposed new position of Operations Manager, Transport and Stormwater Network within the Transport and Stormwater Network section.

Discussion

Council resolved at the 17 April 2013 Ordinary Council Meeting to adopt a revised organisational structure. The revised structure whilst maintaining the previous four divisions model, included significant changes within the Infrastructure and Asset Management Division. The revised Infrastructure and Asset Management Division structure comprised five Group Managers, those being, Group Manager Water and Sewer, Group Manager Buildings and Recreation, Group Manager Asset Systems(new), Group Manager Infrastructure Delivery and Group Manager Transport and Stormwater Network(new). With the recent appointment of two new Group Managers the finalisation of the internal section structures within the division can be progressed.

The Transport and Stormwater Network section has responsibility for the planning, maintenance, rehabilitation, renewal and management of the transport and stormwater networks across the LGA, including all stormwater networks, roads and bridges. Given the perceived high priority from the community and large amount of customer requests associated with these asset classes, the need for this section to be appropriately resourced is apparent.

This report identifies the key responsibilities of the new position of Operations Manager, Transport and Stormwater Network within the Transport and Stormwater Network section.

Planning and Providing Our Infrastructure

INFRASTRUCTURE



Planning and Providing Our Infrastructure

Key responsibilities:

Key Performance Indicator/target

To manage the operational maintenance of the Transport and Stormwater Networks	Maximise safety/minimise risk
To manage the Customer Request Management system (CRM), investigate & action, respond and finalise all CRMs.	In accordance with adopted service standards and the State-wide Mutual Best Practise Guidelines.
To provide tasking to all operational staff in accordance with the risk based prioritisation system	All works undertaken in accordance with relative priority.
To <i>manage</i> the delivery of the annual road resurfacing program, through internal operational resources and external sub contractor and/or tender as required.	100% delivery of resurfacing program annually
To <i>minimise</i> environmental impact and property damage resulting from operational works	Nil reportable incidents to appropriate environmental agencies
To <i>ensure</i> operational works project files are kept up to date for all major operational works.	Project file for every major operational project
To ensure Quality outcomes are delivered in accordance with Council's quality management systems and processes for all capital works projects.	100% delivery of works programs incorporating adopted standards, systems and processes.

This role is also critical to provide both a high level engineering support to the new Group Manager and also drive the continued change and improvement in Councils approach to maintenance outcomes for both transport and stormwater networks.

Councils recent compliments and complaints report to the Sept 2013 Ordinary Council meeting demonstrates the improvement in customer satisfaction associated with roads and transport assets within the previous 12 months, and through additional resources, further improvement in the delivery of maintenance services will be achievable.

Options

Council has the option not to support this additional position, although this will impede continued improvement and delivery of the maintenance functions of the transport and stormwater section.

Planning and Providing Our Infrastructure

Community Engagement & Internal Consultation

Internal consultation has occurred as necessary with any newly proposed position which has included various staff from within the Infrastructure and Asset Management Division and Finance as well as consideration by Council's Executive team prior to the report being generated for consideration.

Planning & Policy Implications

This report does not have any direct impact on Council's Planning or Policies.

Financial & Economic Implications

It is proposed to fund the position from the additional vote made this financial year to the roads maintenance budgets. The additional resource will assist in ensuring the best value for money spend is being obtained in this critical area of Councils operations.

Attachments

Nil

Planning and Providing Our Infrastructure

Item: 12.02

Subject: SMALL VILLAGES SEWERAGE SCHEME

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.5.3 Plan, investigate, design and construct sewerage assets.

RECOMMENDATION

That Council accept the proposal submitted by NSW Public Works for Project Management of the delivery of the small towns village sewerage schemes of North Shore, Comboyne, Long Flat and Telegraph Point and enter into a formal agreement for an upper limit fee of \$901,991 excluding GST.

Executive Summary

The purpose of this report is to present to Council a proposal from NSW Public Works to:

Manage the delivery of sewerage schemes at North Shore, Comboyne, Long Flat and Telegraph Point including:

- Finalisation of Concept designs;
- Procurement of all works;
- Call Tenders and establish and manage all contracts and consultant engagements (following appropriate Council resolutions);
- Manage the delivery of Design and Construct contracts including commissioning.

Discussion

At the Council Meeting 12 December 2012, the resolution was made seeking an achievable and funded timeline for the delivery of commissioned reticulated sewerage services to the villages of Beechwood, North Shore, Comboyne, Long Flat and Telegraph Point by August 2016.

The following works have been undertaken to date:

- Detailed concept development of the sewerage scheme for North Shore Sewerage by Sinclair Knight Merz (SKM) - Report completed August 2013.
- Review of existing Concept Reports for Comboyne, Long Flat and Telegraph Point by SKM (Original reports completed 2006) and identification of shortfalls and the need for further investigation. - Report completed September 2013.

Planning and Providing Our Infrastructure

To achieve the required timeline and manage the complexities associated with the overall program, Council requires an experienced Project Manager to develop a strategy and delivery the works including concept finalisation, procurement, design, construction and commissioning. Council does not have internal project management resources to be able to deliver this multi faceted project in the required timeframe.

NSW Public Works are a multi-disciplined, NSW Treasury accredited Project Management organisation with a vast depth of experience in the delivery of these types of schemes.

NSW Public Works were approached to provide a price to undertake the following:

- Manage the delivery of the North Shore sewerage scheme including preparation of documentation and management of: procurement and construction for Geotechnical investigation, Review of Environmental Factors (REF) and Design and Construction of the sewerage scheme including a directional drilled underbore under the Hastings River.
- Manage the delivery of the Comboyne, Long Flat and Telegraph Point Sewerage schemes including finalisation of concept design, preparation of documentation, management of procurement and construction for Geotechnical Investigation, REF and D&C of the sewerage schemes.

The Department of Local Government Act 1993, Clause 55 (3) (b) provides the ability for Council to be able to directly engage a body like NSW Public Works, without the need to formally go to tender as follows:

Clause 55 (3) (b) a contract entered into by a council with the Crown (whether in right of the Commonwealth, New South Wales or any other State or a Territory), a Minister of the Crown or a statutory body representing the Crown.

NSW Public Works have a local office in Port Macquarie where all works would be managed from. They have been involved extensively with Council over the past 30 years as Project Manager for the delivery of the majority the major capital infrastructure in water and sewerage in the local Government area including:

- Port Macquarie and Hastings Water Supplies - Port Macquarie and Cowarra Dams, and Wauchope Water Treatment Plant and Port Macquarie Reclaimed Water Treatment plant.
- Village water supply schemes - Long Flat, Comboyne, Telegraph Point
- Lake Road STP Augmentation.
- Lake Cathie Bonny Hills Sewerage scheme - Original development and all augmentations.
- Camden Haven STP augmentations.
- Kew / Kendall Sewerage Scheme.
- Wauchope STP augmentation.

There are no other organisations in the local government area that have had this degree of experience in the local water and sewerage infrastructure development.

Planning and Providing Our Infrastructure

Overall management of the delivery will remain with Council, with all work involving community consultation and obtaining licenses for plant operation and Section 60 Approval to be undertaken by Council in consultation with NSW Public Works where required.

All procurement processes including tendering etc required as part of this project will be undertaken by NSW Public Works on behalf of Council, following documented Council policies and procedures.

Proposal

Following detailed discussions, a proposal was submitted by NSW Public Works on 1 August 2013 to Project Manage the proposed sewerage scheme works. Prices (excluding GST) were submitted as follows:

North Shore Sewerage - \$402,008
Comboyne, Long Flat, Telegraph Point - \$499,983

For a project such as this, management of full scheme delivery including concept development, procurement and D&C delivery would normally represent approximately 10% of the value of the scheme depending on the complexity.

The Construction estimate for North Shore sewerage is currently \$5.5M. The price of \$402,008 represents 7.3% of the value of the scheme which is considered reasonable and well within industry standards.

The construction estimate for Comboyne, Long Flat and Telegraph Point is \$6.5M. \$499,983 represents 7.7% of the value of the scheme which is also considered reasonable and again within industry standards.

NSW Public Works have a proven record of experience in the delivery of complex critical projects. They have a local focus of operations and their prices are considered to be reasonable.

Direct engagement of NSW Public Works to undertake this work complies with Councils procurement protocols and is in accordance with the provisions of the NSW Local Government Act 1993.

Options

Various options were considered in delivering the schemes either as individual packages of work or combinations of schemes.

In order to achieve the timeframe for delivery, following closer examination, it was considered the most efficient result would be achieved by combining the schemes into larger packages. North Shore was kept as an independent package due to the status of the scheme development (Concept finalised) and the different technologies proposed.

The option to call for open Project Management tenders was not adopted due to the experience of the NSW Public Works, being a NSW Treasury accredited Project management organisation with a local presence, and the ability to engage the

Planning and Providing Our Infrastructure

Department in accordance with PMHC procurement protocols and the NSW Local Government Act 1993.

Community Engagement & Internal Consultation

Internal consultation involving the following Council officers has occurred in determining this approach:

- Director of Infrastructure and Asset Management
- Group Manager Water and Sewerage
- Director of Commercial Services & Industry Engagement
- Acting Procurement Coordinator.

Community consultation was undertaken when the original concept reports were prepared 2004 to 2006. This will be expanded further when the final concept designs are developed prior to adoption of a scheme. Consultation will also need to be undertaken to re-investigate and determine effluent management strategies for the schemes. This was undertaken originally (2004 to 2006) however will need to be reviewed due to the length of time that has passed.

Planning & Policy Implications

The works were originally planned to be undertaken following the completion of the original concept reports (2004 to 2006).

Funding shortfalls resulted in delays experienced to the delivery of the schemes.

The works have been rescheduled to be completed between 2013 and 2016 and as detailed in this report, additional support is required to ensure these timeframes can be met.

Financial & Economic Implications

Council does not have the internal project management resources to complete the small towns project delivery in the nominated timeframe. Engagement of NSW Public Works, an experienced and accredited Project Management organisation will ensure the programmed timeframes and expenditure are achieved. Funding is available for these projects within existing sewer budgets.

From an economic development perspective, the implementation of the small towns village sewerage scheme aligns in the main with two (2) of the economic development outcomes detailed in Council's draft Economic Development Strategy. The specific outcomes are 'Providing the Foundations' and 'Creating Vibrant and Desirable Places'.

'Providing the Foundations' is about Council taking responsibility for contributing to the liveability of the region through the provision of critical infrastructure. Creating Vibrant and Desirable Places' focuses on the local areas townships and villages becoming vibrant commercial, tourism, recreational and / or community hubs.

It is considered that the implementation of the small towns village sewerage scheme will contribute to the economic development outcomes as detailed above.

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Attachments

1. Proposal from NSW Public Works
2. Small Towns Sewerage Project Budget

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Item: 12.03

Subject: RECOMMENDED ITEM FROM TOWN CENTER MASTER PLAN SUB-COMMITTEE - PROPOSED AMENDMENT TO THE TERMS OF REFERENCE

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.1.1 Plan, investigate, design and construct road and transport assets which include pedestrian, cyclist and vehicular needs.

RECOMMENDATION

That Council:

- 1. Adopt the revised Terms of Reference for the Town Centre Master Plan Sub-Committee which includes the addition of a representative of the Hastings Access Sub-Committee.**
- 2. Appoint Mr Brian Buckett as the representative of the Hastings Access Sub-Committee on the Town Centre Master Plan Sub Committee.**

Executive Summary

The Town Centre Master Plan Sub-Committee met on 25 September 2013, reached consensus on Item 07 (attached) and now submits the above recommendation for Council consideration.

Attachments

1. Item 07 Town Centre Master Plan Sub-Committee 25 September 2013
2. Town Centre Master Plan Terms of Reference - amended 25 September 2013

Planning and Providing Our Infrastructure

Item: 12.04

Subject: MCINHERNEY PARK - WESTERN MAN-MADE BEACH (PIN 22006)

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.3.1 Plan, investigate, design and construct open spaces and recreational facilities.

RECOMMENDATION

That Council retain the motorised vessel exclusions zones at the western man-made beach at McInherney Park, Port Macquarie, until the completion of the Port Macquarie - Hastings Recreation Plan.

Executive Summary

The purpose of this report is to identify for Council potential management options associated with the beach areas at McInherney Park, Port Macquarie.

Discussion

This matter was last considered at the Ordinary Council Meeting held on 21 August 2013 where it was resolved:

2. 1. That Council note the information provided in this report.
3. 2. That a report be brought to the October 2013 Council Meeting on options to reinstate the use of McInherney Park Beach.
3. That the General Manager identify appropriate resources for progressing this investigation.

4. As background, the western man-made beach at McInherney Park was constructed in July 2005 which saw the popularity of the park increase. This increase in popularity resulted in conflict between specific user groups and the park's adjacent residents.

5.

6. Water-skiers had always used McInherney Park as a launch site, with higher usage experienced during winter months when the calmer conditions prevail. After the creation of the western man-made beach, water-skiers and jet skiers were reportedly frequenting the beach from sunrise to sunset most weekends. The frequency had become greater since the end of year holiday season. Vandalism and litter on the reserve also reportedly increased with the increased usage.

At the time, residents in the immediate vicinity of the beaches wrote numerous letters and emails to council outlining the frequency and excessive noise created by

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powered vessels. It was also suggested that in addition to noise impacts, the jet skiers and water-skiers were regularly exhibiting antisocial behaviour.

As a result of these issues Council resolved on 27 March 2006 and 26 March 2007 to exclude motorised vessels from the man-made beach at McInherney Park. There has been criticism levelled at Council by motorised vessel users since this time due to perceived lack of consultation with these users prior to the establishment of the exclusion zone.

In response to the Council resolution of 21 August 2013 staff have developed a number of management options associated with the western man-made beach for Council's consideration:

- Open the western man-made beach to motorised vessels
- Open the western man-made beach to motorised vessels but exclude use of the area by ski boats, wake boats and jet skis
- Open the western man-made beach to motorised vessels but introduce low speed limits in the area

In developing this report staff have developed two other options that do not directly align with the Council resolution which calls for options to reinstate the use of McInherney Park Beach:

- Retain current exclusion of motorised vessels from beaches at McInherney Park
- Defer a decision regarding the future use of the western man-made beach until the Port Macquarie - Hastings Recreation Plan is complete

It is important to consider these additional options as any change to the status of this area will have an impact on current uses.

Open the western man-made beach to motorised vessels

The option to open the western man-made beach to motorised vessels would satisfy some recreational boaters within the community. Access to the Hastings River for craft such as ski boats, wake boats and jet skis is limited and clearly the western beach would provide a beneficial experience.

The reintroduction of motorised vessels into the beach area could have an adverse affect on the amenity of the reserve for existing users, and negatively impact on adjacent residents. Controls in regard to dBA outputs may be necessary to protect Council from action from adjacent residents. The enforcement of any such dBA restriction would be a burden on Council and state government agencies.

This option will impact on the safe use of this beach by recreational swimmers and also has potential to impact on access to the beach by non-motorised vessels.

Open the western man-made beach to motorised vessels but exclude use of the area by ski boats, wake boats and jet skis

The option to open the western man-made beach to motorised vessels would satisfy some recreational boaters within the community but would disappoint ski boats, wake boats and jet skis users looking for access to the Hastings River at this site.

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This option will impact on the safe use of this beach by recreational swimmers and may also impact on access to the beach by non-motorised vessels.

This option may also present additional noise impacts for adjacent residents beyond current uses though it is acknowledged that these impacts may not be significant given there are currently no restrictions on vessel access at the nearby boat ramp.

This option would require support from Roads & Maritime Service who have responsibility for enforcement of any such exclusion area.

Open the western man-made beach to motorised vessels but introduce low speed limits in the area

This option will require vessels to approach the beach at reduced speeds which will present a safer recreational swimming area than either of the previous options but still presents risk for users with potential conflict between swimmers and boats.

This option may also present additional noise impacts for adjacent residents beyond current uses though the level of impact will be less significant than previously discussed options.

This option would require the support of Roads & Maritime Service who have responsibility for speed limit adoption and subsequent enforcement on the waterway.

Retain current exclusion of motorised vessels from beaches at McInherney Park

This option will not satisfy motorised boat users wanting access to the beaches at McInherney Park but will retain these areas for existing users such as recreational swimmers and non-motorised vessels. This option will also likely satisfy adjacent residents more than other management options as outlined above.

The use of the McInherney Park beaches by non-motorised vessels in recent years has increased with the establishment of Sailability NSW - Port Macquarie Club who utilise the western man-made beach.

Sailability is a not for profit, volunteer-based organisation which aims, through the activity of sailing, to enrich the lives of people with any type of disability, the elderly, the financially and socially disadvantaged.

This option will ensure that there is ongoing access to this beach for this purpose.

Port Macquarie - Hastings Recreation Plan

A further option for consideration is to defer a decision regarding this matter until the Port Macquarie - Hastings Recreation Plan has been developed and adopted by Council. This plan seeks to provide Council with the direction for the future development of sport and recreation facilities and services for the next 10 years. Recreational boating needs, including motorised and non-motorised vessels, are to be considered as part of this plan.

There will be significant engagement with key stakeholder groups and the broader community including recreational boaters during the development of this plan.

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Significant community engagement associated with the plan is scheduled to be undertaken by Council's consultants between 4 - 6 November 2013.

Given current and forecast demand for recreational boating infrastructure it is likely that this plan will identify shortfalls in infrastructure to support recreational boating on the Hastings River into the future. If this is proven within the plan actions or strategies associated with addressing the shortfall will be developed.

Options

Council can adopt the recommendation as included in this report, or Council can choose from the other management options outlined in this report. Council could also opt for other management options not discussed in this report.

Community Engagement & Internal Consultation

During the development of this report Council has received one letter from adjacent residents and one from a motorised boat user. These letters were not made as part of any formal consultation process so will not be formally recognised within this section of the report.

The letter from adjacent residents requested that the western man-made beach be removed due to safety concerns associated with strong currents and recreational swimmers venturing into boating lanes. They also requested a reduced speed zone for the McInherney Park boat ramp area.

The letter from the motorised boat user suggested that:

- other sites available for water skiing on the Hastings River, namely Rocks Ferry in Wauchope and Log Wharf Reserve in Telegraph Point, are less safe than the McInherney Park site due to presence of bridge structures
- A number of years ago at Kyle Bay on the Georges River a similar situation arose where residents complained to Council about boat noise. Council considered the matter and prevented the use of very noisy craft like jet skis and had some time restrictions preventing use in the very early hours of the morning.

Staff met with representatives of Sailability NSW - Port Macquarie Club at McInherney Park on 1 October 2013, not as part of the development of this report but at their request to allow staff to understand their operational requirements. During this meeting members advised the removal of the exclusion zone associated with the western man-made beach would have an impact on their weekday operation during the school holidays only but that there are potential future impacts should their operation grow as expected.

As mentioned in the body of this report, there was criticism levelled at Council regarding the introduction of the motorised vessel exclusion zone when it was introduced in 2006. Motorised vessel users criticised the decision making process and suggested that there had not been adequate community engagement prior to Council resolving to introduce the exclusion zone.

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Any Council decision generating a change in the use of the western man-made beach without an appropriate community engagement process having been undertaken it is likely to generate backlash from affected stakeholders.

It is considered that any separate engagement on McInherney Park outside of the current Port Macquarie - Hastings Recreation Plan is not an efficient use of resources given the scope of the overall plan. As mentioned above, there will be community engagement undertaken regarding the needs of motorised and non-motorised vessels users during the development of the Port Macquarie - Hastings Recreation Plan.

Planning & Policy Implications

All options outlined in this report are consistent with the intended purpose of this parcel of Council owned community land.

Financial & Economic Implications

Nil

Attachments

Nil

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Item: 12.05

Subject: WAUCHOPE TRAFFIC MANAGEMENT STRATEGY

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.1.1 Plan, investigate, design and construct road and transport assets which include pedestrian, cyclist and vehicular needs.

RECOMMENDATION

That Council:

- 1. Support in principle the Wauchope Traffic Management Strategy as outlined in this report.**
- 2. Place on public exhibition the Wauchope Traffic Management Strategy inviting community comment, noting that the exhibition will include a community and stakeholder information session.**
- 3. Following exhibition, receive a further report detailing the outcomes of the exhibition and recommendations to progress actions for the management of traffic within Wauchope.**

Executive Summary

The status of the Wauchope town centre alternative route strategy was reported to Council at its meeting held 20 February 2013 where Council resolved as follows;

That this matter be deferred to enable:

- 1. further investigations including consultation with Road and Maritime Services, the Wauchope Community and Wauchope Chamber of Commerce to be undertaken; and*
- 2. the provision of a detailed briefing to Councillors,*
 - 1.*

Councillors were further briefed on this matter at a Councillor Briefing session held on 7 August 2013. A stakeholder workshop supported by Councillors was held on 27 August 2013 at the Wauchope Senior Citizens Centre. Councillors Intemann and Griffiths attended the workshop. This report informs Councillors on the outcomes of the workshop and recommends a preferred Traffic Management Strategy to be exhibited for wider community comment.

To date traffic network improvements for Wauchope has focussed on the construction of a town centre bypass new link road between the North Coast Railway and Cameron Street. This report reveals the need to consider traffic management improvements for Wauchope in the context of the overall town centre road network having specific regard to existing and forecasted traffic movements as identified in a recent report by traffic consultants Aecom Pty Ltd.

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Discussion

Background

The concept of a road bypass for the Wauchope town centre was initially identified in the Wauchope Traffic Study 1996 as an action to provide an alternative route for traffic passing through the High Street section of the town centre.

Since that time the proposal has been the subject of many community forums and investigations. The most recent investigation was undertaken by Aecom Pty Ltd on behalf of Roads and Maritime Services (RMS) in 2012. This investigation has indicated limitations with the link connection, based on identified travel patterns and planned residential development areas.

The connection, however, was central to previous proposals and therefore further consultation between Council, RMS and the community is required before this issue can be progressed.

The alternative proposal, including traffic signals at the intersection of Cameron and High Streets was reported to Council 20 February 2013 (copy attached). Council resolved as follows;

That this matter be deferred to enable:

- 1. further investigations including consultation with Road and Maritime Services, the Wauchope Community and Wauchope Chamber of Commerce to be undertaken; and*
- 2. the provision of a detailed briefing to Councillors, with a further updated Report dealing with (1) above and available options to be presented to Council's May 2013 Meeting.*

Councillors were briefed on this matter at a Councillor Briefing session held on 7 August 2013 and Councillors supported staff presenting traffic management options to a stakeholder workshop. Accordingly a stakeholder workshop was held on 27 August 2013 at the Wauchope Senior Citizens Centre. Councillors Intemann and Griffiths attended the workshop.

Stakeholder Workshop Outcomes

The following traffic management strategy options were presented to the stake holder workshop held at Wauchope Senior Citizens Centre on 27 August 2013;

Option A - Existing Wauchope Town Centre alternative link road route, including improvements at the Blackbutt Drive intersections with Cameron and High Streets.

Option B - The improvement works identified in the independent traffic study by AECOM Pty Ltd , focusing on intersection improvements at the intersection of Cameron and High Streets (traffic signals) , Waugh St and Beechwood Road.

The workshop was facilitated by Council's project management team and assisted by Roads and Maritime Services traffic management staff. A list of workshop attendees (20) is attached. Workshop attendees were asked following staff presentations to list the strength and weaknesses of Options A & B. Attendees were

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also invited to list alternative options/works. The table below lists the stake holder comments together with staff responses.

Option A	Existing Strategy (New Link Road)
Strengths	Staff & RMS Comments
Diverts heavy vehicles from High Street	Unlikely to divert all heavy vehicles, particularly heavy vehicles using Beechwood Road.
Maintains town amenity	Will enhance town amenity equivalent to impacts created by heavy vehicles actually diverted. Further traffic counts are proposed to confirm current heavy vehicles movements through the town centre.
Includes treatment of Blackbutt Drive Cameron Street	Agreed
Maintains parking eastern end of High Street (lost if traffic lights)	Agreed
Link Road cuts off the bends in High Street	Agreed , only for traffic using the link road
Takes Traffic out of High Street	Agreed , unlikely to attract traffic generated from the Town Centre north and Beechwood Road.
Removal of heavy vehicles from High Street	Repeated see above.
Pedestrian friendly	Likely to result in pedestrian safety improvements due to reduced through traffic in High Street.
Reduce queuing over railway crossing.	Only for westbound traffic in the Oxley Highway. Independent traffic Study highlights potential queuing for peak am eastbound traffic in new link road.
Retain main street, streetscape	Both Options will allow for High Street streetscape improvements, Option A may provide for better traffic amenity due to reduced through traffic in High Street.
Weaknesses	Staff & RMS Comments
May reduce business access between Cameron and Wallace Street	Some reduction will occur , however, most commuters are travelling to and from workplaces with limited business access during their respective journeys.
Does not address growth and development to north west (Beechwood)	Agreed
Parks and age care facilities on Cameron Street (Safety issues)	Option A has potential for noise and amenity impacts on various developments in Cameron Street. The REF prepared recommended as a noise reduction work, AC surfacing of Cameron St as traffic growth warrants these works. Direct impacts of intersection opposite Church of England site may require special attention.

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Removal of skateboard park to where?	Not required at this stage.
No plan for Cameron/Blackbutt intersection	Disagree. Option A included short and longer term improvements to cater for expected traffic growth, including heavy vehicle movements.
Only addresses Oxley Highway traffic, not Beechwood Road.	Agreed
Loss of through traffic business in CBD	Agreed
Pedestrians in Cameron Street	Special crossing treatments may be required ie pedestrian refuges.
Sports fields stadium issues	No nett loss of parking is proposed , some minor traffic movement conflicts at the new intersection with Cameron Street may result.
Aged care facilities in Cameron Street	Repeat see above
Narrow bridge near King Street	Possibly a longer term problem when and if dual lane upgrade of Cameron St is required. Currently adequate single lane in each direction with footways on each side.
Churches x 2	Repeat see above
School buses	Both Options can cater for school buses
Exit onto High Street	It is understood this refers to the Oxley Lane exit , proposed to be reviewed.
Intersection High Street and Blackbutt Drive needs to be addressed now	Option A included short and longer term improvements at this intersection to cater for expected traffic growth, including heavy vehicle movements.
Intersection Blackbutt Drive and Cameron Street needs to be addressed now	As above
Lighting Blackbutt Drive and High Street very poor	May need upgrades commensurate with traffic growth, not a short term requirement.
Lights at Bundaleer impairs driver vision	To be followed up by Council traffic staff as a separate matter.
Lights at Star Hotel impairs driver vision	As above

Option B	Alternative Strategy (Traffic Signals)
Strengths	Staff & RMS Comments
Tries to accommodate growth in N/W (Beechwood)	Will cater for all traffic growth from all potential generators, including planned growth areas as well as the town centre north sector.
Encourages pedestrians at High Street and Cameron Street	Agreed. Proposed traffic signals will provide for safe pedestrian movements
Tries to reduce congestion by various routes	Agreed
Safety of pedestrian movements	Repeat as above.
Increased traffic clearance from high Street to Cameron Street	Proposed traffic signals will provide an opportunity to better manage peak am and

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	pm traffic movements through phasing of the signals.
Better use of car parking in Cameron Street	Agreed, provided Council resolves to use the link road land for parking.
Roundabout at Waugh/Beechwood Road	Agreed, retains this option as part of the original Wauchope Traffic Study recommendations 1996.
Bain Street as an alternative route into town from Beechwood Road.	May be considered as an alternative to the Waugh Street route, requires further investigation and consultations.
Weaknesses	Staff & RMS Comments
Townscape amenity adjacent to heritage buildings on corner High and Cameron Street	Traffic signals may result in loss of amenity, partly offset by urban design options. Needs to be balanced against overall benefits of signals.
No treatment at Blackbutt Drive and Cameron Street	It is recognised these works are required, however, not highlighted as a priority in Option B
Massive congestion down High Street from traffic lights	Option B encourages wider distribution of traffic through the Wauchope town centre network via Cameron, High and Waugh Streets. Delays will be expected during peak am and pm at the intersection of Cameron and High Streets, however the traffic signals will allow movements to be managed unlike the existing roundabout which has potential for further delays due to the inability to manage flows at this type of intersection.
Increase traffic on residential roads	Some increases are expected in Waugh and Cameron Streets, however, this is to be expected for these roads which are likely to be classified as collector or sub-arterial roads in the overall Wauchope road hierarchy. With or without the road hierarchy traffic will still grow and it is therefore critical Council plan future improvement works around a road hierarchy as opposed to piecemeal works in response to a site specific traffic problem.
Steepness of Waugh Street and Beechwood Road	Existing grades are typical of many urban roads within the LGA compliant with road grade standards.
Schools on Waugh Street and Campbell Street	This is a current issue potentially exacerbated by increased through traffic. Can be managed by appropriate traffic management works. It should be noted whilst Option B will encourage more through traffic the independent traffic study highlights this street will be subject to traffic growth regardless of Option B.
Loss of town image due to; - Loss of parking	Traffic signals may result in loss of amenity, partly offset by urban design options. Needs

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<ul style="list-style-type: none"> - Loss of gardens - Loss of streetscape 	to be balanced against overall benefits of signals.
<p>Intersections needs work now not dependant on future traffic strategy;</p> <ul style="list-style-type: none"> - Campbell and Waugh Street - Blackbutt Drive and High Street - Blackbutt Drive and Cameron Street 	It is recognised these works are required , however, not highlighted as a priority in Option B
<p>No flashing lights at;</p> <ul style="list-style-type: none"> - St Josephs - Primary School - High School 	Needs to be investigated by Council traffic staff in consultation with RMS as a separate matter.
Heritage aspect of building	Repeat see above
Schools safety re Waugh Street	Repeat see above
Additional school traffic	Repeat see above
Loss of parking on High Street	The proposed traffic signals will result in a loss of parking spaces (possibly 15 to 20). This loss needs to be balanced against overall benefits of the signals and also having regard to planned growth of the town centre and potential parking space provision.
Why more traffic north when Wauchope CBD is to extend North?	Transport strategies should encourage commuters to use alternative modes of transport ie buses, walking and cycling. However it is likely the larger proportion of the population will be car dependent for many years and it is therefore necessary to plan for traffic forecasted to be generated by the planned growth of the town centre north.
Destination of CBD high Street activity. Business relies on traffic through town.	The independent study highlighted a large proportion of traffic will travel through the town centre via High Street, however, the study also highlighted the need for distribution of traffic north and south of the town centre to relieve expected congestion in High Street. Those commuters wishing to access the CBD will always be able to do so by choice.
Traffic backup to railway line from Cameron Street lights will become worse	Repeat see above

Other Options

Option	Staff & RMS Comments
Bridge/flyover railway crossing on High Street to Port Lane	Will remove all traffic problems associated with the existing railway crossing, however will not alleviate expected congestion at the intersection of High & Cameron Streets. Once committed to this option the link road

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	component of Option A is no longer viable. This option supports as a longer term action
Extend Bain Street onto Beechwood Road instead of Waugh Street	Not consistent with Council's plans for the realignment of Beechwood Road in this locality. Replacement of the timber bridge over Yippen Creek proposes realignment of Beechwood Road south towards the Waugh St intersection.
Linking Yippen Creek road to Blackbutt Drive	No longer a viable option due to recent subdivision developments. This option also realises relatively low benefit versus costs.
Blackbutt/Cameron Street head south to King Creek bypass instead (monitor/assess heavy vehicles use of High Street.	Road bypass options of Wauchope have previously been considered and discounted as feasible options primarily due to the costs far outweighing the expected traffic benefits
Traffic calming measures	Feasible option , has potential for low cost works realising reasonable benefits capable of being implemented in the short term.
Reduce speed limits along High Street	High Street currently sign posted ?? kmh. May be an opportunity for a 40kmh high pedestrian zone in the section of High Street, Hastings to Cameron Streets?
If traffic lights at Cameron/Blackbutt provides only pedestrian crossing in all of Cameron Street.	There will be other opportunities to examine need for further pedestrian crossings in Cameron St as part of PAMP review or future traffic investigations.
Call it a "Heavy Vehicle Detour" only	Serves no purpose to give the link road a title, however, appropriate directional sign wording will need to be considered if the link road option proceeds, noting the link road option provides an alternative route for traffic generated from the southern and south western sectors of Wauchope.
Leave it the way it is now	Unlikely to be sustained in the medium to longer term. The independent traffic study highlighted forecasted traffic growth will require some traffic management works.
Overpass over railway line south of existing crossing from king Street to Stony Creek Road	Repeat as above
No need to divert Traffic	Repeat as above
Oxley highway to Cameron Street left hand only slipway - include tourist info boards and car parking and RV dump points	This option is possible. The costs of this option outweigh the expected traffic benefits which would remove a portion of westbound only traffic movements from the town centre.
Longer term town CBD car parking prior to traffic lights.	Investigations undertaken for the 2011 Parking Strategy adopted by Council highlighted the Wauchope Town Centre has adequate parking in terms of demand vs supply. The strategy suggests a review of existing time limits to increase turnover as a short term option with provision of additional

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	parking spaces identified as medium to longer term options.
Teach drivers how to use roundabouts	An ongoing option to be reinforced as part of Council's overall Road Safety education and awareness programmes.
Left hand Slip lane off railway crossing	Repeat as above
Collect heavy vehicle data (High St and Blackbutt Dr) due to noticeable change	Agreed , in hand.
Relocation of pedestrian crossings in CBD	To be investigated in consultation with RMS.
Left hand turn out of Oxley Lane into High Street only.	To be investigated and reported to Local Traffic Committee
Alternative access/bypass from Beechwood Road via back of Timbertown to the Racecourse and via Redbank Road to Rocks Ferry Road to Port Lane.	Road bypass options of Wauchope have previously been considered and discounted as feasible options primarily due to the costs far outweighing the expected traffic benefits. A future road link between Beechwood Road and the Oxley Highway has been considered as part of urban land release investigations for Wauchope. Regarded as a long term option subject to further planning for release of urban land west of Wauchope.
Upgrade the old highway Timbertown to Cameron Street	Repeat as above
Pedestrian flow at Cameron Street	Repeat as above.
Re-asses placement of crossings	Repeat as above
Improve movement under railway line	This option has been considered as part of the independent traffic study as a feasible longer term option.
Improve Redbank/Stoney Creek	Regarded as a longer term option that may attract traffic generated from the Beechwood and Pembroke areas to access the eastern sectors of the LGA via Redbank and Stoney Creek Roads.
Leave it the way it is now	Repeat see above
More Oxley Lane pedestrian crossing or add pedestrian lights	Oxley lane is a relatively low traffic generator with a low speed environment. Provision of traffic lights and formal crossings in this laneway unlikely to meet traffic warrants for these facilities.
Start negotiations with State Rail to upgrade Redbank Bridge to dual lane to take traffic flow from Beechwood, Pappinbarra, Bellangry etc.	Regarded as a longer term option that may attract traffic generated from the Beechwood and Pembroke areas to access the eastern sectors of the LGA via Redbank and Stoney Creek Roads.
One way road (Link Road) from railway line to Cameron Street going west with merging lane onto Cameron Street	Repeat as above

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Whilst there was no strong consensus to be drawn from the stake holder feedback some common opinions as follows are drawn;

- The link road component of Option A will not service traffic generated from the northern and north western sectors of Wauchope, including Beechwood Road;
- Option A (link road) will impact on existing aged care and church patrons
- The link road will provide an opportunity for heavy vehicle bypass of the main street although may not attract all heavy vehicles from the north;
- The link road will provide an opportunity for west bound pm peak traffic bypass of the main street.
- There is a need to improve the existing intersections of Blackbutt Drive with Cameron and High Streets;
- Both Options A & B need to be supported with appropriate traffic calming devices such as pedestrian refuges with access compliant footpath connections particularly in Cameron and Waugh Streets;
- Priority should be given to traffic improvements affordable in the short term
- Traffic signals at the intersection of Cameron and High Streets will result in loss of parking and impact on the amenity of the locality
- The traffic signals will provide opportunities for safer pedestrian crossings of High and Cameron Streets;
- The traffic signals will provide an opportunity to manage forecasted traffic growth and should be seen as a medium to longer term solution.
- Waugh Street will require significant traffic improvement works to function as a safe through route particularly adjacent to the Primary school.
- There is a need to review the existing pedestrian crossings in High Street
- There is a need to review the suitability of the existing one way traffic flow in Oxley Lane

It was apparent from the workshop that some of the workshop attendees had difficulty understanding the traffic technical merits of Option B, particularly the longer term benefits of the proposed traffic signals at the intersection of Cameron and High Street. Attendees also had difficulty understanding the merits of a strategic approach to the staging of works with the primary objective to provide a “balanced distribution” of traffic across the local road network.

RMS staff highlighted that with or without the traffic signals traffic growth forecasted in the AECOM traffic study will occur and the intersection will operate at an unacceptable level of service increasing the potential for serious vehicle and pedestrian conflicts. RMS confirmed the existing roundabout is operating at a reasonable level of service and may continue to do so under a very low growth scenario, however, if the growth of the town centre and urban release areas occurs as planned improvements to the intersection will be required.

Consideration also needs to be given to Council’s capacity to fund significant infrastructure works in the short term. Council funding of major intersection improvement work in the short term is unlikely, particularly when considered alongside other Transport Infrastructure backlogs within the LGA. Regard to Council’s capacity to fund these works in the short term has been given in developing the following recommended traffic management strategy.

Recommended Strategy

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The following traffic management strategy is presented for Council consideration having regard to the stake holder feedback and consideration of the professional advice of the independent traffic study and project management staff. Regard has also been given to Council's capacity to fund the recommended actions, noting the strategy will be subject to ongoing review, especially the medium and longer term actions.

Short Term Actions (1 to 3 years)

1. Defer the link road component of the Wauchope alternative route strategy (Option A) and continue to monitor traffic movements within the town centre
2. Review the suitability of the existing pedestrian crossings in High Street and implement approved changes
3. Review the one way traffic flows in Oxley Lane and implement approved changes
4. Examine in conjunction with the 2013/14 review of the Wauchope Pedestrian Access Mobility Plan options for pedestrian facility improvements in High, Waugh, Young and Cameron Streets, recommend works for funding as part of Council's future annual Operational Plans.
5. Preparation of concept designs, environmental assessments and construction cost estimates for the provision of traffic signals at the intersection of Cameron and High Streets.
6. Examine the feasibility of Bain Street as an alternative through route to service through traffic generated in the northern and north western sectors of Wauchope, including Beechwood Road.
7. Development of a Wauchope road hierarchy plan to be used as the basis for future road planning and programming of works.

Medium Term Actions (4 to 10 years)

1. Upgrade the intersection Cameron and High Streets subject to obtaining the necessary funding support, design and environmental approvals, including the concurrence of RMS.
2. Upgrade the intersection of Waugh Street and Beechwood Road;
3. Upgrade the intersection of Blackbutt Road and Cameron Street;
4. Upgrade the intersection of Blackbutt Road and High Street;
5. Upgrade the intersection of Young and Waugh Streets
6. Upgrade the intersection of High and Hastings Street in conjunction with main street upgrades planned as part of the Wauchope Town Centre Urban Framework Plan.

Long Term Actions (10 years +)

1. Upgrade of the intersection of Young and Cameron Streets
2. Upgrade intersection of Cameron and Alma Streets
3. Upgrade the intersection of Wallace and Alma Streets
4. Upgrade the intersection of Stoney Creek Road and Rocks Ferry Road
5. Upgrade the intersection of Oxley Highway and Stoney Creek Road.

A plan showing the location of the strategy works is attached. Should Council support in principle the above strategy it is recommended it be placed on public exhibition for wider community and further stakeholder comment. Exhibition of the strategy will

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need to be supported with appropriate background information and information clearly outlining the strategy objectives and what is intended to be achieved by each action. A brief discussion on costs and potential funding sources should also be provided.

In terms of traffic management improvements for Wauchope most of the focus in recent years has been on the alternative link road route. The independent traffic study highlights the need to consider more broadly the Wauchope traffic network and what improvements are required to cater for forecasted traffic growth. It is therefore proposed going forward to identify road network improvements under the umbrella of the Wauchope Traffic Management Strategy, as opposed to a narrower focus on the town centre alternative route which still can be achieved through a more strategic approach.

Options

Council has the option to:

1. Support the recommendation of this briefing note as the preferred traffic management strategy for wider community consultation or;
2. Abandon the alternative town centre link road route and fund traffic related problem sites on a responsive basis through Council's Operational Plan - Transport Works program annual budget allocations or;
3. Confirm the current planning and design for the alternative town centre link road route strategy as the preferred traffic management strategy for Wauchope or;
4. Confirm the traffic management strategy as identified in the independent traffic report by AECOM as the preferred traffic management strategy for Wauchope.

Option 1 is recommended as this option defers any commitment to significant works in the short term and allows Council to monitor the need for major works having regard to the traffic conditions at the time. This option has a reasonable level of support by the attendees of the Stakeholder Workshop, however, needs to be further tested through the wider community exhibition as recommended.

Option 2 is not supported as it fails to give the Wauchope community and interested organizations any way forward in terms of the management of Wauchope traffic related problems.

Option 3 is not supported given the constraints of this option identified in the independent traffic study by AECOM. Parts of this strategy however are included in option 1.

Option 4 is not supported in isolation of other actions identified through the recent stakeholder workshop. Parts of this option are included in option 1.

Community Engagement & Internal Consultation

Consultations with Councillors, key stakeholders and the wider community is proposed to be undertaken in accordance with the Community Participation Plan as set out below. Council may note the consultations completed to date and the

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proposal to now proceed to have the proposed Traffic Management Strategy exhibited for wider community and stakeholder comment.

Project Decision Stages & Tasks	Level	Participation & Communication Techniques	Who	When
Councillor Briefing	Involve	RMS presentation of proposal Q & A	- Councillors - RMS - Dir Infrastructure & Asset Mgmt - Group Mgr Technical Services	Completed
Put on view background materials	Inform	Media Release RMS proposal on website FAQ sheet and how to get involved PMHC Listening	- RMS - Group Mgr Transport Network - Transport & Traffic Engineer - ComDev - Comms	Ongoing
Stakeholder Workshop	Involve	RMS presentation of proposal Q & A Written meeting invitations: <ul style="list-style-type: none"> • Councillors • Wauchope Chamber of Commerce • Wauchope Business Assoc • Wauchope Progress Assoc • Ministers Fraternal 2. 	- RMS - Group Mgr Transport Network - Transport & Traffic Engineer - ComDev 3.	Completed
Collate, analyse and summarise findings and further Councillor Briefing on outcomes	Collaborate	Review proposal in terms of Council and stakeholder response Confirm with Council to proceed to community consultations	- Group Mgr Transport Network - Transport & Traffic Engineer - ComDev	Council Meeting 16 th October 2013
Public Exhibition	Involve	Public displays, media releases	4. 5. 6.	October 2013
Community Information Session		RMS presentation of proposal option/s & community feedback	- RMS - Group Mgr Transport Network	5.30pm to 7pm Wauchope Seniors Centre
Review of proposal option/s		Invitation to Councillors Council Matters <ul style="list-style-type: none"> • Council website 	- Transport & Traffic Engineer - ComDev	

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		<ul style="list-style-type: none"> Promote thru Chamber of Commerce Information at Library/CSC 		
Collate, analyse and summarise findings	Collaborate	RMS & Council review proposal in terms of community response 7.	<ul style="list-style-type: none"> - Group Mgr Transport Network - Transport & Traffic Engineer - ComDev 	November 2013
Report to Council	Involve	Report outlining available options	- Dir Infrastructure & Asset Mgmt	18 th December 2013

Planning & Policy Implications

Council's urban land release planning for Wauchope highlights a steady growth for Wauchope with commensurate traffic growth. The Wauchope Urban Framework Plan supported by recent LEP amendments highlights the potential for expansion of the commercial town centre north with potential for increased traffic generation in the town centre streets. The traffic management strategy recommended in this report supports a progressive approach to traffic network improvements required as a result of the forecasted traffic growth across the Wauchope road network. It is important to stress the recommended strategy actions (particularly the medium and long term actions) are not "set in concrete" and will be subject to Council's annual budget allocations for the Transport Infrastructure works programmes.

Financial & Economic Implications

Council's 2013/14 Operational Plan has no specific budget allocations for traffic management improvement works in Wauchope. Costs to implement the recommended traffic management strategy are estimated as follows. It is to be noted these estimates are based on like works undertaken by Council and are subject to detailed design and resource based estimates.

Short Term Actions	\$ 300,000
Medium Term Actions	\$5,500,000
Long Term Actions	<u>\$3,000,000</u>
Total	\$8,800,000

Funding of the works would be considered as part of Council's annual budget allocations for its Operational Plan. The timing of specific works will be dependent on Council's allocation of funding with due regard to other Transport Infrastructure work priorities across the LGA. Potential funding sources include general fund revenue, Section 94 contributions and State or Federal grants.

Attachments

1. Council Report February 2013
2. Wauchope Stakeholder Workshop Attendee List
3. Wauchope Traffic Management Strategy Map

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INFRASTRUCTURE



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Item: 12.06

Subject: QUESTION ON NOTICE - LOCAL GOVERNMENT AREA TRAFFIC STUDY

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.1.1 Plan, investigate, design and construct road and transport assets which include pedestrian, cyclist and vehicular needs.

RECOMMENDATION

That development of a fresh LGA Traffic Study be given priority for funding as part of Council's determination of the 2014/15 Operational Plan.

Question from Councillor Roberts

- Can the General Manager please provide information as to when the last Local Government Area Traffic Study was completed and by whom and a summary of where specifically the identified critical areas for consideration are in regards to infrastructure works requiring immediate consideration and also works required to be considered now to accommodate for future growth in traffic movements in the Local Government Area?

Comments by Councillor (if provided)

Nil.

Response

Background

Council has undertaken numerous area specific traffic studies since the early 1970's for the principle purpose of identifying traffic improvement works needed to ensure safe and functional movement of traffic associated with the area or a particular land use development proposal. The majority of these studies were undertaken in isolation with little regard to the overall major road network and consequently necessary major road network improvements were overlooked.

The first area wide study was undertaken on Council's behalf by GHD Pty Ltd in 1985. This study reinforced the need for the provision of critical link roads to service forecasted traffic growth associated with planned urban land releases on the outskirts of Port Macquarie. The primary recommendation of this study was the construction of a link road between Matthew Flinders Drive and Hindman Street, Port Macquarie subsequently implemented in stages between 1990 to 2007.

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In 1993 Connell Wagner updated the GHD study and reviewed the major road improvements required to service future traffic demand. Information from this study was also used to support a detailed major roads Section 94 developer contribution plan.

The Wauchope Traffic Study was prepared in 1996 with recommendations for road network improvements within Wauchope.

Although the above studies were adequate at the time, Council recognised during 1999 the need for a detailed major roads strategy based on a formal road hierarchy capable of integrating with future urban expansion. Also a challenge in the Land & Environment Court against Council's Section 94 Arterial Road Contribution Plan was perhaps the catalyst for Council to commit to a fresh study. The conduct of the study was also timely given Council's long term need to manage its road infrastructure capital assets during a period of rapid deterioration in the road network due to climatic conditions, traffic growth and ageing assets.

Accordingly SMEC Australia Pty Ltd were engaged in 2000 to undertake a fresh study of the LGA and recommend a major road improvement strategy. The study was limited to all major roads within the LGA urban areas as well as the major roads linking the urban centres.

Current LGA Study

The SMEC study was completed in 2003 and has to date been the primary reference source for traffic forecasts and planning relating to Council's major road network. The study forecasts traffic flows for the years 2011 and 2021. The study is also referenced for other traffic data such as forecasted levels of service (LoS) and traffic accident data collected at the time of the study. Various types of data were used in developing the traffic model: current jobs data received from the Hastings Business Enterprise Centre (BEC), Hastings Urban Growth Strategy (HUGS) 2000, population projections, and intersection and mid-block traffic count data. The 1991 trip matrix data model from the GHD study was expanded through the use of this data to develop a more comprehensive model (162 zones compared to the previous 60 zone model.). The HUGS 2000 population estimate for 2021 was accommodated by factoring in urban consolidation of existing urban centres and expansion within the planned growth areas.

The SMEC study has also been supplemented by the following minor updates;

- 2002 Innes Peninsula DCP traffic investigations
- 2006 Outer link roads options assessment,
- 2007 Area 13 and Sancrox traffic investigations
- 2008 East-west link roads assessment,
- 2012 Thrumster and Sancrox minor update

The traffic model developed for the study has served Council well, however, is now becoming outdated. The study was based on limited traffic data, although the traffic forecasts for 2011 have shown to be reasonably accurate for most road segments. It is also to be noted there have been significant developments and planning initiatives since the 2003 study such as;

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- Completion of the Pacific Highway Upgrades , Johns River to Oxley Highway;
- Completion of the Oxley Highway deviation , Pacific Highway to Wrights Road;
- Significant infill developments in the Flynns Beach, Town Beach and Westport precincts
- Commercial developments in the PM town centre
- Significant land release west of Wauchope
- Release of land for urban development in Areas 13,14 and 15.
- Abandonment of an outer link road east west connection across Innes Nature Reserve and reliance upon Lake Road to cater for future east west traffic movements between Ocean Drive and the Oxley Highway.
- Release of land for industrial development at Sancrox
- Urban consolidation strategy adopted as part of the PMHC Urban Growth Management Strategy
- Airport upgrades and airport precinct planning
- Planning for a University campus
- Regional Base Hospital expansion
- Settlement City precinct planning
- Parking Strategy 2011

The above developments and planning initiatives have significant implications in terms traffic generation and distribution of traffic throughout the major road network. Council must plan ahead for suitable road network improvement works to address the likely traffic impacts associated these developments. Fundamental to this planning is reliable data and analysis of traffic flow scenarios to enable the development of a road network improvement strategy.

Due to the recent developments mentioned above the 2003 SMEC study and traffic model is now essentially redundant and should be replaced with a fresh study to provide a current network model , traffic forecasts for next twenty (20) years and an implementation strategy to manage the forecasted traffic growth. The fresh study will also provide more reliable data for a fresh S94 Roads Contribution Plan planned to be undertaken during 2014/15.

Current Major Roads Improvement Strategy

An implementation strategy was developed as part of the SMEC study taking into account the adequacy of the existing road system in terms of level of service (LoS). The road hierarchy was also considered in determining priorities. Councils rolling works program (6 years) was used at the time as a starting point for developing an implementation plan for the study. Projects were categorised into "low", "medium" and "high" priorities. It was considered reasonable for high priority projects to be implemented in 5 years, medium priority projects in 5 to 15 years and low priority projects beyond 15 years. A copy of the road improvement works strategy prepared as part of the study is attached for information. The status of each work recommended for implementation is provided in the attachment. Seventy (70) projects were listed including forty seven (47) high, sixteen (16) medium and seven

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(7) low priority projects. Thirty one (31) projects have been completed including the following major works;

- Port Macquarie Link Road , Lochinvar Place to Hindman Street
- Hastings River Drive duplications Kemp St to Hughes Place
- Various sections of Ocean Drive upgrades
- Traffic signals intersection Gordon Street and Ocean Drive

Council's capacity to deliver the works listed in the implementation strategy has been limited to available funding and other general fund infrastructure work priorities. Also the majority of the works listed are heavily reliant upon S94 developer contributions forecasted in 2003 to be much higher than actual income received since 2003. The GFC with resultant decline in developments has impacted significantly on cash flows relied upon to fund the major roads strategy. It should also be noted the Port Macquarie link road (Lochinvar Place to Hindman Street) was completed at a cost considerably higher than the costs estimated in the 2003 Strategy , also having a significant impact on available cash flow to fund other strategy works. Council have also focussed in recent years on the rehabilitation and repair of road pavements as part of Council's overall asset management strategy with the objective of reducing the backlog costs associated with ageing pavements. Funding allocated towards these works has reduced the available funding for transport infrastructure growth driven works ie works required as a result of traffic growth. It is critical for financial planning purposes to have a reliable strategy in place. The current strategy estimated costs are outdated and have since 2003 been subject to annual reviews to ensure allocated budgets reflect current costs. The fresh study should be supported by an implementation strategy addresses the identified traffic problems and is financially sustainable.

What is involved in providing a fresh study?

- Traffic studies have potential for cost variances dependent on what Council expects from the study. Normally the greater the information provided the greater the costs. The quality of the study outputs is a function of the quality of the study inputs. The study should not be a 'one-off' but should be something that can be easily updated every few years on the basis of new traffic counts

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The study should as a minimum;

- Provide traffic forecast data for a range of years
- Model improvement scenarios/options
- Provide intersection levels of service for a range of years for both existing and planned upgrades
- Provide a road hierarchy for future planning
- Distinguish between existing and development related traffic (apportionments) to assist S94 Contribution planning
- Provide an implementation strategy for the road network improvements identified
- Provide a financial model to support the implementation strategy

It is important to determine the study area. The SMEC study 2003 is limited to the existing urban areas and major connecting roads. Inclusion of the major rural roads such as Comboyne, Beechwood, Lorne and Pappinbarra is recommended in the fresh study.

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The fresh study is likely to involve the following key steps;

- Confirmation of the project scope and study area
- Collection and review of existing data. This may involve significant traffic counts at key intersections and mid block counts, often a larger cost component of the study. Greater reliability on the study results will be provided through collection of a traffic data over numerous locations.
- Development and calibration of the traffic model
- Modelling of existing road network
- Modelling of network improvements. This phase will provide Council the opportunity to examine the network implications for upgrades of existing major roads such as Lake Road , Hastings River Drive and Ocean Drive. Modelling on new link roads can also be examined at this phase.
- Evaluation of future traffic conditions
- Development of a road network improvement strategy

Community and stakeholder consultations would be undertaken throughout the study.

Options

Council has the option to endorse the recommendation of this report or continue to rely on the existing LGA traffic study and implementation strategy for the purposes of future major road planning and works scheduling. For the reasons outlined in the discussion section of this report it is recommended Council proceed to have a fresh LGA traffic study and implementation strategy developed during 2014/15.

Community Engagement & Internal Consultation

- Council's transport and land use planning staff have discussed in recent months the need for a fresh LGA traffic study in consultation with RMS staff. RMS are more and more requiring such a traffic model before supporting road upgrade strategies for major roads such as Ocean Drive and Hastings River Drive.

• Development of the fresh study will involve key external stakeholders and wider community engagement.

Planning & Policy Implications

- Good transport planning is necessary in:
- - improving accessibility, mobility, transport choice and social equity
 - supporting economic and regional development
 - ensuring that efficient (and effective) land-use decisions are made
 - improving road safety, social and environmental quality and fostering sustainability of infrastructure and the environment
 - shaping patterns of development that support communities and neighbourhoods.
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- The new LGA traffic study would complement Council's transport planning and the concurrent updating of the PMHC Urban Growth Management Strategy (UGMS).
- The UGMS proposes consolidation of existing urban settlements which will increase demands on existing road networks and accordingly the major roads improvement strategy must service future traffic growth associated with the consolidation and urban land release UGMS proposals. The strategy must also service major infrastructure developments such as the university, hospital and airport planning.

Financial & Economic Implications

Council's 2013/14 Operational Plan has no specific budget allocation for the development of a fresh LGA traffic study. The project has been estimated to cost in the vicinity of \$300,000 subject to a detailed project brief and tender procurement. The project is eligible for funding support from S94 developer contributions and has potential for State Government financial assistance. Balance of funding would be relied upon from general fund. Should Council support the recommendation of this report, project management staff propose to proceed with the preparation of a detailed project plan and scope of works providing an opportunity for more accurate information on project costs and funding sources to assist budget determinations. It should also be noted study can better generate funds through a major roads contributions plan and through VPAs for major developments

Provision of a safe and efficient road network has potential for significant positive local and regional economic benefits in terms of reduced travel times and energy savings. Development of a sustainable road network improvement strategy is a logical first step ensure improvement works are implemented in the right location and the right time.

Attachments

1. SMEC Study 2003 - Implementation Strategy Status

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Item: 12.07

**Subject: LAND ACQUISITION - CORNER HASTINGS RIVER DRIVE AND
BOUNDARY STREET, PORT MACQUARIE (PIN 38881)**

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

Alignment with Delivery Program

5.1.1 Plan, investigate, design and construct road and transport assets which include pedestrian, cyclist and vehicular needs.

RECOMMENDATION

That Council:

Pay compensation in the amount of \$11,015 (GST Exclusive) for the acquisition of that part of Lot 21 Deposited Plan 874058 more particularly described as Lot 101 in plan of acquisition Deposited Plan 1179346.

Pay the legal and valuation fees in the amount of \$3,850 reasonably incurred by the landowner as part of the acquisition process.

Pursuant to Section 377 of the Local Government Act 1993 delegate to the General Manager authority to sign:

- a) Deed of Acquisition/Contract for Sale
- b) Land and Property Information Transfer Form 4 Pursuant to Section 10 of the Roads Act 1993 on the acquisition of Lot 101 Deposited Plan 1179346 dedicate Lot 101 Deposited Plan 1179346 as public road.

Executive Summary

A report to consider the acquisition of land for public road purposes at the intersection of Hastings River Drive and Boundary Street, Port Macquarie.

Discussion

As part of the planned widening of Hastings River Drive between Park Street and Boundary Street, and combined with upgrading of the Port Macquarie Airport, the Hastings River Drive and Boundary Street intersection is to receive traffic signals. To comply with the relevant standards for the safe movement of vehicles at this intersection, the acquisition of land on the south eastern corner of the intersection is required. The land to be acquired has been surveyed with plan of acquisition Deposited Plan 1179346 being registered. Lot 101 in Deposited Plan 1179346 is the land to be acquired and comprises an area of 44.1m². A map showing the general location of the land to be acquired is attached to this report.

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Negotiations with the owner of the land to be acquired have reached a stage where the matter can be reported to Council for formal consideration of the quantum of compensation to be paid for the acquisition of Lot 101 Deposited Plan 1179346.

Options

There is the option to:

1. Pay compensation as recommended in this report.
2. Pay compensation in another amount.

Community Engagement & Internal Consultation

The owner of the land to be acquired has appointed a legal representative to act on his behalf. Negotiations on matters such as monetary compensation, the impact of the acquisition on the building footprint of the residual land and the impact on the proposed development of the residual land have been addressed as part of the consultation process.

Internal consultation has occurred between the Commercial Services and Industry Engagement Division and the Infrastructure and Asset Management Division.

Planning & Policy Implications

The acquisition of the land is being conducted having regard to the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 and the Roads Act 1993.

Financial & Economic Implications

Council is required to pay compensation for the acquisition of Lot 101 Deposited Plan 1179346. Having regard to the requirements of the Land Acquisition (Just Terms Compensation) Act 1991, Council's consulting valuer assessed fair compensation for Lot 101 at \$10,000 (GST Exclusive) and an offer in writing in this amount was made to the land owner via his legal representative. The landowner elected to obtain his own valuation and subsequently a counter offer of \$11,015 (GST Exclusive) was received.

Where there is a difference between the amounts assessed by the valuers, it is the usual procedure to request the valuers to negotiate their differences in compensation and, if possible, arrive at an agreed amount. However, in this instance, the costs of engaging the valuers to enter into a negotiation process would have likely been at a cost greater than the difference in the valuations and accordingly the counter offer in the amount of \$11,015 (GST exclusive) is recommended to Council as being the fair compensation for the acquisition of Lot 101 Deposited Plan 1179346.

In addition to the monetary compensation payable for Lot 101, the Land Acquisition (Just Terms Compensation) Act 1991 requires Council to also pay certain costs reasonably incurred by the landowner arising from the acquisition. In this instance these costs are valuation and legal fees. Council is advised that these fees total \$3,850.

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Attachments

1. Plan of location of land acquisition

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Item: 12.08

Subject: TENDER T-13-26 PORT MACQUARIE AIRPORT - NEW CAR PARK FOR RENTAL CARS AND STAFF VEHICLES

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

Alignment with Delivery Program

3.5.1 Develop, manage and maintain Port Macquarie Airport as a key component of the regional transport network and continue to grow the airport's contribution to the regional economy.

RECOMMENDATION

That Council:

1. **Accept the lump sum tender of \$394,305.00 (excl. GST) received from Deklax Pty Ltd (Bridle Group) for Option 2 for the construction of a new car park for rental cars and staff vehicles at Port Macquarie Airport.**
2. **Affix the seal of Council to the necessary documents.**
3. **Adopt a project budget in 2013-14 of \$480,000 (excl. GST) as per the Project Plan, to allow for construction supervision fees, contingencies, and the provision of CCTV cameras, with funding from the Airport Reserve.**

Executive Summary

The purpose of this report is to advise Council of the results of the recent tender for the proposed car park for rental cars and staff vehicles at Port Macquarie Airport, and to recommend Deklax Pty Ltd (Bridle Group) as the successful tenderer to be engaged by Council on the project.

Discussion

Recognising the significant growth in passenger numbers over the past five years and that the existing car park located in front of the Airport terminal building operates at capacity during current peak periods, the aim of the new car park is to:

- Increase the overall availability of parking at Port Macquarie Airport (from 175 to 286 spaces);
- Increase the availability of parking in the existing car park located in front of the terminal building by relocating rental cars and staff vehicles from the existing car park to the new facility; and
- Provide a dedicated facility for rental car pick-ups and returns as typically available at other similar sized regional airports.

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A tender process was undertaken for the proposed car park in accordance with the Project Plan, and with the endorsement of the Project Control Group (PCG) and the Airport Project Advisory Group (APAG).

On 3rd September 2013, Council advertised for tenders from suitably experienced and qualified contractor organisations for the construction of a new 111 space car park for rental cars and staff vehicles at Port Macquarie Airport. Tender T-13-26 was advertised as an open tender, with a closing date of 26th September 2013.

During the tender period, some forty seven (47) individual organisations downloaded the tender documents from Council's tendering website.

The scope of works detailed in the tender documents included:

- Section 1 - Preliminaries;
- Section 2 - Earthworks;
- Section 3 - Road works;
- Section 4 - Wearing surface (2 options: Option 1 - 25mm asphalt, Option 2 - two coat flush seal);
- Section 5 - Stormwater drainage;
- Section 6 - Footpath;
- Section 7 - Concrete driveway;
- Section 8 - Services (incl. street lighting, CCTV, and access control equipment);
- Section 9 - Line marking and signs;
- Section 10 - Landscaping;
- Section 11 - Geotechnical tests; and
- Section 12 - Miscellaneous.

Two addenda were issued during the tender period - this information was distributed to all interested parties via Council's TenderLink system. Tender Addendum No. 1 was issued on 4th September and included updated design and services drawings.

Tender Addendum No. 2 was issued on 17th September removing the requirement for the provision of CCTV cameras and poles from the scope of works due to insufficient information being available at the time as to the capacity of the existing CCTV system / network at the Airport. The provision of associated conduits was retained in the scope of works to assist in the subsequent installation of CCTV cameras by others as a separate contract to this tender following further investigation of the existing system.

As indicated above, the tender included two surfacing options at Section 4 to allow Council to make an informed decision as to the preferred surfacing solution subject to Airport Reserve / budgetary considerations. See further discussion under the "Options" heading of this report.

At the time of closing, eight (8) tender submissions were received from the following organisations (listed in alphabetical order):

- Anderson Earthmoving;
- Civil Edge Contracting Pty Ltd;

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- Deklax Pty Ltd (Bridle Group);
- Ditchfield Contracting Pty Ltd;
- Diveva Pty Ltd (t/a Mid Coast Road Services);
- Gleeson Civil Engineering Pty Ltd;
- Keller Civil Engineers Pty Ltd; and
- Watpac Construction (NSW) Pty Ltd.

Deklax Pty Ltd (Bridle Group) submitted two (2) tenders, one marked “Conforming Tender” and the other marked “Alternate Tender”. As the tender documents did not allow for the submission of alternate tenders, Deklax’s “Alternate Tender” was not able to be considered.

A Tender Evaluation Panel was formed consisting of:

1.
 - Senior Works Engineer, Infrastructure Delivery;
 - Relieving Design Engineer (Outsourced Designs);
 - Business Enterprise Manager, Port Macquarie Airport; and
 - Acting Procurement Coordinator (Probity Advisor).

The Tender Evaluation Panel met on 1st October 2013 to evaluate the tender submissions received against the following weighted tender assessment criteria:

- Conformity with the tender documents;
- Lump sum tender price submitted (and accompanying pricing breakdown);
- Proposed methodology and demonstrated understanding of the project including provision of a Gantt chart showing milestones and the indicative timing required for delivery of the project;
- Demonstrated capacity, experience and performance on similar projects including provision of reference projects and referees; and
- Demonstrated qualifications, experience and competency of the personnel to be employed on this project (including subcontractors).

The weighting of the above criteria was not disclosed to any tenderer.

On receipt of tenders, an initial compliance check of price and non-price components was conducted to identify any errors, discrepancies or non-conformances requiring further investigation. Several clarifications were sought from the tenderers prior to the meeting of the Tender Evaluation Panel on 1st October. No tenders were considered to be non-conforming.

On the basis of the tenders and clarifications received, 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 assessment criteria.

The evaluation meeting was held on 1st October 2013. At the Tender Evaluation Panel meeting, the individual scores of each Panel member were combined (averaged) to provide the final non-price score for each tender. This score was then combined with the price score (calculated using a pricing formula to standardise the scores) to provide the final overall tender assessment result. Each submission was then discussed in detail.

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With regard to price, the lump sum tender prices submitted by each tenderer, including the accompanying pricing breakdown, were tabulated into a spreadsheet for comparison and analysis – please refer to the confidential report attached, titled “Tender T-13-26 Tender Evaluation & Pricing Analysis”. *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)).*

Based on this process, the Panel determined that the tender received from Deklax Pty Ltd (Bridle Group) represented the best value for money to Council in consideration of the assessment criteria above. In particular the panel noted that the submission from Deklax Pty Ltd provided:

- the lowest lump sum tender price;
- a methodology and program which demonstrated a clear understanding of the project;
- a local contractor with significant experience in the type and scope of works required by this project; and
- experienced personnel including a strong team of specialist sub-contractors.

Please refer to the confidential spreadsheet titled “Tender T-13-26 Tender Evaluation & Pricing Analysis” which details the final evaluation scores for the tenders as determined by the Evaluation Panel. 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)).

Construction supervision services on this project will be provided in-house by Council’s Infrastructure Delivery team.

Options

Council has the option of accepting the tender (either surfacing Option 1 or Option 2) submitted by Deklax Pty Ltd, or not accepting same, in which case Council would be required to re-tender for this work.

With regard to the surfacing options, the tender included two surfacing options at Section 4 to allow Council to make an informed decision as to the preferred surfacing solution subject to Airport Reserve / budgetary considerations.

The Project Plan identified Option 2 - two coat flush seal, as being the design standard acceptable for the intended use of the new car park. The project budget was established accordingly based on the lower capital cost of this wearing surface and noting the funding constraints of the Airport Reserve.

The Option 1 - 25mm asphalt surface is likely to provide benefits of a longer design life with reduced maintenance, and a smoother wearing surface finish to support line marking. The Option 1 surfacing however is considered a “nice-to-have” alternative only to the Option 2 surfacing which is considered “acceptable” for the intended use.

Deklax Pty Ltd’s lump sum price for the Option 1 asphalt surfacing (being the lowest of the Option 1 tender prices submitted) is detailed in the confidential spreadsheet

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attached titled "Tender T-13-26 Tender Evaluation & Pricing Analysis". *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)).*

Should Council accept the Option 1 asphalt surfacing an appropriate adjustment would need to be made to the project budget to accommodate the higher price.

Community Engagement & Internal Consultation

In assessing this tender, consultation has taken place with the:

- Tender Evaluation Panel members as listed above;
- Acting Procurement Coordinator (Probity Advisor); and
- Project Control Group members as listed below:
 - Director Commercial Services & Industry Engagement
 - Group Manager Commercial and Business Services
 - Airport Operations Coordinator.

The tender has been conducted in accordance with Section 55 of the *Local Government Act 1993* and Part 7 of the *Local Government (General) Regulation 2005*.

During the design phase of the project, Council consulted with:

- Rental car operators operating at Port Macquarie Airport;
- Airline, service provider and lessee staff;
- RAAF Association (regarding the adjacent RAAF Memorial and new pedestrian footpath); and
- Council's Airport Project Advisory Group (APAG).

Further consultation will be conducted with key stakeholders during construction of the new car park. Based on the tender submitted by Deklax Pty Ltd, it is envisaged that the new car park will be operational by the end of January 2014 (subject to weather and procurement timeframes for street lighting and access control equipment).

Planning & Policy Implications

The proposed car park is consistent with the Project Plan and the Port Macquarie Airport Master Plan 2010. The car park is located outside the potential future 300m wide runway strip and associated transitional obstacle limitation surface as identified in the Master Plan draft Addendum Report.

The Development Application DA 2012-599 was approved by Council on 23rd July 2013.

Financial & Economic Implications

The new car park will be fully funded from the Airport business unit (Airport Reserve) with no impact on Council's general fund.

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The Project Plan identified an overall project budget of \$500,000 (excl. GST) - based on the Option 2 two coat flush seal surfacing - including design, procurement, construction and contingency costs / allowances. Approximately \$20,000 was spent on the project in the 2012-13 financial year, leaving a balance of \$480,000 for the 2013-14 financial year.

Adopting a project budget in 2013-14 of \$480,000 as per the Project Plan will allow for construction supervision fees, contingencies and the provision of CCTV cameras in addition to the lump sum tender of \$394,305.00 (excl. GST) submitted by Deklax Pty Ltd.

The provision of CCTV cameras (for public safety and Airport security purposes) was removed from the scope of works of the tender via Tender Addendum No. 2. The installation of CCTV cameras will be required as a separate contract to this tender following further investigation of the existing CCTV system / network at the Airport.

The Project Plan identified a cost recovery / payback period of within 5 years based on the overall project budget of \$500,000 and additional revenue that is expected to be received through the increased availability of "short term" parking in the main public car park as well as through the provision of additional paid parking spaces allocated to rental car operators in the new facility.

Attachments

1. Detail Plan Dwg No AA-PM6-053 Sheet 2 of 11.pdf
2. T-13-26 Tender Evaluation and Pricing Analysis (Confidential)

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Item: 12.09

Subject: SUBMISSIONS REVIEW - DCP 2011 REFORMATTING AND HOUSEKEEPING

Presented by: Development & Environment, Matt Rogers

Alignment with Delivery Program

5.4.2 Review planning instruments and strategies to ensure currency and facilitate sustainable development outcomes whilst acknowledging the impact on community affordability.

RECOMMENDATION

That Council:

- 1. Adopt the Port Macquarie Hastings Development Control Plan 2013 Parts 1-3, as described in this report, as an amendment to Port Macquarie-Hastings Development Control Plan 2011 - Parts 1-4.**
- 2. Publish a public notice of this decision and forward a copy of the approved Development Control Plan to the Director General of the Department of Planning and Infrastructure within 28 days.**

Executive Summary

This report relates to administrative amendments to Parts 1-3 of the Port Macquarie-Hastings Development Control Plan (DCP) 2011, which was publicly exhibited in August/ September 2013. The draft provisions are proposed to replace Parts 1-4 of Port Macquarie-Hastings Development Control Plan (DCP) 2011.

The purpose of this report is to advise Council of the matters raised in submissions received during public exhibition of the draft provisions. Concerns raised during community consultation have been addressed in an attachment to this report with key issues addressed in the body of the report.

Following a review of issues and concerns raised in submissions, it is recommended that Council adopt the amended reformatted draft development guidelines Parts 1-3 as described in the report. It is also proposed to adopt by reference Part 5 Area Based Provisions of the DCP 2011 and re-badge the reformatted DCP as Port Macquarie-Hastings Development Control Plan 2013.

Subject to the State Government's ongoing review and of new planning legislation, a subsequent review of the DCP is proposed to examine policy, consolidate area based provisions and ensure consistency with relevant legislation.

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Discussion

At the Ordinary Meeting held on 20 March 2013, Council resolved to prepare and exhibit draft administrative amendments to Port Macquarie-Hastings Development Control Plan 2011. The draft plan includes administrative amendments to introduce a standardised numbering and naming system throughout, amend where appropriate the tone of language used in the DCP to allow flexibility in its application, correct omissions and anomalies and remove unnecessary content, duplication, ambiguity and redundant or superseded references.

As a consequence of the amendments to the Act, and as originally intended, DCPs are guideline documents within the development assessment process. In this respect the language used in DCPs should allow applicants to provide alternative solutions to meet identified outcomes and have these alternatives considered on merit.

In Port Macquarie-Hastings DCP 2011, identified outcomes and acceptable solutions are expressed in terms of 'objectives' and 'associated provisions'. Overall, this format remains unchanged however where appropriate, the language used has become more facilitative so that words such as 'must' or 'shall' have been replaced with expressions such as 'are encouraged to' or 'should provide for'.

The draft DCP was publicly exhibited from Friday 23 August 2013 to Friday 20 September 2013. The public exhibition period was notified on Council's website and in local print media. Copies of the draft plan were made publicly available for viewing for the duration of the public exhibition period at Council's Customer Services Centres in Port Macquarie, Wauchope and Laurieton and for download from Council's website.

A total of three (3) submissions were received from representatives of local industry consultancies, including Collins w Collins Building Designers, Love Project Management and Tierney Property Services. Two submissions were made on or before the end of the public exhibition period and one submission after the end of the exhibition period with agreement.

One submission can be described as suggesting incidental changes to the draft plan which is consistent with current assessment practice while the remaining two have requested specific changes to certain aspects of the draft plan. All submissions have been considered and included in the attached submissions table.

The key issues raised include draft changes to environmental management provisions for:-

- *Environmental Management Areas and Buffers*, and
- *Koala Habitat*.
- *Acoustic Privacy*

In each case, the submissions suggest that the exhibited draft DCP provisions introduce new policy, which is beyond the intended scope of an administrative review.

As discussed in the attached submissions review, it is acknowledged that the additional content could be perceived as exceeding the scope of the current administrative amendment and therefore it is recommended that the draft plan be

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amended to remove the additional content. In each case, it is proposed that Council review the policy provisions in question in future staged amendment of the DCP.

Other issues raised in submissions are relatively minor and have been addressed as described in the Submissions Table annexure to the report. Attachment 1

Overall, it is concluded that the revised DCP provisions will provide an improved basis for Council and public use as a guide to future development, including an improved format and increased flexibility as a guide to alternative solutions.

If adopted, the recommended changes will be incorporated by Council staff and the DCP document will be finalised in accordance with relevant provision of the *Environmental Planning and Assessment Act 1979* and associated *Regulations*.

Options

Pursuant to section 21 of the Environmental Planning and Assessment Regulation 2000, after considering submissions, Council may:

- Approve the draft plan in the form in which it was public exhibited, or
- Approve the draft plan with such alterations as the Council see fit, or
- Determine not to proceed with the draft plan.

It is recommended that Council adopt the Plan as described in the report.

Community Engagement & Internal Consultation

Public participation has been undertaken consistent with Sections 18, 19 and 20 of the Environmental Planning and Assessment Regulation 2000, as detailed in this report.

Planning & Policy Implications

The draft Development Control Plan 2013 Parts 1-3 has been prepared in accordance with Sections 74BA and 74C of the Environmental Planning and Assessment Act, 1979 and Clause 16 of the Environmental Planning and Assessment Regulation 2000.

The draft development control plan will amend the Port Macquarie-Hastings Development Control Plan 2011 in the manner described in the report. It will be applied by Council and landowners as a guideline at the time of preparation and assessment of development applications.

Council must notify its decision within 28 days. If adopted, the draft development control provisions will come into effect on the date the public notice is given or on a later date as specified by Council in the public notice.

Financial & Economic Implications

There are no significant financial implications for Council arising from this report. Given the nature of the amendments, it is considered unlikely that there will be any significant economic impact.

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Attachments

1. Submissions Table 1 Draft DCP Reformatting and Housekeeping
2. Submission Collins w Collins
3. Submission Love Project Management
4. Submission Tierney Property Services
5. Draft DCP 2013 Parts 1-3 Exhibition Version

Planning and Providing Our Infrastructure

Item: 12.10

Subject: LEP 2011 - REFINEMENTS (PP2013-8.1, PIN42731)

Presented by: Development & Environment, Matt Rogers

Alignment with Delivery Program

5.4.2 Review planning instruments and strategies to ensure currency and facilitate sustainable development outcomes whilst acknowledging the impact on community affordability.

RECOMMENDATION

That Council:

1. Prepare a draft planning proposal as described in this report, pursuant to section 55 of the Environmental Planning and Assessment Act 1979, for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, in relation to 27 issues listed.
2. Forward the draft planning proposal to the Department of Planning and Infrastructure for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to sections 56 - 58 of the Act.
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

At its meeting on 18 September 2013, Council resolved:

That this item be deferred to a future meeting of Council until further information briefings are provided to Councillors on details included in this report.

The report is resubmitted, with the addition of Items 6, 11, 12 and 17, which have been identified since the report to Council on 18 September 2013. The additional proposed amendments have been numbered in the order in which they would most logically appear in a subsequent draft LEP amendment.

In total, the report proposes 27 amendments to Local Environmental Plan (LEP) 2011, which have been identified as necessary by Council staff in the ongoing implementation of LEP 2011. These issues have been identified in a range of ways (through DA assessments, landowner enquiries, internal reviews etc) and have been systematically logged to enable update of the LEP. Given the complexity of the LEP and associated mapping, this is an important continuous improvement process.

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The purpose of this report is to describe the issues identified and the proposed solutions as refinements to LEP 2011. In summary the recommended changes are:

1. Clause 1.2 Aims of Plan - add two new LEP aims.
2. Zone RU1 - make Rural industries permissible with consent.
3. Zone R1 - make Building identification signs permissible with consent.
4. Zone B7 - make Airports and Storage premises permissible with consent. #
5. Clause 4.1B Minimum subdivision lot sizes for certain split zones - revise key provisions.
6. New Clause 4.2C - Boundary adjustments of land in certain rural, residential and environment protection zones - insert a new clause.
7. Clause 7.5 Koala habitat - modify wording to ensure that relevant land is classed as *ecologically sensitive areas* for the purposes of the Codes SEPP.
8. Clause 7.9 Development subject to acoustic controls - modify wording to ensure that relevant land is classed as *buffer areas* for the purposes of the Codes SEPP; and update a reference to the relevant document on road noise.
9. Schedule 5 Heritage items - Item I004 listing of St Thomas The Apostle Anglican complex - replace "Norfolk Island Palms" with "Norfolk Island Pines".
10. Mapping for Lots 1-3 DP1130958, Peard St, Wauchope:
Land Zoning Map - replace the part RE1 zone with E4,
Lot Size Map - change the minimum lot size for the full lots to U1 (1000 sq m).
11. Mapping for Pacific Highway upgrade:
Land Zoning Map - apply a SP2 infrastructure "Classified road" zone,
Land Reservation Acquisition Map - for the relevant land apply a "Classified road (SP2)" designation.
12. Mapping update for Sancrox Employment Precinct
Land Zoning Map - adjust the 10m wide E3 buffers to the Pacific Highway in line with the revised highway boundaries,
Land Zoning Map - E2 zone be applied to Lot 1 DP 1131036 and part of Lot 1 DP 1144490
13. Mapping in the vicinity of the common boundaries of Lot 6 DP1105610, Lot 289 DP 1184284 and Lake Innes Nature Reserve, Philip Charley Dr, Port Macquarie - update in line with corrections to cadastral boundaries:
Land Zoning Map - adjust RU1 and E1,
Lot Size Map - adjust AB (40 ha) and no minimum lot size,
Koala Habitat Map - adjust boundary.
14. Mapping for Lot 9 DP 876001 and part Lot 11 DP875998, Kingfisher Rd, Port Macquarie:
Land Zoning Map - apply SP2 Infrastructure (Waste or resource management facility),
Lot Size Map - remove minimum,
Height of Buildings Map - remove maximum. #
15. Mapping for Settlement Point Reserve:
Land Zoning Map - rezone to RE1 Public Reserve. #
16. Mapping for Lots 402-403 DP 1171416 and Lot 39 PD 1093707, Serene Cct, Port Macquarie:
Land Zoning Map - change part RU1 to R1,
Lot Size Map - change AB (40 Ha) to G (450 sq m),
Floor Space Ratio Map - apply G (0.65:1),

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- Height of Buildings Map - apply I (8.5 m). #
17. Mapping for Lighthouse Beach shopping centre:
For the surrounding footpaths, car park, and rear lane -
Land Zoning Map - rezone to B1 Neighbourhood Business,
Lot Size Map - apply no minimum lot size. #
 18. Mapping for Crown land zoned E3 at Laurieton:
Land Zoning Map - rezone E2,
Lot Size Map - apply AB (40 Ha) minimum.
 19. Mapping of Lot 1 DP 543002, Lot 1 DP 408757, Lots 3-4 DP 774850 zoned RU1 or E3 at Deauville:
Lot Size Map - apply AB (40 Ha) minimum.
 20. Mapping for part of Lot 4 DP 631582, Lorne Rd, Kendall and zoned R5:
Lot Size Map - change Y2 (1.2 Ha) to Y1 (1 Ha).
 21. Mapping for part Lot 69 DP 1103700 and part Ocean Drive at Kew and zoned B4:
Lot Size Map - change U1 (1000 sq m) to G (450 sq m).
 22. Mapping for part Lot 2 DP 504042, Ocean Dr, Kew and zoned B1:
Lot Size Map - remove minimum.
 23. Mapping for Lot 1 DP 828014, Koala St, Port Macquarie:
Lot Size Map - apply AB (40 Ha) minimum.
 24. Mapping for Lot 17 DP 24185, 9 Kalang St, Lake Cathie:
Coastal Erosion Map - remove Coastal erosion risk designation.
 25. Mapping in the vicinity of Greenmeadows Dr and Colonel Barney Dr and Camilia Cct, Port Macquarie:
Acid Sulfate Soils Map - adjustments to boundaries for Class 2 and Class 3.
 26. Mapping for land zoned E3 at Dicks Hill:
Height of Buildings Map - apply I (8.5 m) maximum.
 27. Mapping for Lot 1 DP 255923, Lots 2-3 DP 706357, Lots 33 & 35 DP 803801 and Crown land, vicinity Ocean Dr and Springhill Pl, Lake Cathie and Lot 11 DP 629025 and Lot 1232 DP 1142133, vicinity Magellan Pl, Bonny Hills:
Koala Habitat Map - include additional core habitat identified in Koala Plan of Management. #

Note: # - Issues which affect land in which Council has an interest. The proposed changes will have minimal impact on Council's interests, as detailed in the report below.

Discussion

It is proposed that a Planning Proposal be prepared and processed for the following list of changes to the LEP:

1. Clause 1.2 Aims of Plan

Changes to the legislation mean that provisions in Development Control Plans have to be linked back to the LEP aims, to Zone objectives, or to facilitating development that is permissible. Initial review of DCP 2011 suggests that it would be desirable for the LEP aims to be expanded as follows.

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Proposal:

That the following be added into clause 1.2:

- (k) to ensure that new urban development makes a positive contribution to the public domain and streetscape,
- (l) to facilitate efficient use of urban land and infrastructure provision by staging development and achieving appropriate development yields.

2. Zone RU1 - make Rural Industries permissible with consent

The LEP definition is:

rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

The original standard definitions within the LEP were confusing in relation to Industry and Rural Industry. While this was rectified by amendments to the LEP Standard Instrument template in 2011, LEP 2011 has continued on the basis that Rural Industries are permissible with consent in Zone RU2 Rural Landscape, but prohibited in Zone RU1 Primary Production (except in relation to sawmill or log processing works).

Proposal:

That Rural industries be permissible with consent in Zone RU1 Primary Production.

3. Zone R1 - make Building identification signs permissible with consent.

Building identification signs and Business identification signs are permitted as exempt development within most zones where they comply with the requirements in Schedule 2 of the LEP. Otherwise they are subject to the LEP Land Use Table.

Currently if a Building identification sign doesn't satisfy the requirements of Schedule 2, it is prohibited within Zone R1 General Residential. It is proposed to make them permissible with consent.

Proposal:

That Building identification signs be permissible with consent in Zone R1 General Residential.

4. Zone B7 - make Airports and Storage premises permissible with consent

The B7 Business Park zone overlaps some of the Port Macquarie Airport, for areas where Council leases out hangers.

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The currently permitted uses for Zone B7 include Light industries, Office premises, Passenger transport facilities, Self storage units and Warehouse or distribution centres. It is considered that the permissible uses should be extended to include Airports, and Storage premises. The two terms are defined as:

airport means a place that is used for the landing, taking off, parking, maintenance or repair of aeroplanes, and includes associated buildings, installations, facilities and movement areas and any heliport that is part of the airport.

storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

Proposal:

That Airports and Storage premises be permissible with consent in Zone B7 Business Park.

5. Clause 4.1B Minimum subdivision lot sizes for certain split zones - revise key provisions

Properties sometimes contain a mix of zones, reflecting the land characteristics. A single parcel to be subdivided could include:

- Unconstrained land could have a Residential (or other urban) zone,
- Environmentally sensitive land could have an Environment Protection Zone, and
- Other constrained land could be zoned RU1 Primary Production (due to the lack of suitable alternatives in the list of standard zones).

An urban subdivision may therefore result in a residue lot which is less than the minimum lot size for the non-urban zones.

Prior to the Standard LEP, unless it was appropriate for that land to go into public ownership, the approach was for that residue land to be added to the adjoining urban lots in a practical arrangement.

When LEP 2011 was finalised, a model local clause 4.1B was introduced by the NSW State Government that required any non-urban residue land be consolidated with one of the urban lots, unless the residue met the minimum lot requirement. Given the variability of topography and other constraints, this forces the creation of impractical and fragmented lots. It is proposed to seek approval for alteration to the clause.

Proposal:

That Clause 4.1B be amended to permit residue land within the non-urban zones to be added to urban lots irrespective of the minimum lot requirements for that residue land, subject to the subdivision layout being consistent with the relevant zone objectives.

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6. New Clause 4.2C - Boundary adjustments of land in certain rural, residential and environment protection zones

Until recently minor subdivision changes such as boundary adjustments were covered by LEPs. Now boundary adjustments are classed as exempt development under the *Codes SEPP*, on this basis:

- (b) a minor realignment of boundaries:
 - (i) that will not create additional lots or the opportunity for additional dwellings, and
 - (ii) that will not result in one or more lots that are smaller than the minimum size specified in an environmental planning instrument in relation to the land concerned (unless the original lot or lots are already smaller than the minimum size), and
 - (iii) that will not adversely affect the provision of existing services on a lot, and
 - (iv) that will not result in any increased bush fire risk to existing buildings, [cl 2.75]

Exhibited draft changes to the *Codes SEPP* propose to clarify “a minor boundary adjustment” as follows:

“a minor realignment of boundaries (being a realignment that will not result in a change in the area of any lot by more than 10%).”

If a boundary adjustment fails to meet these requirements then it requires development consent under the LEP. However, such a consent in relation to some zones (especially rural) under the LEP may be problematic if the lots are significantly under the required minimum lot size. These concerns have already arisen for some situations within the LGA.

Therefore it is considered that some flexibility should be possible, as proposed below.

Proposal:

That a new clause be inserted in LEP 2011 in the following manner:

4.2C Boundary adjustments of land in certain rural, residential and environment protection zones

- (1) The objective of this clause is to facilitate boundary adjustments between lots if one or more lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land and the objectives of the relevant zone can be achieved.
- (2) This clause applies to land in any of the following zones:
 - (a) Zones RU1, RU2 and RU6,
 - (b) Zone R5,
 - (c) Zone E2, E3 and E4.
- (3) Despite clause 4.1, development consent may be granted to subdivide land by adjusting the boundary between adjoining lots if one or more lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land, where the consent authority is satisfied that:

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- (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and
 - (b) the number of dwellings or opportunities for dwellings on each lot after the subdivision will be the same as before the subdivision, and
 - (c) the potential for land use conflict will not be increased as a result of the subdivision, and
 - (d) the subdivision will not result in any increased bush fire risk to existing buildings, and
 - (e) if the land is in Zone RU1 or RU2, the agricultural viability of the land will not be adversely affected as a result of the subdivision.
- (4) Before granting consent to development to which this clause applies the consent authority must be satisfied that the subdivision will not compromise the continued protection and long-term maintenance of any land in Zone E2, E3 or E4.

7. Clause 7.5 Koala habitat - modify wording to ensure that relevant land is classed as ecologically sensitive areas for the purposes of the Codes SEPP

For development applications clause 7.5 of the LEP and the associated Koala Habitat Map trigger special consideration of the applicable Koala Plan of Management. Otherwise, there is the potential for subsequent development to ignore the requirements of an existing KPOM.

For example, complying development under the Codes SEPP can proceed without regard to existing KPOMs. For the General Housing Code and the Rural Housing Code the Codes SEPP does state that complying development must not be carried out on “excluded land identified by an environmental planning instrument”. The Codes SEPP contains this definition:

excluded land identified by an environmental planning instrument means:

- (a) land identified by an environmental planning instrument as being any of the following:
 - (i) within a buffer area,
 - (ii) within a river front area,
 - (iii) within an ecologically sensitive area,
 - (iv) environmentally sensitive land,
 - (v) within a protected area, or
- (b) land identified by an environmental planning instrument, a development control plan or a policy adopted by the council as being a coastal erosion hazard.

While logically the Koala habitat areas on the Koala Habitat map should be viewed as such excluded land, at present there are alternate views on whether clause 7.5 should be viewed as triggering this exclusion.

Proposal:

That clause 7.5 be amended to clarify that it is “excluded land identified by an environmental planning instrument” for the purposes of the Codes SEPP.

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8. Clause 7.9 Development subject to acoustic controls - modify wording to ensure that relevant land is classed as buffer areas for the purposes of the Codes SEPP; and update a reference to the relevant document on road noise.

For development applications clause 7.9 of the LEP and the associated Acoustic Controls Map triggers special consideration of the mitigation measures for noise coming from nearby arterial and sub-arterial roads or from a noise generating development (e.g. a crushing plant associated with a quarry). Otherwise, there is the potential for subsequent development to proceed, with future occupants being subject to excessive noise.

For example, complying development under the Codes SEPP can proceed without regard to the need for noise mitigation measures - unless in relation to aircraft noise, as recorded on ANEF mapping. For the General Housing Code and the Rural Housing Code the Codes SEPP does state that complying development must not be carried out on "excluded land identified by an environmental planning instrument".

It would be appropriate to amend clause 7.9 to identify that land mapped as "Subject to acoustic controls" is buffer area under the definition of "excluded land identified by an environmental planning instrument". (Refer to the definition under Issue 7 above.)

Note that clause 7.9 applies to some Industrial land at Sancrox, which is subject to noise from a neighbouring quarry - this change will not address building works under the General Commercial and Industrial Code.

Clause 7.9 includes a superseded reference to the relevant Policy for assessing road noise and measures to mitigate such noise - this should be updated also.

Proposal:

That clause 7.9 be amended to:

- a) clarify that land mapped as "Subject to acoustic controls" is buffer area under the definition of "excluded land identified by an environmental planning instrument" in the Codes SEPP, and
- b) update subcl (3)(a)(i) to refer to the NSW Road Noise Policy, March 2011.

9. Schedule 5 Heritage items - Item I004 listing of St Thomas The Apostle Anglican complex - replace "Norfolk Island Palms" with "Norfolk Island Pines"

The list of heritage items in Schedule 5 to the LEP has the above error.

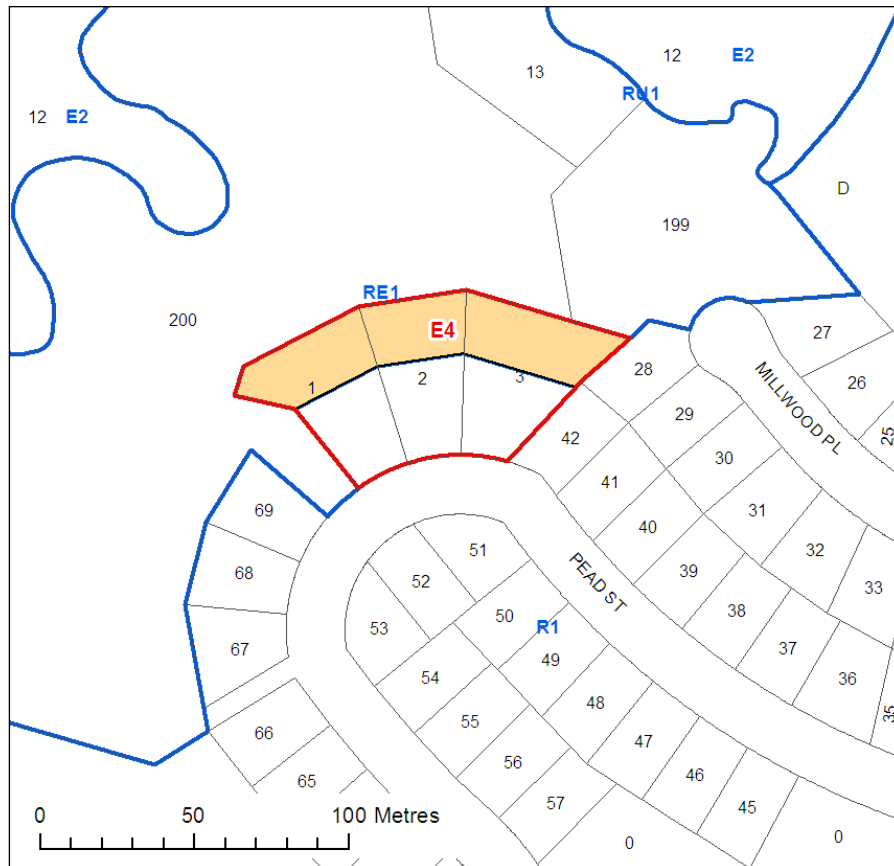
Proposal:

That in Schedule 5, in relation to the Item I004 listing of St Thomas The Apostle Anglican complex, the words "Norfolk Island Palms" be replaced with "Norfolk Island Pines".

10. Mapping for Lots 1-3 DP1130958, Pead St, Wauchope

Preparation of the LEP maps missed revisions to the lot boundaries of the above land, as identified below, leaving the rear of the privately-owned lots zoned RE1 Public Recreation.

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The rear of the lots is subject to asset protection zone (bushfire) controls and as such a residential zone is not appropriate. The E4 Environmental Living zone will allow for the maintenance required from an asset protection perspective and facilitate appropriate residential open space uses.

The lot sizes range from 1379 to 1727 sq m, and it would be appropriate to apply a minimum lot size that flags that subdivision of these lots is not possible.

Proposal:

That for Lots 1-3 DP1130958, Pead St, Wauchope:

- on the Land Zoning Map - replace the part RE1 zone with Zone E4 Environmental Living, and
- on the Lot Size Map - apply a minimum lot size for the full lots of U1 (1000 sq m).

11. Mapping for Pacific Highway upgrade

At its meeting on 15 February 2012 Council considered a report (Item 36) which proposed a previous range of LEP refinements. Issue 12 stated:

During the preparation of LEP 2011 a submission from the Roads and Traffic Authority (048 06.04.10) stated in part, in relation the Pacific Highway route:

“The RTA requests that a SP2 Infrastructure Zone for the Oxley Highway to Kempsey Upgrade be included in the final LEP, with the RTA nominated as the acquisition authority in this case.”

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At the time the RTA were unable to release final route details to Council, so LEP 2011 was finalised without these details. Council now has the relevant route details.

Note that the LEP text already contains the relevant acquisition provisions once the land is identified on the Land Reservation Acquisition Map. Also, this will require creation of Map Sheets LRA_012, LRA_012A and LRA_013A, with the map series index on the existing LRA map sheets needing to be updated.

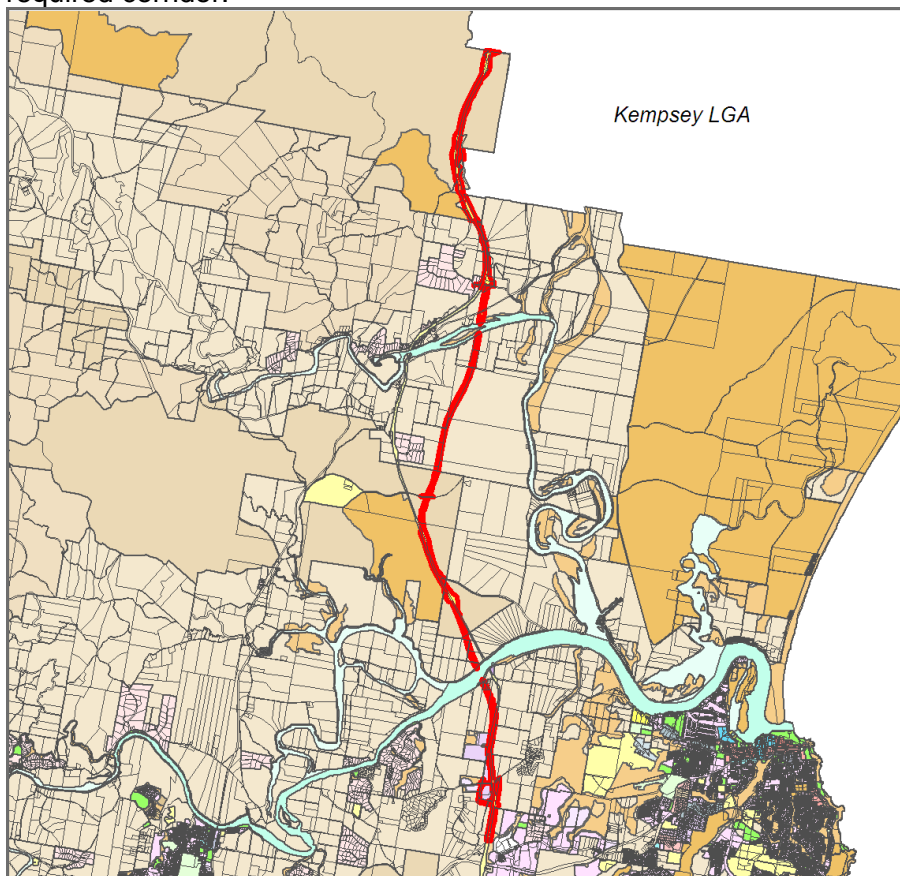
The corridor is shown in red on the map below.

At that time, some of the landowners of affected land at Sancrox were seeking revisions to the boundaries of the land required for the highway upgrade. In relation to the recommendation to apply a SP2 infrastructure "Classified road" zone, and associated identification of land on the Land Reservation Acquisition Map, Council resolved:

3. Submit planning proposal PP2011-0012.2, relating to the further refinements as outlined in this report for Item No 12 - Pacific Highway upgrade, north of Oxley Highway, to the Department of Planning and Infrastructure for Gateway determination, following consultation with NSW Roads & Maritime Services regarding the extent of required land acquisition.

The review of the proposed boundaries has been completed, and it is appropriate to follow through on that resolution. However, this matter is associated with part of the next issue (Item 12), and it is proposed to deal with this in one amendment.

During processing of this LEP amendment there will be ongoing consultation with the NSW Roads and Maritime Services over the extent of mapping, especially the land to be mapped for acquisition by the RMS - they are already acquiring some of the required corridor.



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Proposal:

That in relation to the upgrade of the Pacific Highway between Oxley Highway and Kempsey LGA:

- a) on the Land Zoning Map - apply a SP2 infrastructure "Classified road" zone, and
- b) on the Land Reservation Acquisition Map - for the relevant land apply a "Classified road (SP2)" designation.

12. Mapping update for Sancrox Employment Precinct

The rezoning of the Sancrox Employment Precinct in August 2011 included some environmental buffers adjoining the western edge of the proposed Pacific Highway upgrade. At that time, the exact boundary of the highway upgrade was unknown as detailed planning for the Highway upgrade had not been completed by the RMS.

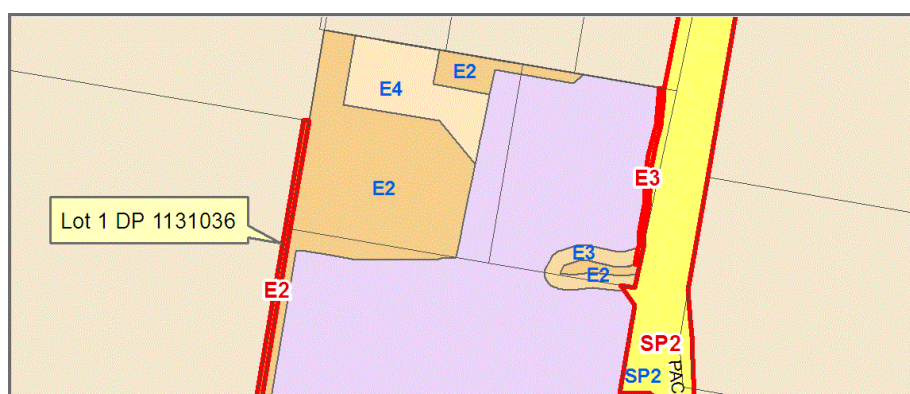
The redefinition of the boundary of the highway upgrade requires repositioning of two 10m wide E3 buffers. This aligns with the April 2013 consent for Development Application 2012-0305. These areas are identified by the "E3" in red lettering and adjoining the highway on the map.

In relation to the "E2" area in red outline and lettering on the western edge of the Sancrox Industrial area, the report to Council on 20 April 2011 relating to the rezoning of the precinct stated:

"In preparing the draft LEP map sheets as an amendment to PMH LEP 2011, Council became aware that land adjacent to the north-western boundary (Lot 1 DP 1131036 and a small area of Lot 1 DP 1144490) was not specified in the 2005 resolution to prepare a draft Plan to rezone the land. This land (approx 6,800sqm) was incorporated into the site during the structure planning phase following purchase by the adjoining owner in 2008 and now forms part of a 30m wide environmental buffer which is secured in the Sancrox Employment Land Environmental Lands and Services Planning Agreement.

In light of the circumstances, the final LEP map sheets submitted to the DoP showed this land in its current Zone RU1 Primary Production. As the area is secured in a Planning Agreement, the amount of environmental lands proposed for the site does not change. It is intended to rezone the land to Zone E2 Environmental Conservation to correct this anomaly at the time of rezoning the eastern edge to incorporate the Highway acquisition lands and reposition the Zone E3 visual buffer."

It is appropriate to update the LEP to reflect the proposed zonings that had not been included within the original rezoning for the Precinct.



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Proposal:

That in relation to the Sancrox Employment Precinct on the Land Zoning Map:

- a) adjust the 10m wide E3 buffers to the Pacific Highway in line with the revised highway boundaries, and
- b) E2 zone be applied to Lot 1 DP 1131036 and part of Lot 1 DP 1144490.

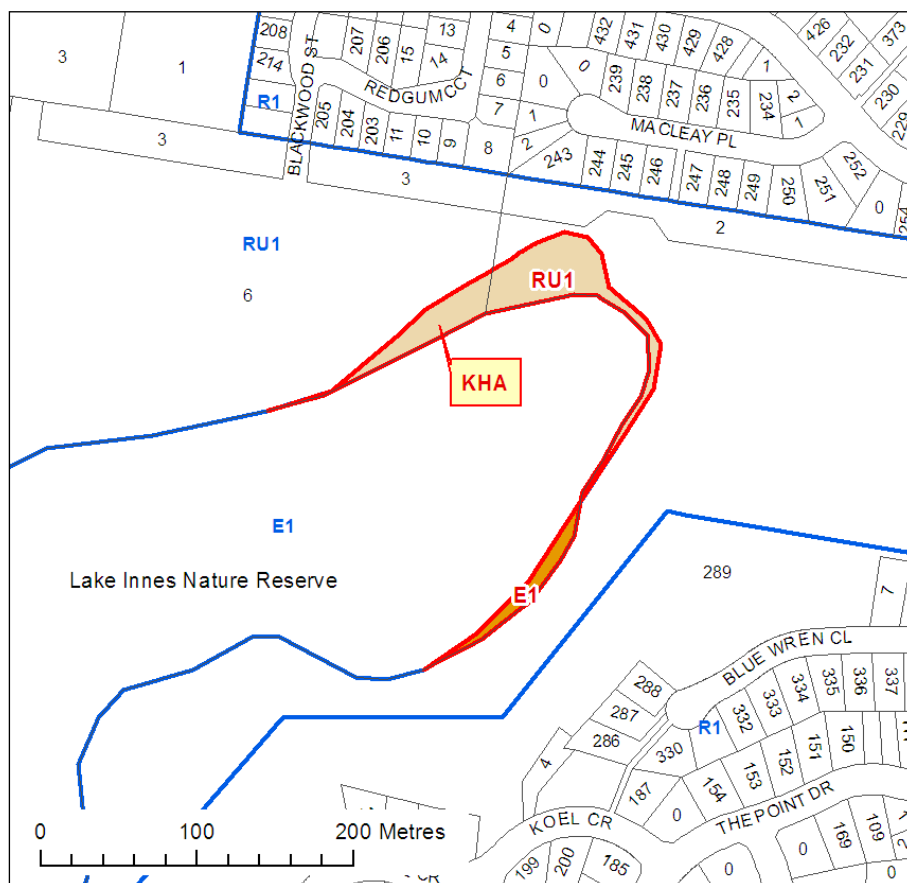
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13. Mapping in the vicinity of the common boundaries of Lot 6 DP1105610, Lot 289 DP 1184284 and Lake Innes Nature Reserve, Philip Charley Dr, Port Macquarie - update in line with corrections to cadastral boundaries

The location of part of the boundary between Lake Innes Nature Reserve and land owned by Vilro Pty Ltd and Charley Brothers Pty Ltd has been corrected in consultation with the Office of Environment and Heritage. The Department of Planning and Infrastructure advise that given the extent of the change, a formal map amendment is required. On the map below, the area marked E1 should be rezoned to E1 from RU1, and the other two areas rezoned from E1 to RU1.

The land to be zoned RU1 should have a minimum lot size of 40 ha applied, while no minimum should apply to the area to be zoned E1.

Lot 6 is subject to mapping of *Koala habitat area*, and this should be extended over the area marked KHA.



Proposal:

That, for land in the vicinity of the common boundaries of Lot 6 DP1105610, Lot 289 DP 1184284 and Lake Innes Nature Reserve, Philip Charley Dr, Port Macquarie, updates in line with corrections to cadastral boundaries be made (as shown on the map):

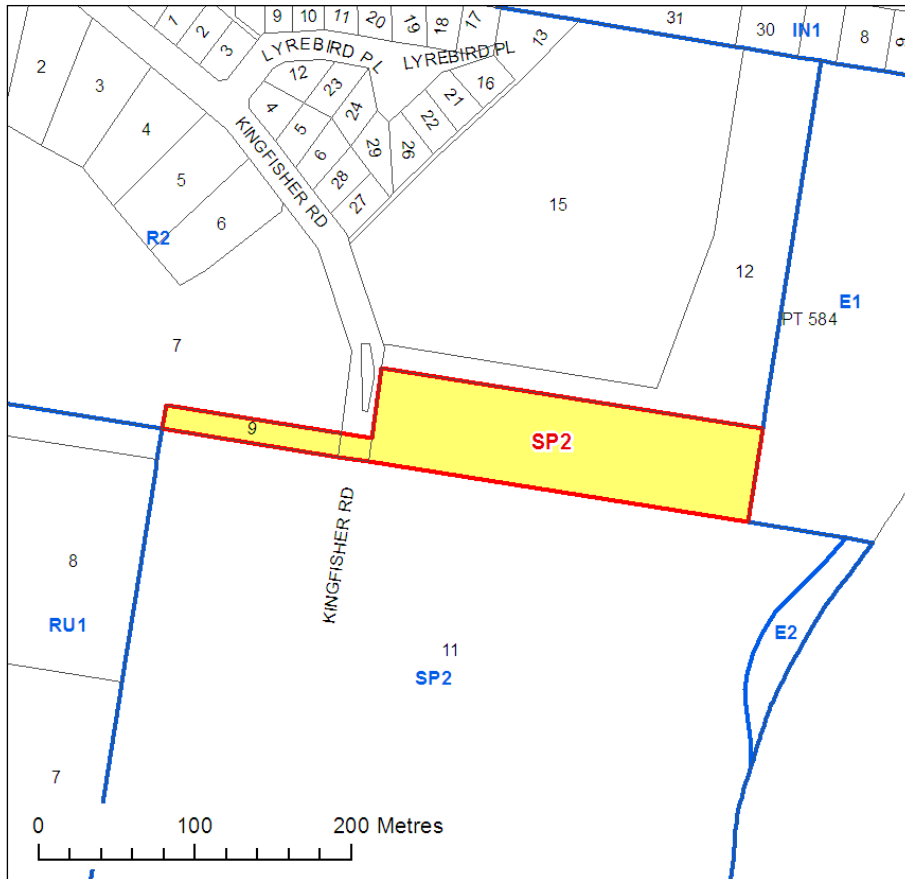
- a) on the Land Zoning Map - rezone the areas labelled KHA and RU1 to RU1 Primary Production, and the area labelled E1 to E1 National Parks and Nature Reserves, and

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- b) on the Lot Size Map - apply to the areas labelled KHA and RU1 a minimum lot size of AB1 (40 Ha), and remove any minimum for the area labelled E1, and
- c) on the Koala Habitat Map - apply Koala habitat area to the area labelled KHA.

14. Mapping for Lot 9 DP 876001 and part Lot 11 DP875998, Kingfisher Rd, Port Macquarie

Part of Council's Waste Transfer Station on Kingfisher Road is not zoned in line with the balance of the site. The relevant part of the site is currently zoned R2 Low Density Residential and is shown shaded in the plan below:



Proposal:

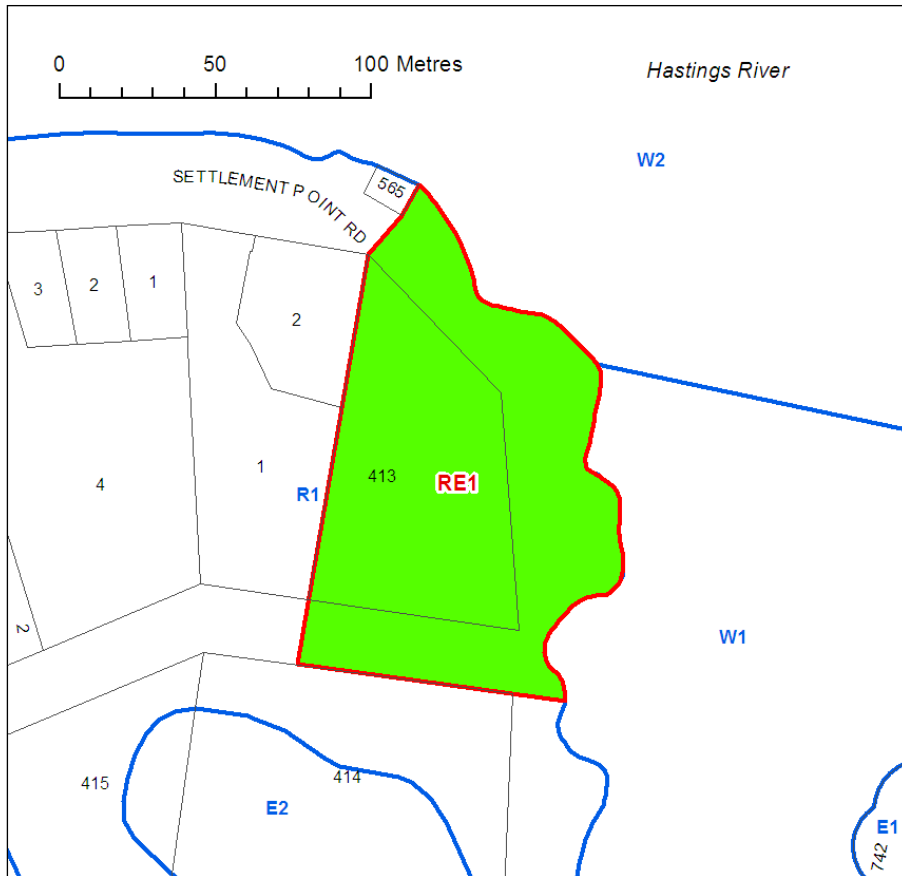
That, for Lot 9 DP 876001 and part Lot 11 DP875998, Kingfisher Rd, Port Macquarie (as shown on the map):

- a) on the Land Zoning Map - rezone to SP2 Infrastructure (Waste or resource management facility),
- b) on the Lot Size Map - remove the minimum, and
- c) on the Height of Buildings Map - remove the maximum.

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15. Mapping for Settlement Point Reserve

The Settlement Point Reserve is currently zoned R1 General Residential, and it is proposed to rezone it to RE1 Public Recreation to reflect the existing and proposed future use of the site.



Proposal:

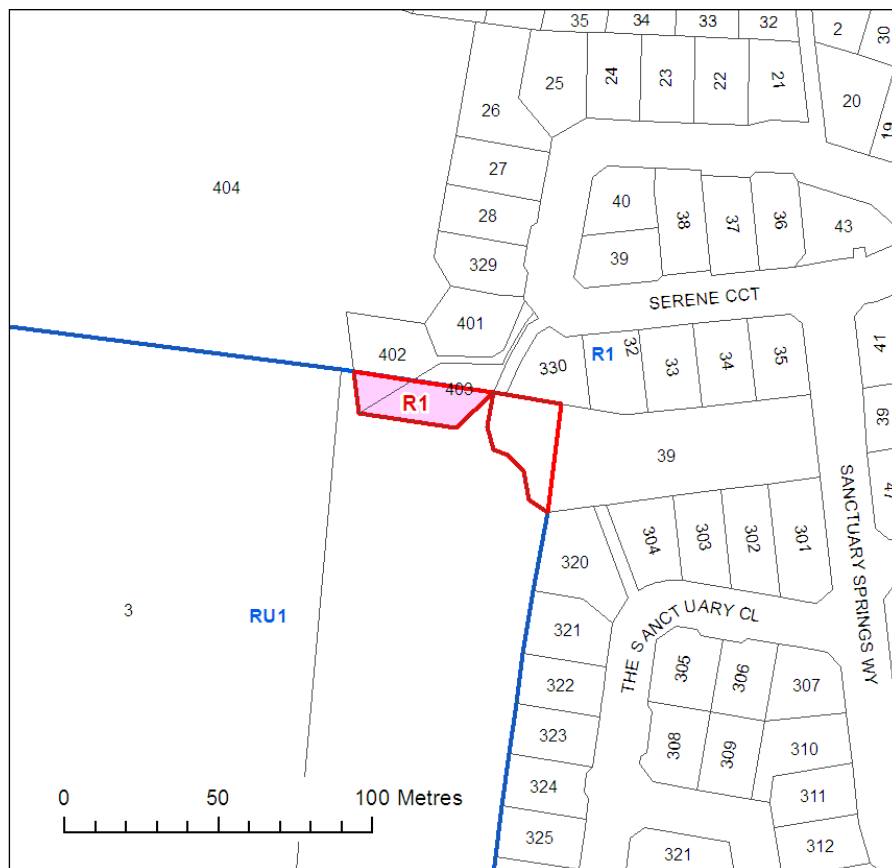
That, for Settlement Point Reserve, Settlement Point Rd, Port Macquarie (as shown on the map) on the Land Zoning Map - rezone to RE1 Public Reserve.

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16. Mapping for Lots 402-403 DP 1171416 and Lot 39 PD 1093707, Serene Cct, Port Macquarie

Final lot layouts in the Greenmeadows subdivision included flexibility in lot boundaries in relation to the zone boundaries, and it is appropriate to remove the split zonings. Note that Lot 39 is a Council drainage reserve, and while the change is less relevant, it is preferable to align LEP mapping with cadastre unless other factors prevail.

Adjustments are required to Land Zoning Map, Lot Size Map, Floor Space Ratio Map, and Height of Buildings Map.



Proposal:

That for parts of Lots 402-403 DP 1171416 and Lot 39 PD 1093707, Serene Cct, Port Macquarie (as shown on the map)

- on the Land Zoning Map - change part RU1 to R1 General Residential,
- on the Lot Size Map - change AB (40 Ha) to G (450 sq m),
- on the Floor Space Ratio Map - apply G (0.65:1), and
- on the Height of Buildings Map - apply I (8.5 m)

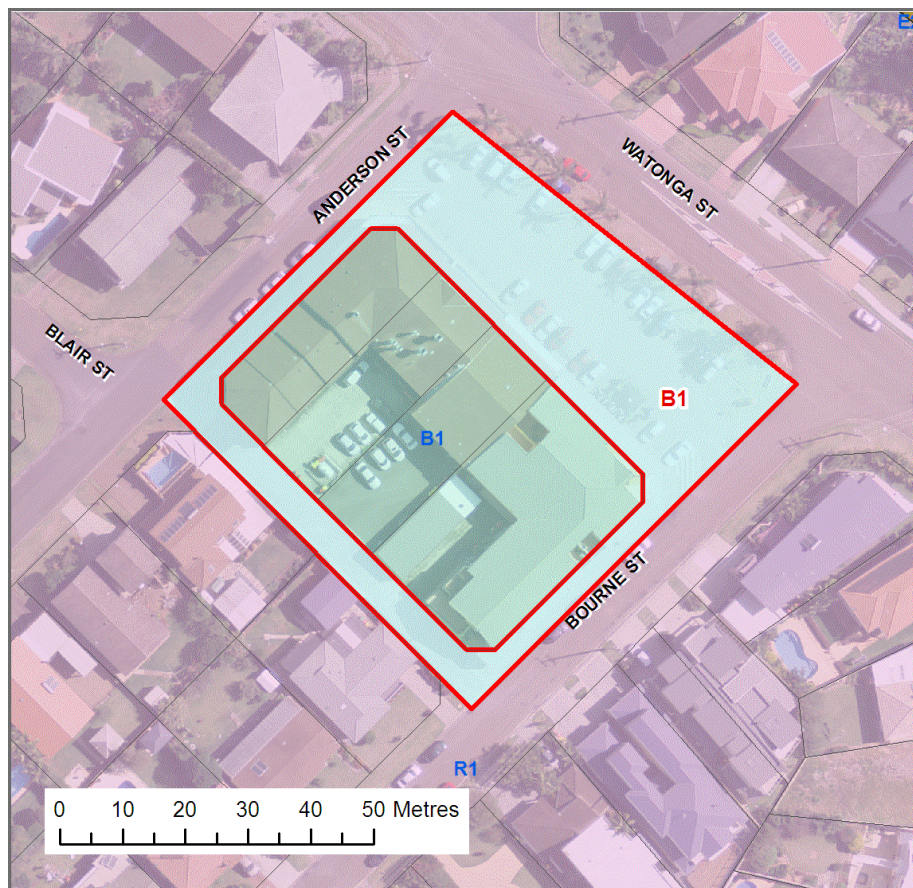
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17. Mapping for Lighthouse Beach shopping centre.

The properties within the Lighthouse Beach shopping centre on Watonga Street are zoned B1 Neighbourhood Business, with a R1 General Residential zone applying to the surrounding area, including the adjoining streets and parking area.

The R1 zone makes it difficult to approve proposed footpath tables associated with food and drink premises. It is therefore proposed that Council rezone the footpaths, the car park and the rear lane surrounding the shopping centre to B1, as shown in the plan below. It is also proposed to remove the current 450m² minimum lot size for the area surrounding shopping centre, to ensure that this is also consistent with that applying to the shopping centre.

The proposed LEP changes are not expected to increase the retail capacity other than by permitting ancillary footpath dining etc.



Proposal:

That in relation to the footpaths, car park, and rear lane surrounding the Lighthouse Beach shopping centre:

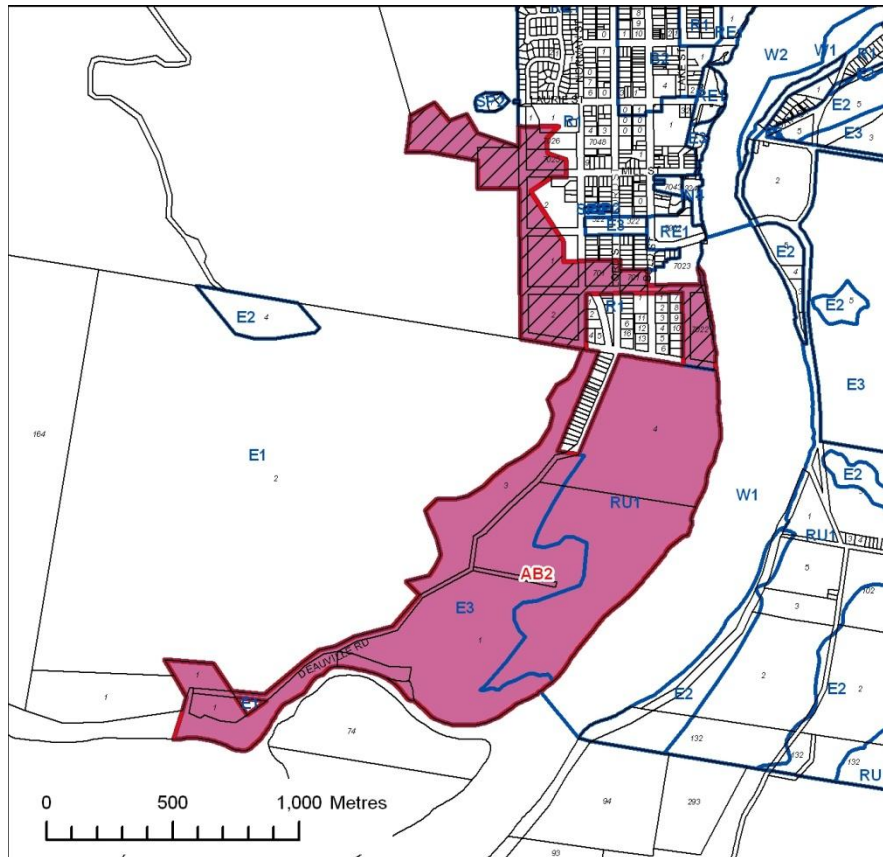
- on the Land Zoning Map - rezone to B1 Neighbourhood Business,
- on the Lot Size Map - apply no minimum lot size.

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18. Mapping for Crown land zoned E3 at Laurieton

Around the fringes of Laurieton is some Crown land zoned E3 Environmental Management, being land which is not suitable of urban development, due to being steep, large storm runoff gullies, flood liable or environmental sensitive. This land is the hatched part of the shaded area on the map.

The E3 zone permits dwelling houses, and it is proposed that this be changed to E2, which does not permit dwelling houses, and to also apply a 40 Ha minimum lot size.



Proposal:

That for the Crown land zoned E3 at Laurieton (as shown on the map):

- on the Land Zoning Map - rezone to E2 Environmental Conservation,
- on the Lot Size Map - apply AB (40 Ha) minimum

19. Mapping of Lot 1 DP 543002, Lot 1 DP 408757, Lots 3-4 DP 774850 zoned RU1 or E3 at Deauville

This land is privately owned, with no minimum lot size applying to most of it at present. It is the unhatched part of the shaded land on the map under Issue 18 above.

Proposal:

That for Lot 1 DP 543002, Lot 1 DP 408757 and Lots 3-4 DP 774850 zoned RU1 or E3 at Deauville (as shown on the map) on the Lot Size Map - apply AB2 (40 Ha) minimum.

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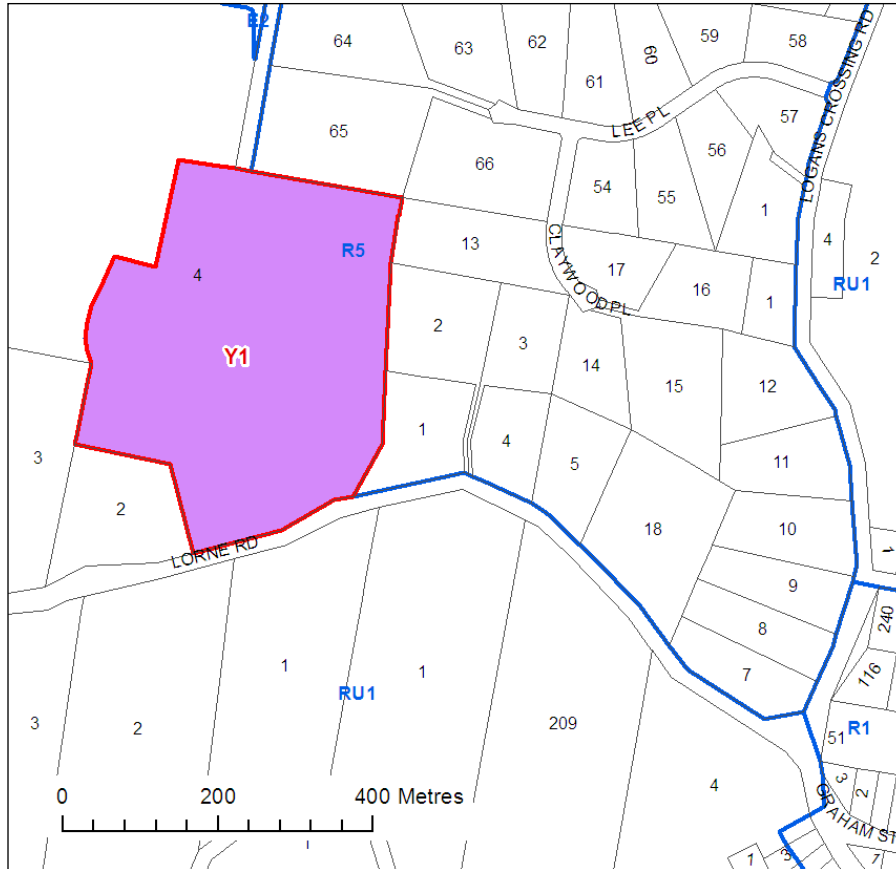
INFRASTRUCTURE



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20. Mapping for part of Lot 4 DP 631582, Lorne Rd, Kendall and zoned R5

The relevant land was granted a development consent for rural residential subdivision while LEP 2011 was nearing completion. The subdivision included lots 1 ha in size, while the LEP applied a minimum of 1.2 Ha.



Proposal:

That for part of Lot 4 DP 631582, Lorne Rd, Kendall and zoned R5 - on the Lot Size Map apply Y1 (1 Ha) minimum.

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21. Mapping for part Lot 69 DP 1103700 and part Ocean Drive at Kew and zoned B4

In August 2012 land at Kew was rezoned for urban development. A split zoning was applied to Lot 69, and during finalisation of the LEP, the zone boundary was repositioned. The associated Lot Size Map change in the final LEP didn't reflect this change, leaving the portion zoned B4 Mixed Use subject to minimum lot sizes in parts of 450 sq m and 1000 sq m.



Proposal:

That for Lot 69 DP 1103700 and part Ocean Drive at Kew and zoned B4 - on the Lot Size Map - apply G (450 sq m) minimum.

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22. Mapping for part Lot 2 DP 504042, Ocean Dr, Kew and zoned B1

The urban release of "Area 15" land at Kew in early 2012 included part of Lot 2 being zoned B1 Neighbourhood Centre. The intention was to have no minimum lot size for the B1 land, but a drafting error on the final edition of the map sheet left the old 40 ha minimum applying.



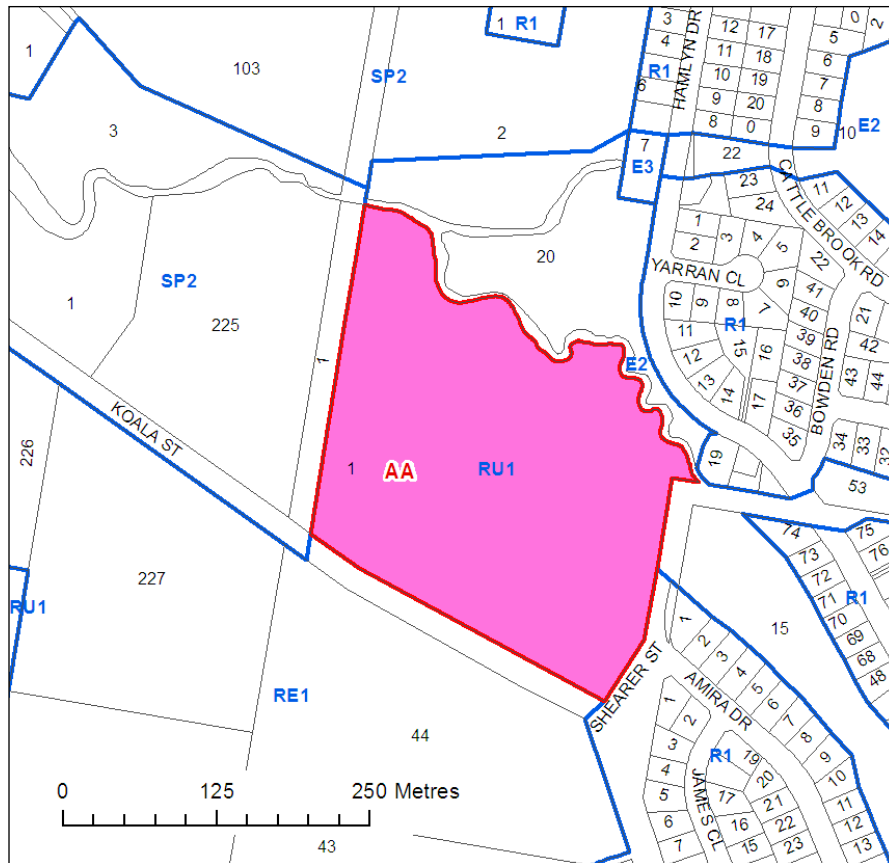
Proposal:

That for part Lot 2 DP 504042, Ocean Dr, Kew and zoned B1 - on the Lot Size Map - apply no minimum lot size.

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23. Mapping for Lot 1 DP 828014, Koala St, Port Macquarie

The subject privately-owned 7.3 Ha lot adjoins the Port Macquarie Sewerage Treatment Plant, and is zoned RU1 Primary Production. Not minimum lot size applies, and it is appropriate to apply a minimum - 6 Ha is proposed.



Proposal:

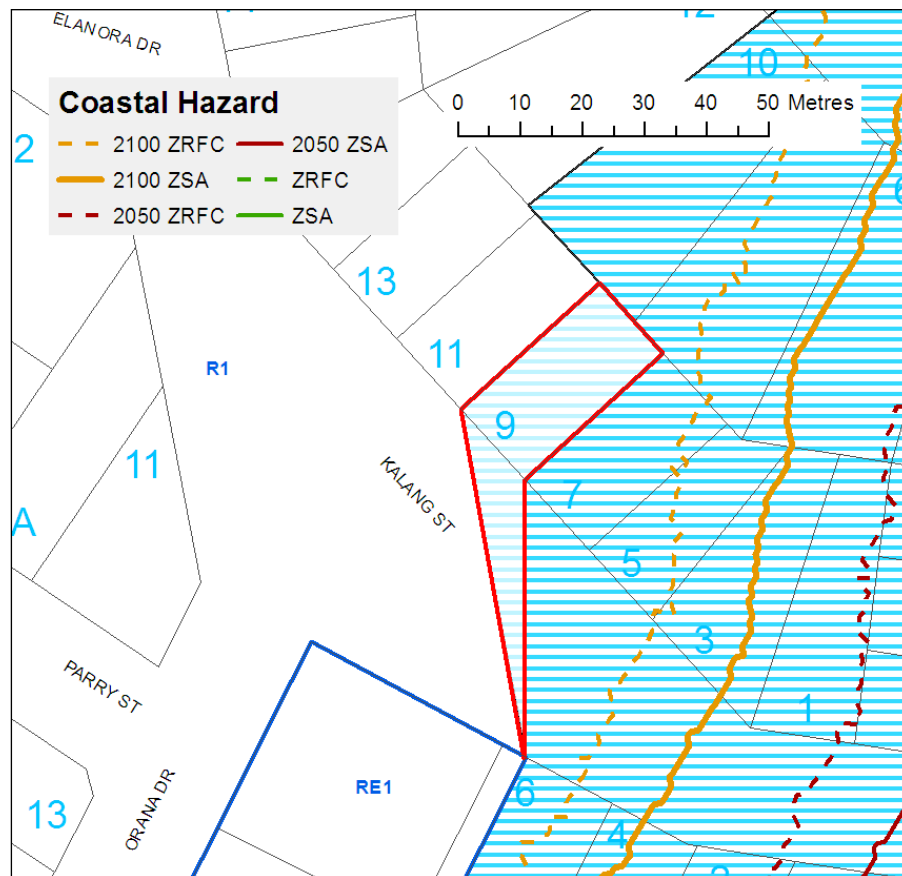
That for Lot 1 DP 828014, Koala St, Port Macquarie - on the Lot Size Map - apply AA (6 Ha) minimum.

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24. Mapping for Lot 17 DP 24185, 9 Kalang St, Lake Cathie

Part of Council's long-term planning responsibilities is to avoid new development in areas at risk, such as land at Lake Cathie identified as at risk from coastal erosion. Such land is shown as "Coastal Erosion Risk" on the Coastal Erosion Map.

Review of the mapping shows that No 9 Kalang Street has been incorrectly designated as subject to this risk.



Proposal:

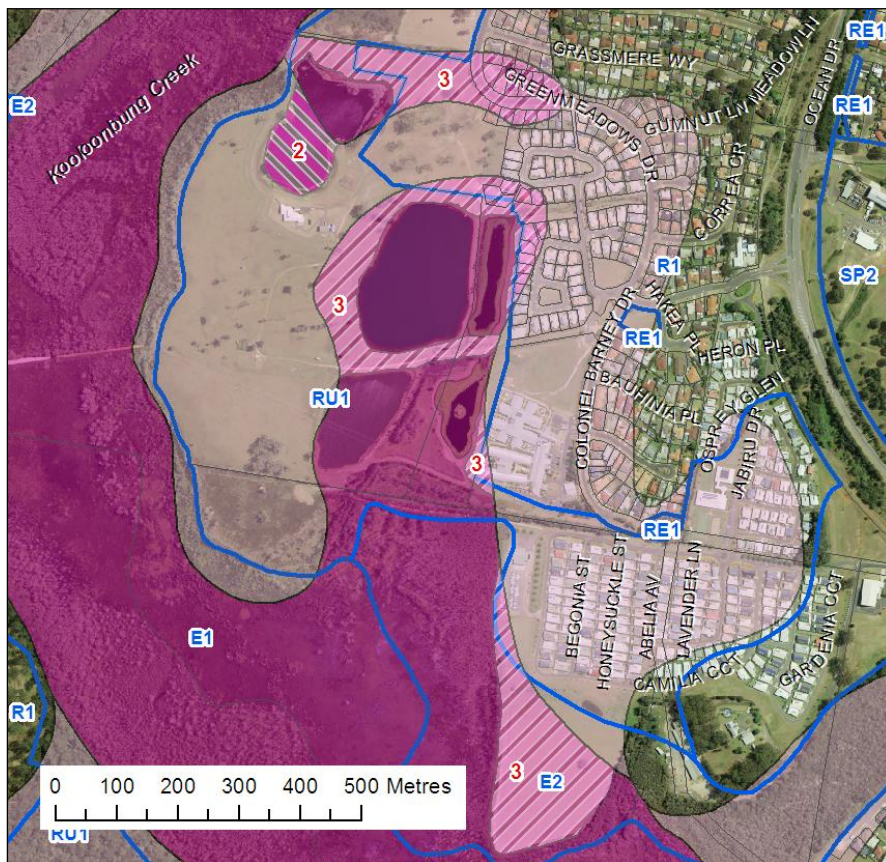
That for Lot 17 DP 24185, 9 Kalang St, Lake Cathie - on the Coastal Erosion Map - remove Coastal erosion risk designation

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25. Mapping in the vicinity of Greenmeadows Dr and Colonel Barney Dr and Camilia Cct, Port Macquarie

Earthworks associated with development in the southern Greenmeadows area have made the LEP mapping of Acid Sulfate Soils classifications out of date, due to changes in ground levels. The classifications distinguish the depths of works that can be allowed without special consideration: Class 1 and 2 are subject to more stringent controls, including being excluded from the General Housing Code or the Rural Housing Code under the Codes SEPP.

The map below highlights areas where a change is appropriate: a red "2" means a change for Class 3 to Class 2, and a red "3" means a change from Class 2 to Class 3.



Some similar restrictions apply if land is designated as within a Flood Planning Area, and it has been suggested that similar changes are appropriate to the Flood Planning Map as well. However, the current Flood Planning Map is based on post development contours, and the designations for some properties are due to portions of the properties still being within the Flood Planning Area. No change is justified in relation to the Flood Planning Map.

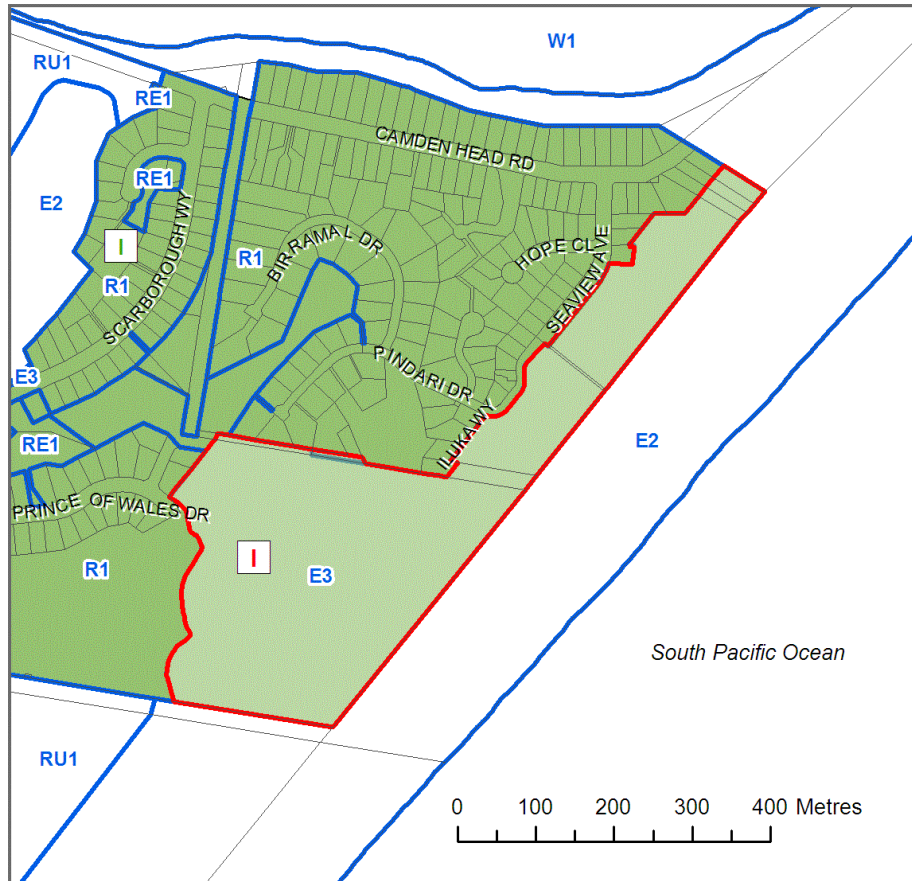
Proposal:

That in relation to land in the vicinity of Greenmeadows Dr and Colonel Barney Dr and Camilia Cct, Port Macquarie - on the Acid Sulfate Soils Map - adjust the boundaries for Class 2 and Class 3 as shown on the map.

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26. Mapping for land zoned E2 or E3 at Dicks Hill

Some privately-owned land at Dicks Hill near the beach is zoned E3. The E3 Environmental Management zone permits dwelling houses. The balance of Dicks Hill is subject to a building height limit of 8.5 m, and it is appropriate to also apply it to the E3 land.



Proposal:

That in relation to land zoned E3 at Dicks Hill - on the Height of Buildings Map - apply I (8.5 m) maximum.

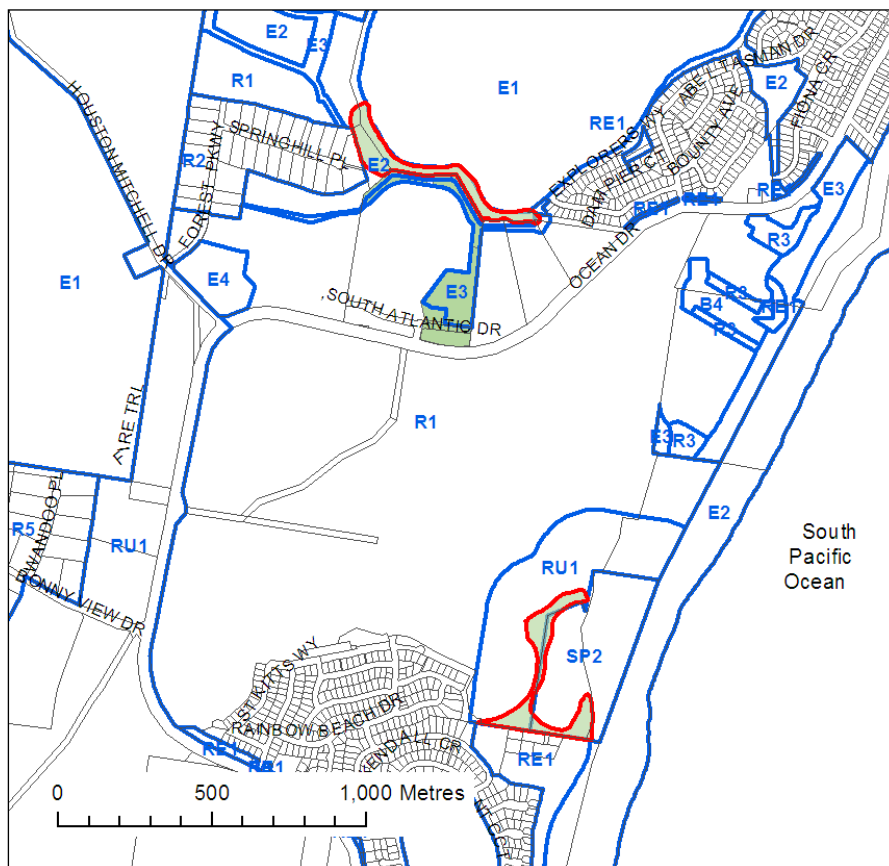
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27. Mapping for Lot 1 DP 255923, Lots 2-3 DP 706357, Lots 33 & 35 DP 803801 and Crown land, vicinity Ocean Dr and Springhill Pl, Lake Cathie and Lot 11 DP 629025 and Lot 1232 DP 1142133, vicinity Magellan Pl, Bonny Hills

Ongoing work in planning and rezoning and development at Lake Cathie and Bonny Hills has led to adoption of a Koala Plan of Management, which identifies core koala habitat.

Currently the Koala Habitat Map identifies one Koala habitat area at Lake Cathie - the darker green area on the map below. Based on the latest KPOM it is proposed to add the two areas outlined in red and shaded light green. This is consistent with Council's mapping of Core Koala Habitat in LEP 2011 in other parts of the local government Area (e.g. at Thrumster).

The southern additional area is located adjacent to the Bonny Hills Sewage Treatment Plant. The northern area adjoins the southern edge of the Lake Innes Nature reserve and includes a lot in Council ownership Lot 35 DP 803801, which is used for a sewage pump station. The lot is already zoned E2 Environment Conservation as part of the fringe of the Nature Reserve.



Proposal:

That in relation to land at Lake Cathie and Bonny Hills - on the Koala Habitat Map - add the additional core habitat identified in the Koala Plan of Management (as shown on the map above).

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Options

Council has the following options:

1. Proceed with a Planning Proposal as recommended
2. Proceed with and Planning Proposal with amendments or alternatives to the contents of the report
3. Not proceed with a Planning Proposal.

There are numerous issues proposed in this report. The proposals are recommended to keep the LEP up-to-date and accurate and to provide the best balance in effective planning to achieve and facilitate good development outcomes.

Community Engagement & Internal Consultation

There has been internal consultation over some issues as appropriate.

Subject to the requirements of the Gateway determination from the Dept of Planning & Infrastructure, it is expected that there will be a 14 day public exhibition of the proposed changes.

Specific landowner consultation will also be required as relevant to the specific amendments being proposed.

There will be a further report to Council following the exhibition.

Planning & Policy Implications

Broadly, the proposed changes will facilitate development by removing inappropriate restrictions, by rectifying errors and by introducing controls that are consistent with the existing LEP controls.

Financial & Economic Implications

The implementation of the proposed LEP amendments is proposed within Council's Strategic Planning program.

In relation to the matters involving Council owned land (issues 4, 14-17 and 27) there is no significant economic or financial impact or benefit for Council, associated with the proposed changes.

The additional uses proposed for the B7 Business Park zone at the Port Macquarie Airport add to the current wide range of business uses permitted in conjunction with the Airport, which are consistent and compatible with airport operations.

Given the nature of the changes proposed, it is not expected that there will be any significant adverse economic impacts. Proposed changes will largely provide for positive economic development outcomes by clarifying anomalies in the LEP.

Attachments

Nil

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INFRASTRUCTURE



Planning and Providing Our Infrastructure

Item: 12.11

Subject: LEP AMENDMENT - ECO-TOURIST FACILITIES (PP2013-11.1)

Presented by: Development & Environment, Matt Rogers

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. Prepare a draft planning proposal as described in this report, pursuant to section 55 of the Environmental Planning and Assessment Act 1979, for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, in relation to:
 - a) permitting with consent eco-tourist facilities within Zones RU1 Primary Production, RU2 Rural Landscape, R1 General Residential, R5 Large Lot Residential, SP3 Tourist and E4 Environmental Living, and
 - b) inserting a local clause with the objective of facilitating eco-tourist facilities, as described in this report.
2. Forward the draft planning proposal to the Department of Planning and Infrastructure for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to sections 56 - 58 of the Act.
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.

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Executive Summary

This report proposes an amendment to Port Macquarie-Hastings Local Environmental Plan 2011 (LEP 2011) to permit small to medium scale eco-tourist facilities in several zones, subject to some supplementary provisions.

The need for the proposed amendment arises due to changes to land use definitions and provisions in the standard LEP template for NSW. The previous LEP 2001 used the broader definition of “rural tourist facility”, which no longer exists in LEP 2011.

In preparing the report, Council staff have undertaken research on past approvals for rural tourist facilities, including consideration of problems that have arisen with the approval of rural tourist facilities in the past. Advice has been obtained from the Department of Planning & Infrastructure on possible planning provisions.

It is proposed that Council proceed to exhibition with the standard template eco-tourism provisions and an additional local clause in relation to eco-tourism. The proposed clause would provide scope for the approval of small to medium scale eco-tourist facilities (up to 1,000m² max; e.g. 20 cabins) with appropriate consideration to lot size/dwelling provisions and infrastructure demands.

Discussion

The previous LEP for the Port Macquarie-Hastings Local Government Area (LEP 2001) used the definition “rural tourist facility”, to cover small-scale tourist facilities in rural areas. The term “rural tourist facility” no longer exists in the standard instrument LEP for NSW and therefore cannot be used in the current LEP for the Port Macquarie-Hastings Local Government Area (LEP 2011).

Shortly after *Port Macquarie-Hastings Local Environmental Plan 2011* was made, the Standard Instrument for NSW was amended to include a further land use category - “eco-tourist facility”. By default it was prohibited in every zone, to allow each Council to determine in which zones it would be allowed.

The Standard Instrument definition is:

eco-tourist facility means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

Note. See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities.

Eco-tourist facilities are not a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

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Clause 5.13 was also drafted by the State government in relation to “eco-tourist facilities”. The Clause is not included in an LEP (based on the Standard Instrument) unless eco-tourist facilities are permissible in at least one zone:

5.13 Eco-tourist facilities [compulsory if eco-tourist facilities permitted with consent]

- (1) The objectives of this clause are as follows:
 - (a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,
 - (b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.
- (2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.
- (3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:
 - (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and
 - (b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and
 - (c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and
 - (d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and indigenous flora and fauna will be minimal, and
 - (e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and
 - (f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and
 - (g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours materials and landscaping with local indigenous flora, and
 - (h) any infrastructure services to the site will be provided without significant modification to the environment, and
 - (i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and
 - (j) the development will not adversely affect the agricultural productivity of adjoining land, and
 - (k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:
 - (i) measures to remove any threat of serious or irreversible environmental damage,
 - (ii) the maintenance (or regeneration where necessary) of habitats,
 - (iii) efficient and minimal energy and water use and waste output,

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- (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,
- (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

Council staff have reviewed the standard definition and clause related to eco-tourism, as shown above, having regard to previous approvals for tourism developments in rural areas and the objective of facilitating appropriate tourism development in the Port Macquarie-Hastings, as described in the Urban Growth Management Strategy.

As a result, it is proposed that Council permit eco-tourist facilities with consent in Zones:

- RU1 Primary Production,
- RU2 Rural Landscape,
- R1 General Residential,
- R5 Large Lot Residential,
- SP3 Tourist and
- E4 Environmental Living.

These zones cover the majority of the local government area.

Consideration has also been given to the E3 Environmental management zone, however, given the areas to which this zone has been applied, including the recent E3 Environmental Management rezoning on the Dunbogan foreshore, this zone is not proposed for inclusion. The permissibility of land uses within Zone RU3 Forestry is determined under the Forestry Act 2012, and Council has no role in this.

The standard eco-tourism clause for NSW (Clause 5.13 above) provides a number of considerations, focussed on environmental impact and the relationship of a proposed eco-tourism development to the environment. However, it does not specifically address lot size, scale of development and the impact on public infrastructure.

These issues have been researched by Council planning staff in consultation with the Department of Planning & Infrastructure. Eco-tourism provisions in other local government areas and past approvals for rural tourist facilities have been reviewed.

The research shows that developments can be designed in some instances to circumvent restrictions in relation to rural dwellings, if tourist related facilities are permitted on lots that do not otherwise permit a rural dwelling. Some approved rural tourist facilities have been permanently occupied and this introduces a compliance problem for Council if not regulated.

The proposed eco-tourist provisions should not introduce capacity for small scale tourist facilities, such as a managers dwelling and cabins, on lots that do not otherwise permit dwellings in accordance with LEP 2011 as Council's experience is that this leads to developments in rural areas that do not function as tourist facilities.

It is proposed that Council supplement the provisions of Clause 5.13 with provisions regarding lot size, floor space and infrastructure provision, as shown below. This proposed local clause would operate in conjunction with clause 5.13 reproduced above.

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Draft clause 7.14 Eco-tourist facilities - additional provisions

- (1) The objective of this clause is to ensure that eco-tourist facilities have an appropriate scale.
- (2) Development consent must not be granted to eco-tourist facilities unless:
 - (a) the area of the subject land is at least the minimum lot size specified for that land by the Lot Size Map, and
 - (b) the gross floor area of the eco-tourist facility and any ancillary permanent accommodation for owners or managers does not exceed 1000 square metres, and
 - (c) the consent authority is satisfied that the development does not cause unfunded increased demand for provision or maintenance of local infrastructure.

Paragraph (b) has been based on a review of previous rural tourist facility applications. A gross floor area of 1000m² could allow up to say 20 x 50 m² cabins, including owner/staff accommodation, which is more generous than current rural tourist facility developments. This is a maximum to cater for larger sites - it may be excessive for smaller sites.

For larger scale eco-tourist proposals, or for proposals for tourist development outside Council's identified growth areas, it is proposed that a site-specific assessment would be undertaken in each case, and where there is merit in accordance with the Urban Growth Management Strategy (UGMS), an amendment to LEP 2011 could be prepared.

This is the current situation for tourist facilities including the Cassegrain facilities at Fernbank Creek and would be the case for a facility such as the Stoney Park Waterski and Holiday Park, if that proposal were proposed under current planning provisions. This provides an opportunity for strategic assessment of larger scale proposals by Council, consistent with the UGMS (2011).

Facilities such as "bed and breakfast accommodation" and "farm stay accommodation" are already permitted with consent in rural zones under LEP 2011.

Paragraph (c) in the proposed local clause addresses demands on public infrastructure that are not specifically addressed in Clause 5.13. This is particularly important in remote rural locations. For example, the demands that may be generated on Council to upgrade gravel roads in outlying rural areas.

Whilst developer contributions are applicable to tourist facilities (i.e. Major Roads, Open Space and Community, Cultural & Emergency Service Facilities), the Major Roads Contributions Plan will not cover any increased costs of ongoing rural road maintenance and this is an important issue for consideration by Council.

It is proposed that Council exhibit a draft planning proposal comprising amended zone provisions and the introduction of Clause 5.13 and a local clause regarding eco-tourism development, as discussed above.

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Options

Council could opt to not include “eco-tourism provisions” in LEP 2011 or seek advice on alternative provisions to those recommended in this report. The matter could also be deferred pending further investigation on one or more issues.

Community Engagement & Internal Consultation

Prelim consultation has taken place with Council’s Economic Development Manager and with representatives of the NSW Department of Planning & Infrastructure. This has included preliminary advice from the Department’s Legal Branch.

It is proposed that the draft LEP amendment be referred to the Department’s Local Planning Panel, to obtain approval to proceed to public exhibition. This would ordinarily include a requirement for a minimum exhibition period and it is proposed that Council suggest that this be a minimum of 28 days in this instance. Compliance with the Department’s requirements is mandatory.

In accordance with Council’s Community Participation Policy, the draft LEP amendment has been assessed as having a low level of public impact with relevance to the community as a whole and specific relevance to tourism industry representatives.

Accordingly, it is proposed that Council consult and inform the community during the exhibition period using newspaper advertisements, displays at Council offices and on Council’s web site. It is proposed that Council staff meet specifically with tourist industry representatives on the Tourist Association Board during the exhibition and that feedback from all interested parties will be reported to Council.

Council may need to obtain additional legal advice in relation to the draft LEP provisions and if so, this would also be reported to Council after the exhibition period.

Planning & Policy Implications

The addition of the eco-tourism provisions to LEP 2011 is listed as an action in Council’s adopted Urban Growth Management Strategy 2011. The relevant aim in the UGMS is to: “Provide opportunities for smaller-scale, minimum - impact tourism ventures, which relate to the landscape and environmental values, throughout the PMH area”.

The proposed LEP amendment will facilitate a further option for growth in rural tourism. The proposed local clause provides for consideration of the key issues in eco-tourism proposals in addition to the matters listed in the standard State clause, as described in this report.

Financial & Economic Implications

The proposed LEP amendment will facilitate a further option for growth in rural tourism.

There will be minimal cost to Council for the LEP amendment.

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Care will be required with assessment of subsequent infrastructure upgrade or maintenance costs arising from any development consents for eco-tourist facilities.

It is expected that inclusion of ecotourism provisions in the LEP will have a positive economic impact by permitting suitable developments and the flow on effects such businesses create within the local economy.

Attachments

Nil