



Ordinary Council

Business Paper

date of meeting: Wednesday, 20 May 2015

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

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

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

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 20 May 2015

Items of Business

| Item | Subject | Page |
|-----------|--|------------|
| 01 | Acknowledgement of Country | 1 |
| 02 | Local Government Prayer | 1 |
| 03 | Apologies | 1 |
| 04 | Confirmation of Minutes | 1 |
| 05 | Disclosures of Interest | 25 |
| 06 | Mayoral Minute | |
| | 06.01 Mayoral Discretionary Fund Allocations..... | 29 |
| 07 | Confidential Correspondence to Ordinary Council Meeting..... | 30 |
| 08 | Public Forum | 31 |
| 09 | Ensuring Good Governance..... | 32 |
| | 09.01 Status of Outstanding Reports to Council | 33 |
| | 09.02 Delegated Authorities - Certificate of Identification issued under the Swimming Pools Act 1992..... | 37 |
| | 09.03 Disclosure of Interest Return..... | 39 |
| | 09.04 Report on Attendance at the Australian Local Government Women's Association Conference..... | 41 |
| | 09.05 Quarterly Budget Review Statement - April 2015..... | 46 |
| | 09.06 Monthly Financial Review for April 2015..... | 51 |
| | 09.07 Investments - April 2015 | 55 |
| | 09.08 Financial Impact of Cost Shifting From Other Levels of Government..... | 63 |
| | 09.09 Pensioner Concessions Rebate Policy Review..... | 67 |
| | 09.10 2014 - 2015 Operational Plan Progress Report as at 31 March 2015..... | 70 |
| 10 | Looking After Our People..... | 103 |
| | 10.01 Recommended Item from the Mayor's Sporting Fund Sub- Committee - April Meeting..... | 104 |
| | 10.02 Suspension of the Alcohol Free Zone - Zone 2 on Friday 26 June 2015..... | 105 |
| 11 | Helping Our Community Prosper..... | 108 |
| | 11.01 Digital Strategy - Public Exhibition Report | 109 |
| 12 | Looking After Our Environment..... | 115 |
| | 12.01 DA2015 - 0129 - Dwelling, Swimming Pool and Boat Ramp Including Clause 4.6 Objection to Clause 4.3 (Height of Building) Under Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 32, DP 1069338, 74 The Anchorage, Port Macquarie..... | |



**PORT MACQUARIE
HASTINGS**

| | | |
|-----------|--|-------------------|
| 12.02 | DA2015 - 0030 - Additions to Dwelling including Clause 4.6 objection to Clause 4.3 (Height of Buildings) of Port Macquarie Hastings Local Environmental Plan 2011 at Lot 377 DP 236950, 31 Vendul Crescent, Port Macquarie | <u>119</u> |
| 12.03 | DA2015 - 0114 - Dwelling Including Clause 4.6 Objection to Clause 4.4 (Floor Space Ration) Under Port Macquarie-Hastings Local Environmental Plan 2011 - Lot 18 DP 24185, 7 Kalang Street, Lake Cathie | <u>140</u> |
| 12.04 | Merger of the Hastings LGA Coast & Estuaries Sub-Committee and the Hastings LGA Floodplain Sub-Committee | <u>143</u> |
| 12.05 | Recommended Item from Hastings LGA Floodplain Sub-Committee - Draft Port Macquarie-Hastings Flood Policy.DCP Flood Development Provisions | <u>146</u> |
| 12.06 | Choose Your Bin and New Domestic Waste Service Survey | <u>147</u> |
| 13 | Planning and Providing Our Infrastructure | <u>151</u> |
| 13.01 | Notice of Motion - 2015-16 Budget Considerations | <u>152</u> |
| 13.02 | Water Supply Policy 2015 | <u>154</u> |
| 13.03 | Town Green Re-Turfing | <u>156</u> |
| 13.04 | Road Network Planning | <u>159</u> |
| 13.05 | Port Macquarie-Hastings Bike Plan | <u>164</u> |
| 13.06 | Port Macquarie-Hastings Pedestrian Access and Mobility Plan | <u>167</u> |
| 13.07 | Development Contributions for Non Residential Development | <u>171</u> |
| 13.08 | Development Activity and Assessment System Performance | <u>175</u> |
| 13.09 | Question on Notice - Wauchope Swimming Pool Facility | <u>181</u> |
| 13.10 | McInherney Park..... | <u>185</u> |
| 14 | Questions for Next Meeting | |
| 15 | Confidential Matters | |
| | Motion to move into Confidential Committee of the Whole | <u>190</u> |
| 15.01 | Tender T-15-16 2014 - 2015 Port Macquarie CBD Footpath Cleaning | |
| | Adoption of Recommendations from Confidential Committee of the Whole | |



**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 15 April 2015 be confirmed.

RECOMMENDATION

That the Minutes of the Extra-Ordinary Council Meeting held on 27 April 2015 be confirmed.

PRESENT**Members:**

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

Other Attendees:

General Manager (Craig Swift-McNair)
Director of Community and Economic Growth (Tricia Bulic)
Director of Corporate and Organisational Services (Rebecca Olsen)
Director of Development and Environment Services (Matt Rogers)
Director of Infrastructure and Asset Management (Jeffery Sharp)
Group Manager Governance and Executive Services (Stewart Todd)
Governance Support Officer (Bronwyn Lyon)
Communication Engagement and Marketing Team Leader (Andy Roberts)
Media and Public Relations Officer (Nicole Langdon)

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

Pastor Jane Bax from the Grace Church delivered the Local Government Prayer.

03 APOLOGIES

Nil.

The Mayor noted the approved leave of absence for Councillor Hawkins.

04 CONFIRMATION OF MINUTES

RESOLVED: Sargeant/Turner

That the Minutes of the Ordinary Council Meeting held on 18 March 2015 be confirmed.

CARRIED: 8/0

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

AGAINST: Nil

05 DISCLOSURES OF INTEREST

A.

Councillor Cusato declared a Non-Pecuniary, Significant Interest in Item 11.02 - Finalisation of Birdon Marine West Planning Proposal, Development Control Plan and Voluntary Planning Agreement, the reason being that Councillor Cusato owns property on the same road.

Councillor Roberts declared a Non-Pecuniary, Less Than Significant Interest in Item 13.02 - Rescission Motion - Local Orders Policy for the Keeping of Dogs at Thrumster, the reason being that Councillor Roberts exchanged contracts on land in the Thrumster area.

Councillor Sargeant declared a Non-Pecuniary, Less Than Significant Interest in Item 11.02 - Finalisation of Birdon Marine West Planning Proposal, Development Control Plan and Voluntary Planning Agreement, the reason being that Birdon Marine was a contributor to the costs of Councillor Sargeant's election campaign.

B.

Councillor Besseling declared a Non-Pecuniary, Significant Interest in Item 11.02 - Finalisation of Birdon Marine West Planning Proposal, Development Control Plan and Voluntary Planning Agreement, the reason being that Councillor Besseling is trustee of the Jim Bruce Urology Prostate Cancer Trust, which is closely associated with Birdon and the Bruce Family.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Besseling

That the Mayoral Discretionary Fund allocations for the period 5 March to 1 April 2015 inclusive be noted.

CARRIED: 8/0

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

AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

RESOLVED: Levido/Griffiths

That Council determine that the attachments to Item Number 09.04 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

CARRIED: 8/0

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

AGAINST: Nil

08 PUBLIC FORUM

Nil.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 11.02 - Ms Terri Benson in support of the recommendation.

Item 11.02 - Mr Philip Thornton in support of the recommendation.

Item 11.02 - Mr Robert Gilligan in opposition of the recommendation.

RESOLVED: Turner/Intemann

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

CARRIED: 8/0

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

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Intemann

That Standing Orders be suspended to allow Item 11.02 to be brought forward and considered next.

CARRIED: 8/0

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

AGAINST: Nil

The Mayor vacated the Chair, the time being 5:41pm.

The Deputy Mayor assumed the Chair, the time being 5:41pm.

**11.02 FINALISATION OF BIRDON MARINE WEST PLANNING PROPOSAL,
DEVELOPMENT CONTROL PLAN AND VOLUNTARY PLANNING
AGREEMENT**

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 5:42pm.

Councillor Besseling 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 5:42pm.

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

Ms Terri Benson of Birdon Pty Ltd addressed Council in support of the recommendation and answered questions from Councillors.

Mr Philip Thornton of Matrix Industries Pty Ltd addressed Council in support of the recommendation and answered questions from Councillors.

Mr Robert Gilligan addressed Council in opposition of the recommendation and answered questions from Councillors.

RESOLVED: Intemann/Turner

That Council:

1. Pursuant to section 58 of the Environmental Planning and Assessment Act, forward the planning proposal as exhibited, including the amendments specified in this report, to the NSW Department of Planning and Environment to finalise the amendment to Port Macquarie-Hastings Local Environmental Plan 2011.
2. Adopt the draft development control provisions, including the amendments described in this report, to commence on notification of the rezoning in No. 1 above.
3. Enter into the amended Birdon Planning Agreement relating to Lot 17 DP 1191370 (formerly part of Lot 2 DP 225413), Glen Ewan Road, Sancrox as attached to the report.

CARRIED: 6/0

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

AGAINST: Nil

Mayor Besseling returned to the meeting, the time being 6:20pm.

Councillor Cusato returned to the meeting, the time being 6:20pm.

The Deputy Mayor vacated the Chair, the time being 6:20pm.

The Mayor assumed the Chair, the time being 6:20pm.

09.01 STATUS OF OUTSTANDING REPORTS TO COUNCIL - APRIL 2015

RESOLVED: Intemann/Turner

That the information in the April 2015 Status of Outstanding Reports to Council be noted.

CARRIED: 8/0

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

AGAINST: Nil

09.02 QUESTION ON NOTICE - FUNDS FROM SALE OF TIMBERTOWN

RESOLVED: Griffiths/Levido

That Council note the response to the Question on Notice concerning Funds from the Sale of Timbertown.

CARRIED: 8/0

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

AGAINST: Nil

09.03 SUPPORTING LOCAL BUSINESS THROUGH COUNCIL'S PURCHASING OF GOODS AND SERVICES

RESOLVED: Turner/Levido

That Council:

1. Note the Key Outcomes and Recommendations listed in the report being the whole-of-Council integrated strategy designed to assist locally owned and operated businesses to be more competitive and ultimately more successful in winning a larger, growing share of Council's procurement spend.
2. Note that ongoing reporting in relation to this strategy will be incorporated into the Quarterly Procurement Strategy report to Council.

CARRIED: 8/0

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

AGAINST: Nil

09.04 PROCUREMENT STRATEGY UPDATE

RESOLVED: Griffiths/Cusato

That Council note the progress made on the Implementation Plan as detailed in the Procurement Strategy.

CARRIED: 8/0

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

AGAINST: Nil

09.05 GLASSHOUSE QUARTERLY REPORT AND UPDATE ON STRATEGIC PLAN RECOMMENDATIONS

RESOLVED: Roberts/Levido

That Council note the information provided in the report.

CARRIED: 8/0

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

AGAINST: Nil

09.06 INVESTMENTS - MARCH 2015

RESOLVED: Griffiths/Turner

That Council note the Investment Report for the month of March 2015.

CARRIED: 8/0

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

AGAINST: Nil

09.07 MONTHLY FINANCIAL REVIEW FOR MARCH 2015

RESOLVED: Sargeant/Griffiths

That Council adopt the adjustments in the "Financial Implications" section of the report for March 2015.

CARRIED: 8/0

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

AGAINST: Nil

**10.01 PORT MACQUARIE HASTINGS COUNCIL VOLUNTEER PROGRAM
UPDATE**

RESOLVED: Intemann/Griffiths

C. That Council:

1. Notes the progress on the development of our Volunteer Program.
2. Request the General Manager provide a briefing to Councillors on the draft proposed Volunteer Policy and Procedures in June 2015, prior to the Policy coming to Council for consideration in July 2015.

CARRIED: 8/0

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

AGAINST: Nil

**10.02 RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-
COMMITTEE - MARCH MEETING**

RESOLVED: Besseling/Griffiths

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 Lincoln Bell in the amount of \$200.00 to assist with expenses he would incur travelling to and competing at the Little Athletics Track and Field Championships to be held in Homebush, Sydney during March.
2. Mr Joe Begbie in the amount of \$350.00 to assist with the expenses he will incur travelling to and competing at the National School Sport Australia Triathlon to be held at Penrith, Sydney during April.
3. Mr Dane Elliott in the amount of \$200.00 to assist with the expenses he will incur travelling to and competing at the NSWCHS Boys Volleyball Championships to be held at Mt Druitt, Sydney during April.
4. Ms Samantha Mead in the amount of \$200.00 to assist with the expenses she will incur travelling to and competing at the NSWCHS Girls Volleyball Championships to be held at Temora, NSW Riverina District during April.

CARRIED: 8/0

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

AGAINST: Nil

10.03 DISTRIBUTION OF COMMUNITY GRANT UNDERSPEND 2014-2015

RESOLVED: Intemann/Roberts

That Council:

1. Allocate the \$26,031 underspend from the 2014-2015 Community Grants to a one off Place Making Micro-Grant Program to be distributed throughout the Local Government Area to not-for-profit organisations.
2. Request the General Manager to review the Community Grants program with a view to incorporating a maintenance component to the funding of projects, to allow for the ongoing maintenance of any works undertaken by the various community groups.

CARRIED: 8/0

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

AGAINST: Nil

10.04 RECREATION NEEDS STUDY AND RECREATION ACTION PLAN

RESOLVED: Cusato/Levido

That Council:

1. Adopt the amended title of the draft Recreation Plan as the Recreation Needs Study.
2. Adopt the Recreation Action Plan as Council's strategic framework for the delivery of recreational facilities and services.
3. Request that the General Manager generate actions which references the deliverables identified within the Recreation Action Plan for consideration within the Operational Plan 2015-2016.
4. Be presented with these actions as part of the determination and adoption of the Operational Plan 2015-2016.

CARRIED: 8/0

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

AGAINST: Nil

11.01 PLANNING FOR COUNCIL'S THURMSTER LAND HOLDINGS

RESOLVED: Levido/Griffiths

That Council:

1. Subject to points 2 and 3 following, and utilising a selective procurement process involving consultants certified by Local Government Procurement, engage a suitably qualified and experienced consultant to prepare and lodge a development application for the development of Council's Partridge Creek Residential Precinct land holding in Thurmster.
2. To avoid any conflict of interest potential, the consultant should not be involved in any development application relating to adjoining or adjacent properties.

-
3. Receive a briefing on the development application before its lodgement for processing.
 4. Upon receipt of a development approval (if any), be presented with a further report to enable consideration as to Council's future role in developing or disposing of this land holding.

CARRIED: 5/3

FOR: Besseling, Cusato, Levido, Roberts and Turner

AGAINST: Griffiths, Intemann and Sargeant

FORESHADOWED MOTION: Intemann

That Council:

1. Subject to points 2 and 3 following, and utilising a selective procurement process involving consultants certified by Local Government Procurement, engage a suitably qualified and experienced consultant to prepare and lodge a development application for the development of Council's Partridge Creek Residential Precinct land holding in Thrumster.
2. Receive a briefing on the development application before its lodgement for processing.
3. Upon receipt of a development approval (if any), be presented with a further report to enable consideration as to Council's future role in developing or disposing of this land holding.

11.03 APPOINTMENT OF MEMBERS TO THE ECONOMIC DEVELOPMENT STEERING GROUP

RESOLVED: Turner/Sargeant

That Council:

1. Appoint Councillor Robert Turner, Councillor Michael Cusato and Councillor Trevor Sargeant to the Economic Development Steering Group for a term commencing 1 May 2015.
2. Appoint Karen Archer (Hastings Business Women's Network), Ross Cargill (NSW Business Chamber), Heather Cavanagh (Higher Education), Joy Corben (Hastings Education and Skills Forum), Jill Follington (Industry Mid North Coast), Rob Hamilton (Greater Port Macquarie Tourism Association), Hadyn Oriti (Port Macquarie Chamber of Commerce), Belinda Richardson (individual), John Saunders (Camden Haven Chamber of Commerce), Tony Thorne (Hastings Construction Industry Association) to the Economic Development Steering Group for a term commencing 1 May 2015.
3. Formally thank all past members of the Economic Development Steering Group for their commitment and contribution during their tenure.

CARRIED: 8/0

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

AGAINST: Nil

**12.01 DA2015 - 0061 & DA 2014 - 0956 - DWELLING-HOUSES INCLUDING
CLAUSE 4.6 VARIATIONS TO BUILDING HEIGHT STANDARD - 13
PORTSIDE CRESCENT AND 1 THE PENINSULA, PORT MACQUARIE**

RESOLVED: Intemann/Levido

That the determination of DA 2015 - 61 & DA 2014 - 956 for dwelling-houses including clause 4.6 variation to clause 4.3 building height under Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 53 DP 1077386, No. 13 Portside Crescent, & Lot 43 DP 1040148, 1 The Peninsula, Port Macquarie, be noted.

CARRIED: 8/0

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

AGAINST: Nil

**12.02 DA2014 - 0991 DEMOLITION OF UNITS, TREE REMOVAL,
CONSTRUCTION OF RESIDENTIAL FLAT BUILDING (14 UNITS)
INCLUDING CLAUSE 4.6 VARIATIONS TO CLAUSE 4.3 (HEIGHT OF
BUILDINGS) AND CLAUSE 4.4 (FLOOR SPACE RATIO) OF THE PORT
MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011, AND
STRATA SUBDIVISION AT LOTS 5, 6, 7 & 8 DP 229606, NO. 1639-1645
OCEAN DRIVE, LAKE CATHIE**

RESOLVED: Sargeant/Levido

That DA 2014 - 0991 for demolition of units, tree removal, construction of residential flat building (14 units) including Clause 4.6 variations to Clause 4.3 (Height of Buildings) and Clause 4.4 (Floor Space Ratio) of the Port Macquarie-Hastings Local Environmental Plan 2011, and strata subdivision at Lots 5, 6, 7 & 8, DP 229606, No. 1639-1645 Ocean Drive, Lake Cathie, be determined by granting consent subject to the recommended conditions, noting the inclusion of the infrastructure condition (21)(A199) as recommended by the Development Assessment Panel.

CARRIED: 8/0

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

AGAINST: Nil

13.01 NOTICE OF MOTION - PROVISION OF SUITABLE TAXI RANK LAYBACKS OR RAMPS IN HORTON & HAYWARD STREETS, PORT MACQUARIE

RESOLVED: Sargeant/Turner

That the General Manager provide advice on the implications of bringing forward, on the works program, the construction of suitable ramps or laybacks at both the Horton and Hayward Streets taxi ranks so as to enable wheelchairs, gophers and similar to more safely load and off-load over the gutter sections at both locations.

CARRIED: 8/0

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

AGAINST: Nil

13.02 RESCISSION MOTION - LOCAL ORDERS POLICY FOR THE KEEPING OF DOGS AT THURMSTER

Councillor Cusato declared a Pecuniary Interest in this matter, the reason being that Councillor Cusato is a machinery sub-contractor at the site and left the room and was out of sight during the Council's consideration, the time being 7:21pm.

Councillor Roberts declared a Non-Pecuniary, Less Than Significant Interest in this matter.

Councillor Roberts left the meeting, the time being 7:23pm.

THIS MATTER LAPSED FOR THE WANT OF A MOVER

Councillor Cusato returned to the meeting, the time being 7:24pm.

Councillor Roberts returned to the meeting, the time being 7:24pm.

13.03 QUESTION ON NOTICE - FUNDING FOR OCEAN DRIVE / HOUSTON MITCHELL DRIVE ROUNDABOUT

RESOLVED: Levido/Sargeant

That Council note the information in the report.

CARRIED: 8/0

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

AGAINST: Nil

**13.04 RECOMMENDED ITEM FROM LOCAL TRAFFIC COMMITTEE - 2015
IRONMAN TRIATHALON AUSTRALIA**

RESOLVED: Sargeant/Levido

That Council approve the temporary road closures and support the associated transport management arrangements associated with the 2015 Ironman Triathlon Australia on Sunday, 3 May 2015, subject to the following conditions:

1. That the event be categorised as a Class 1 Special Event.
2. That the event organiser obtains written approval from the NSW Police.
3. That the event organiser obtains written approval from the NSW Roads and Maritime Services (RMS).
4. That the event organiser notify the NSW Ambulance, NSW Fire and Rescue and the State Emergency Services of the proposed road closures.
5. That the event organiser notifies local transport services (Bus Companies, Taxis) of the proposed road closures.
6. That the event organiser complies with all the conditions identified in the Transport Management Plan and any modifications to the plan be approved by Council prior to the running of the event.
7. That the event organiser abides by any other condition that Council, RMS and the NSW Police may impose.
8. RMS accredited personnel (Yellow card) are required to set up and work with Traffic Control Plans at the site.
9. RMS accredited Traffic Controllers (Blue or Grey card) are to be used for the control of traffic.
10. That the event organiser advertise, at no cost to Council, the road event in the local print media for a period not less than 21 days advising of the time and duration of the road closures.
11. That the event organiser advertise the event by undertaking a letter box drop to all affected residents along the race route affected by the road closures advising of the event and the proposed actions to be undertaken to mitigate the impact of the road closures.
12. That the event organiser submit to Council prior to the commencement of the event evidence of Public Liability Insurance which is valid for the duration of the event, including placement and removal of traffic control devices.
13. The road reserve area is to be maintained and left in a clean and tidy condition at the completion of the event.
14. That a review of the implementation of the Transport Management Plan (TMP) be undertaken by the proponent in consultation with Council and other services following the event so that the TMP can be further refined and any issues identified can be addressed prior to any future events.

CARRIED: 8/0

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

AGAINST: Nil

**13.05 RECOMMENDED ITEM FROM LOCAL TRAFFIC COMMITTEE -
CAMERON STREET, WAUCHOPE - BUS ZONE**

RESOLVED: Levido/Cusato

That a bus zone be installed on the eastern side of Cameron Street, between Young and High Streets, as shown on the drawing attached to the report.

CARRIED: 6/2

FOR: Besseling, Cusato, Intemann, Levido, Sargeant and Turner

AGAINST: Griffiths and Roberts

FORESHADOWED MOTION: Griffiths

That Council defer the matter pending consideration of alternate locations.

**13.06 UPDATE ON ROAD RESEALING & REHABILITATION PROGRAM AND
FOOTPATH PROGRAM FOR 2014-2015**

RESOLVED: Intemann/Cusato

That the information relating to the progress of the Road Resealing & Rehabilitation Program and Footpath Program for 2014-2015 be noted.

CARRIED: 8/0

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

AGAINST: Nil

**13.07 CLASSIFICATION OF PUBLIC LAND AT THE REAR OF 23 BURRAWAN
STREET, PORT MACQUARIE**

RESOLVED: Sargeant/Griffiths

That Lot 1 Deposited Plan 1195210 be classified as operational land.

CARRIED: 8/0

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

AGAINST: Nil

13.08 FLYNNS BEACH PARKING PLANNING AGREEMENT

RESOLVED: Intemann/Cusato

That Council note the report on the Flynns Beach Parking Planning Agreement.

CARRIED: 8/0

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

AGAINST: Nil

13.09 ECO-TOURIST FACILITIES - 12 MONTH REVIEW (032.2013.00000011.002)

RESOLVED: Griffiths/Roberts

That Council:

1. Note the report.
2. Investigate permitting camping grounds within the RU1 Primary Production and RU2 Rural Landscape Zones in the next administrative review of the LEP.
3. Seek feedback from the Economic Development Steering Group on the impact of current eco-tourism LEP provisions.

CARRIED: 8/0

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

AGAINST: Nil

FORESHADOWED MOTION: Intemann

That Council:

1. Note the report.
2. Investigate permitting camping grounds within the RU1 Primary Production and RU2 Rural Landscape Zones in the next administrative review of the LEP.

14 QUESTIONS FOR NEXT MEETING

14.01 WAUCHOPE SWIMMING POOL FACILITY

Question from Councillor Griffiths:

Could the General Manager advise:

1. Is Council completing work on the Wauchope swimming pool facility which is contrary to the GNFP structural report dated 17 February 2010?
2. When should Council consult prior to proposed works approval and what legislation is Council to follow?
3. What issue or other creates the urgency to make the decision to refurbish the existing 50 metre pool?
4. When a funding allocation is made for the Wauchope swimming pool project in a particular year, what occurs to the allocation in years following?

Comments by Councillor (if provided):

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Roberts/Cusato

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

Item 15.01 Tender T-15-22 Rock Anchors and Soil Nails

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

Item 15.02 Tender T-15-20 Foamed Bitumen Stabilisation - Various Sites

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

Item 15.03 Tender T-15-17 Cairncross Waste Management Facility - Industrial Precinct Construction

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

Item 15.04 Ocean Drive Duplication Project Status Update

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

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

CARRIED: 8/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 7.48pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 7.53pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Roberts/Cusato

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

Item 15.01 Tender T-15-22 Rock Anchors and Soil Nails

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

RECOMMENDATION

That Council:

1. Accept the tender from Geotech Pty Ltd trading as Geotechnical Engineering for \$660,366.00 exclusive of GST for the provision of Rock Anchors and Soil Nails - Comboyne.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-22.

Item 15.02 Tender T-15-20 Foamed Bitumen Stabilisation - Various Sites

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

RECOMMENDATION

That Council:

1. Accept the tender from Stabilised Pavements of Australia Pty Ltd for \$288,814.82 exclusive of GST for the provision of Foamed Bitumen Stabilisation - Various Sites.
2. Affix the seal of Council to the necessary documents.

3. Maintain the confidentiality of the documents and considerations in respect of tender T-15-20.

Item 15.03 Tender T-15-17 Cairncross Waste Management Facility - Industrial Precinct Construction

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

RECOMMENDATION

That Council:

1. Accept the tender from Ditchfield Contracting Pty Ltd for \$2,686,415.28 exclusive of GST, for the provision of Cairncross Waste Management Facility Industrial Precinct development.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of Tender T-15-17.

Item 15.04 Ocean Drive Duplication Project Status Update

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

RECOMMENDATION

That Council:

1. Endorse the execution of the Deed of Release with Roadnet Pty Ltd to terminate the contract T-13-07 for the Design and Preconstruction of Ocean Drive Duplication between Greenmeadows Drive (south) and Matthew Flinders Drive, and delegate authority to the General Manager to execute and sign.
2. Endorse using the selective Tendering method from a list of NSW Roads and Maritime Services (RMS) prequalified contractors as per section 55(3)(g) of the Local Government Act 1993, allowing the project to continue with a revised project brief.
3. Note the proposed timeline/path to progress the project to construction be included in the revised project brief.

CARRIED: 8/0

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

AGAINST: Nil

The meeting closed at 7.54pm.

.....
Peter Besseling
Mayor

PRESENT**Members:**

Councillor Peter Besseling (Mayor)
Councillor Justin Levido (Deputy Mayor)
Councillor Rob Turner
Councillor Lisa Intemann (joined the meeting at 5.06pm)
Councillor Trevor Sargeant
Councillor Michael Cusato
Councillor Sharon Griffiths

Other Attendees:

General Manager (Craig Swift-McNair)
Director of Corporate and Organisational Services (Rebecca Olsen)
Director of Infrastructure and Asset Management (Jeffery Sharp)
Group Manager Governance and Executive Services (Stewart Todd)
Executive Assistant to the Mayor/Minute Taker (Linda Kocis)
Group Manager Infrastructure Delivery (Gary Randall)

The meeting opened at 4.30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Mayor opened the Meeting with an Acknowledgement of Country.

02 APOLOGIES

RESOLVED: Levido/Cusato

That the apology received from Councillor Roberts be accepted.
The Mayor noted the approved leave of absence for Councillor Hawkins.

CARRIED: 6/0
FOR: Besseling, Cusato, Griffiths, Levido, Sargeant and Turner
AGAINST: Nil

03 DISCLOSURES OF INTEREST

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Levido/Griffiths

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

Item 09.01 Tender T-14-51 North Shore Pressure Sewerage Scheme - Design and Construct Contract

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

Item 09.02 Tender T-14-48 Stingray Creek Bridge Replacement

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

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

CARRIED: 6/0

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

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 4.32pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 5.06pm.

Councillor Intemann joined the meeting at 5.06pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Sargeant/Turner

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

Item 09.01 Tender T-14-51 North Shore Pressure Sewerage Scheme - Design and Construct Contract

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

RECOMMENDATION

That Council:

1. Accept the financial assistance offer and conditions as outlined in correspondence from the Minister for Primary Industries, Minister for Lands and Water in the amount of \$1,414,785 (excl. GST) for the design and construction of the North Shore Sewerage Scheme and affix the seal of Council to the conditions associated with the financial assistance offer.
2. Accept the tender from Ledonne Constructions Pty Ltd for the design and construction of the North Shore Sewerage Scheme in the amount of \$6,436,157 (excl GST).
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect to tender T-14-51.

Item 09.02 Tender T-14-48 Stingray Creek Bridge Replacement

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

RECOMMENDATION

That Council:

1. Accept the alternate tender from Smithbridge Pty Ltd for the Stingray Creek Bridge Replacement for a lump sum of \$22,759,149.00 (incl. GST), noting the lump sum includes a schedule of rates for the road works component of the project and an alternate bridge pier/sub-structure.
2. Affix the seal of Council to the necessary documents.
3. Maintain the confidentiality of the documents and considerations in respect of tender T-14-48.
4. Endorse the Annex to the Memorandum of Understanding with NSW Public Works for the contract and construction management of the Stingray Creek Bridge Replacement and delegate to the General Manager, authority to sign this Annex on behalf of Council.

5. Note the expected total cost of the Stingray Creek Bridge Replacement and endorse the overall project budget, as described in the Project Financial Summary attached to the report.

CARRIED: 7/0
FOR: Besseling, Cusato, Griffiths, Intemann, Levido, Sargeant and Turner
AGAINST: Nil

The meeting closed at 5.07pm.

.....
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 2 April to 6 May 2015 inclusive be noted.

Discussion

Mayoral Discretionary Fund Allocations

The total commitment from the Mayoral Discretionary Fund from 2 April to 6 May 2015 inclusive was \$940.00.

This included the following:

| | |
|---|-----------------|
| Donation to Guide Dogs NSW on behalf of Centenarian Madeline Hannah | \$100.00 |
| Donation to Westport Men's Bowling Club for fundraiser for Kathryn Schliebs | \$120.00 |
| Anzac Day Wreaths for six services | \$370.00 |
| Donation to Melanoma Institute re 2015 Melanoma March | \$150.00 |
| Donation to fundraiser for Bowdi Latham | \$200.00 |
| | <u>\$940.00</u> |

Attachments

Nil

Item: 07

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

Presented by: General Manager, Craig Swift-McNair

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 attachment to Item Number 13.03 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: | 13.03 |
| Subject: | Town Green Re-Turfing |
| Attachment Description: | Financial Analysis of Works |
| Confidential Reason: | Relates to information that would, if disclosed, confer a commercial advantage on a competitor of the Council. (Local Government Act 1993 - Section 10A(2)(dii)). |

Item: 08**Subject: PUBLIC FORUM**

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

A maximum of 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: 09.01

Subject: STATUS OF OUTSTANDING REPORTS TO COUNCIL

Presented by: Corporate & Organisational Services, Rebecca Olsen

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 May 2015 Status of Outstanding Reports to Council be noted.

Discussion

Reports requested by Council

| Report | Status | Reporting Officer | Original Anticipated Date for Report | Current Anticipated Date for Report |
|--|--|-------------------|--------------------------------------|-------------------------------------|
| Use of McInherney Park Western Man-Made Beach. (Item 12.04 - OC 16/10/13) | Report within 1 month of adoption of Recreation Plan | DCEG | Sept 2014 | May 2015 |
| Development Contributions for Non Residential Development - refer to EDSG for review. (Item 13.06 - OC 18/02/15) | | DDES | May 2015 | May 2015 |
| QON - Wauchope Swimming Pool Facility. (Item 14.01 - OC 15/04/15) | | DCEG | | May 2015 |
| Town Centre Master Plan - Town Green - urgent remedial actions for the Town Green. (Item 13.06 - OC 18/03/15) | | DIAM | May 2015 | May 2015 |

Ensuring Good Governance

| Report | Status | Reporting Officer | Original Anticipated Date for Report | Current Anticipated Date for Report |
|---|--|-------------------|--------------------------------------|-------------------------------------|
| Draft one year operational plan for 2015 - 2016, draft revenue policy and draft fees and charges 2015 - 2016 - Update the February 2013 report on cost-shifting from other levels of government, by tabling an updated report to the May 2015 meeting of Council advising the adverse financial impact of cost-shifting on: a) Council's 2015 - 2016 Operational Plan b) Council's Long Term Financial Plan. (Item 09.08 - OC 18/03/15) | | DCEG | May 2015 | May 2015 |
| Fit for the Future - draft submission. (Item 09.01 - OC 18/02/15) | | GM | June 2015 | June 2015 |
| Policy Making - review. (Item 09.07 - OC 19/11/14) | | DCOS | June 2015 | June 2015 |
| Development Contributions for Student Accommodation - results of trial. (Item 13.06 - OC 19/11/14) | | DDES | June 2015 | June 2015 |
| Impact of Road Openings and Closures on Private Property. (Item 12.03 - OC 18/09/13) | To be included in overall review of roads policies Information still being sought. | DIAM | Mar 2015 | June 2015 |
| Benefits and future options for engagement of community volunteers. (Item 10.02 - OC 21/08/13) | Report after three months of operation of volunteer arrangement | DCEG | Feb 2015 | June 2015 |
| Waste Audit - Results. (Item 12.06 - OC 16/07/14) | | DDES | Oct 2015 | Oct 2015 |
| Free Camping - Position Statement monitoring and engagement with free camping community. (Item 11.03 - OC 18/03/15) | | DCEG | Feb 2016 | Feb 2016 |

Ensuring Good Governance

| Report | Status | Reporting Officer | Original Anticipated Date for Report | Current Anticipated Date for Report |
|--|--------|-------------------|--------------------------------------|-------------------------------------|
| Draft Structure Plan for the Greater Sancrox Area - consideration/investigations of potential urban capability/serviceability / capacity of lands between Oxley Highway to north, Pacific Highway to west and Houston Mitchell Drive to south and viability of rural residential development in the Greater Sancrox area. (Item 13.07 - OC 18/02/15) | | DDES | 2016 | 2016 |

Cyclic Reports

| Report | Reporting Officer | Reporting Cycle |
|--|-------------------|------------------------------------|
| Monthly Financial Update | DCOS | Monthly |
| Investments | DCOS | Monthly |
| Mayoral Discretionary Fund Allocations | GM | Monthly |
| Development Activity and Assessment System Performance | DDES | Quarterly (Apr, Jul, Oct, Feb) |
| Glasshouse Quarterly Financial Report | DCOS | Quarterly (July, Oct, Feb, Apr) |
| Procurement Strategy - Progress Report (Item 08.10 - ORD 18/09/2013) | DCOS | Quarterly (July, Oct, Feb, Apr) |
| Glasshouse Strategic Business Plan - Progress Report | DCOS | Quarterly (Aug, Nov, Feb, May) |
| Delivery Program - Progress Report | DCEG | Biannual (Mar, Sept) |
| Operational Plan - Progress Report | DCEG | Biannual (May, Oct) |
| Economic Development Strategy - Progress Report (Item 10.03 - ORD 20/11/2013) | DCEG | Biannual (June, Dec) |
| Mayoral and Councillor Fees (Setting of) | GM | Annually (June) |
| MIDROC Strategic Plan 2013-2017 Outcomes (Item 08.03 - ORD 21/08/2013) | GM | Annually (July) |
| Compliments and Complaints Annual Report | DCEG | Annually (Aug) |
| Annual Report of the Activities of the Mayor's Sporting Fund | DCEG | Annually (Aug) |

Ensuring Good Governance

| Report | Reporting Officer | Reporting Cycle |
|--|-------------------|-----------------|
| Council Meeting Dates | GM | Annually (Sept) |
| Creation of Office - Deputy Mayor | GM | Annually (Sept) |
| Payment of Expenses and Provision of Facilities to Councillors Policy for Exhibition | DCOS | Annually (Sept) |
| Audit Committee Annual Report | DCOS | Annually (Sept) |
| Annual Disclosure of Interest Returns | GM | Annually (Oct) |
| Payment of Expenses and Provision of Facilities to Councillors Policy for Adoption | DCOS | Annually (Nov) |
| Council's Annual Report | DCEG | Annually (Nov) |
| Annual Reporting of Contracts for Senior Staff | GM | Annually (Nov) |

Attachments

Nil

Ensuring Good Governance

Item: 09.02

**Subject: DELEGATED AUTHORITIES - CERTIFICATE OF IDENTIFICATION
ISSUED UNDER THE SWIMMING POOLS ACT 1992**

Presented by: Corporate & Organisational Services, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That the seal of Council be affixed to the certificates of identification issued under the Swimming Pools Act 1992 for:

- 1. Laura Chapman (Ranger).**
- 2. Daniel Trotter (Environmental Health Officer On-site Sewage Management).**

Executive Summary

The Council seal is required to be affixed to certificates of identification issued under the *Swimming Pools Act 1992*. A Council resolution is required in order to affix the Council seal to a document.

Council recently appointed Laura Chapman to the position of Ranger. To satisfy the requirements of a properly issued certificate of identification Council's Seal must be affixed.

Discussion

Section 27(2) of the *Swimming Pools Act 1992* requires that Council must issue a certificate of identification to each authorised officer appointed to exercise powers under this Act.

Clause 20 and Schedule 1 of the *Swimming Pools Regulation 2008* prescribes the form of a certificate of identification. The certificate of identification must include amongst other things the seal of the Council.

Clause 400 of the *Local Government (General) Regulation 2005* states that 'the seal of Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the seal be so affixed'.

Ensuring Good Governance

Options

There are no options in relation to this report. It is a legislative requirement that the Council's Seal be affixed to Certificates of identification issued under the *Swimming Pools Act 1992*.

Community Engagement & Internal Consultation

Community Engagement

Nil.

Internal Consultation

- Director Development and Environment
- Group Manager Governance and Executive Services.

Planning & Policy Implications

A Council resolution, specifically referring to the document, is required to affix the Council Seal to a certificate of identification issued under the Swimming Pools Act.

Financial & Economic Implications

Nil.

Attachments

Nil

Ensuring Good Governance

Item: 09.03

Subject: DISCLOSURE OF INTEREST RETURN

Presented by: Corporate & Organisational Services, Rebecca Olsen

Alignment with Delivery Program

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

RECOMMENDATION

That the Disclosure of Interest returns be noted for:

- 1. Ranger.**
- 2. Environmental Health Officer - Onsite Sewerage Management.**

Executive Summary

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

Discussion

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

- Ranger
- Environmental Health Officer - Onsite Sewerage Management

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

The Returns are then held in the Governance 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.

The Returns for the following positions will be tabled at this Meeting:

- Ranger
- Environmental Health Officer - Onsite Sewerage Management

Options

Nil. Lodgement of a Return by a Designated Person is a requirement under section 445 of the Local Government Act.

Ensuring Good Governance

Community Engagement & Internal Consultation

Internal Consultation

- Group Manager Governance & Executive Services.
- Ranger.
- Environmental Health Officer - Onsite Sewerage Management.

Planning & Policy Implications

Nil.

Financial & Economic Implications

Nil.

Attachments

Nil

Ensuring Good Governance

Item: 09.04

Subject: REPORT ON ATTENDANCE AT THE AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE

Presented by: Corporate & Organisational Services, Rebecca Olsen

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 Intemann on her attendance at the Australian Local Government Women's Association Conference.

Executive Summary

The following report has been prepared by Councillor Intemann following her recent attendance at the Australian Local Government Women's Association Conference, held in Rowland Flat, South Australia from 25 to 28 March 2015.

About 130 mayors, councillors and senior council staff from every state and territory attended – about 90% women, but men also. This is not an event exclusively for women, but just happens to be organised by women.

The theme of the Conference was 'Step Up and Top Up'. Delegates were encouraged to 'step up' to leadership roles in Local Government and 'top up' their learning from inspiring speakers and attendees.

Discussion

The Conference began with three musical pieces from the Faith Lutheran College ensemble, located in the Barossa. Great young talent on display.

The conference was officially opened by the Hon Geoff Brock Minister for Local Government and Regional Development and Member for Frome. He noted that last year's council elections in SA delivered more female councillors than previously - 206 women representing 28.56% of councillor positions, and that one of his objectives is to achieve a balanced (50%) representation of female councillors.

Keynote speaker was Annabel Crabb, the ABC's chief online political writer and host of 'Kitchen Cabinet'. A proud South Australian from the mid north of the state. Keynote theme was the title of Annabel's recent book – 'I need a Wife' – which explores what she sees as the main reason that women are under-represented in all forms of leadership, government and corporate. Annabel shared some hilarious

Ensuring Good Governance

'secrets' from her Kitchen Cabinet, but focussed on the main theme of female under-representation in power - "There are more Company Directors in Australia called Peter than there are women company directors". "Anna Burke in 2000 was only the second Australian MP to give birth while in office, Ros Kelly the first". "What we need is an airdrop of wives for the women, and to pay every housewife (or house husband) a minimum wage". "Time to recognise the change in our country, where the average taxpayer is no longer a male farmer or male clerk, but a 37 year old woman working part time". Annabel evidently has a keen understanding of both the importance and the tribulations of local government, and rattled off a string of examples of what it's like. A terrific 40 minute address, followed by questions.

Climate change was a prominent theme for the conference.

Dr Jacqueline Balston, Applied Climatologist and Consultant with the University South Australia, delivered an excellently researched presentation entitled 'Raising the bar on environmental stewardship'. She equates environmental stewardship to "responsibility". "Do we really want a bushfire season that starts earlier and lasts longer?" "Do we really want to lose all productive life in the oceans?" "Do we really want to live without a blue sky?" She evidences the now virtual certainty of human-induced climate change, and the importance of local government in leading the way, with Climate Change Mitigation Strategies put into place now to deal with the inevitable impact of more extreme and unpredictable weather events. For insights into futures thinking, she referenced Dan Gilbert's TED talks. I have a copy of her presentation, on request for anyone wishing to read it.

Richard Turner, Chief Executive ZEN Energy Systems, presented on 'New Renewable Energy Technologies, Self-Powered Homes & Renewable Power Stations for Regional Australia'. Zen has developed sustainable power systems to power communities or individual homes, both off- and on-grid, apparently solving the intractable problem of storage at an affordable cost. Zen's vision is to create smaller, independent, community-owned renewable power generation and storage systems, suitable for housing developments, villages etc. The benefit is both local jobs and lower cost power because of being locally owned. "The future of transport is electric vehicles". "Nuclear is not the answer. It is not cheaper than conventional power and for this reason nuclear power stations are being closed in Germany and Japan". "The method of energy production should suit the locality – solar, geothermal, wave, wind, biomass, you choose. "Whatever is your local climate advantage is a non-transferrable asset of the community, learn to value and use it". With storage technology now functional, it's quite feasible to build a local micro-grid. In the future will we see developers become utility providers as well? Zen is partnering with Bendigo Bank to provide loans for alternative power installation.

Kevin Osborn, President Australian Institute of Company Directors SA, Theme "Getting Women on board". Kevin supports the value of diversity, believing that gender diverse Boards are integral to better financial management and improved governance. He challenges what he describes as an 'unconscious bias' that usually assigns a preference to male participation in management at all levels. He shared Warren Buffett's insight that "The reason I was so successful in the corporate world was that I was only competing against 50% of the population". Diversity comes from aiming for diversity, being willing to receive different points of view and feedback. Ask yourself: "How much are our policies helping to overcome the lack of diversity in leadership?"

Ensuring Good Governance

Elaine Bensted, Chief Executive, Zoos SA since 2012. She turned the organisation around by methodically reviewing all zoo operations, encouraged staff innovation by asking: Is it necessary? Can it be reduced? Can it be funded differently? Her over-riding question to all staff was: "If it was your money would you do that?" Her mottos: Challenge and support; articulate and listen; be committed and prepared. Think: Brand, reputation, money/resources, stakeholders, staff.

Vili Milisits OAM and wife Rosemary are SA icons, having built an international company from their household kitchen in Adelaide, making quality flavoured pies when the only other pies available were mince and gravy. As well as a producer and exporter, Vili is now an advisor to the SA Government on export, marketing, health and hygiene standards. Their mottos: "If you stay still you are going backwards"; "Be observant – get your hands dirty, know your business and competitors, you won't know how to improve customer service if you don't serve your customers" and "Push the brink, have courage and have a go."

Sue Doyle, Executive General Manager People and Culture, Adelaide and Parafield Airports, worked up from pool secretary to GM. Sue's mottos: "Assume quality and demand it", "Know what's important and what's not acceptable", "Assume everyone is important", and "Miss no opportunity". Sue makes it a practice to occasionally 'get her hands dirty' by doing shifts at various stations around the airport.

Julie Sloan, Chief Executive Workforce Planning SA, has gained international recognition as an expert in workforce planning. She is currently working with the International Standards Organisation developing Workforce Planning Standards under ISO TC 260 HR Management. She contests that Australia is complacent in this field. Julie's theme was succession planning: knowing the critical jobs in the organisation and ensuring sustainability by planning for replacement. She is currently working on SA's 'Greatest Asset Project' promoting the value of the experience, ability and flexibility of 45+yo members of the workforce. Interestingly, her experience is that employees over 50yo become more productive as the week goes on and the reverse for employees under 30yo.

Janet Giles Director Campaigns, ACTU, explored the question 'What type of country and community do we want now and in the future in Australia?' Her theme was the importance of a sharing community, placing high value on trust and fairness, and the value of volunteerism - the things we fight for without being paid. In her opinion, we are facing a serious threat to national productivity because of rising inequity and the political 'blame game'. "Irreverence has a strong place in Australian culture, but not when it comes to lawmaking." "Never forget that just nodding hello to a neighbour is actually building community."

Allison Ashby, Director of AME Recruitment Pty Ltd, spoke about the importance of strategic networking. Rather than going to everything, first ask "What is in this for me and my business?" Learn from the best and remember that a problem shared is very often a problem halved. The insight of others can add value to any situation. Aim for long term benefit.

Peter Salerno, the 'Clown Doctor', uses laughter and surprise to help teams function better and manage stress. He demonstrated a team building exercise that requires two teams to compete against each other to be the first to solve a problem, with Peter inputting increasing levels of pressure and information. Observing the teams

Ensuring Good Governance

perform the task was a great lesson on what constitutes effective team work and what behaviours destroy team effort.

Interestingly both teams jumped in, hands on, and neither team stepped away from the task to plan a strategy and how they would work together. Strong leaders emerged from those who were in the centre of action and some members withdrew to the edges when they couldn't be heard or their ideas and contributions were not acknowledged

Wendy Campana, CEO Local Government Association of South Australia since 2003, chaired an 'on the couch' forum with three prominent SA wine makers - Fiona Donald Senior Winemaker at Seppeltsfield Wines, Louisa Rose Chief Winemaker at Yalumba (in 2014, she was voted the best winemaker in Australia by 100 peers), and Stephanie Toole Winemaker and owner of Mt Horrocks organic Winery. All the women displayed qualities of strength, determination, dedication and passion, succeeding in a profession dominated by men, and all mentioned the generosity of male leaders in the industry in encouraging their careers.

Saturday involved a half-day study tour of some Barossa highlights – '*Marketing, Markets & Main Street*'. It included: *Barossa Farmers Markets* (lots of great produce from 50 different outlets in a smallish undercover space); Angaston Main Street (44 tourist shops and heritage features in 200m of streetscape); valley lookout; Maggie Beer's farm shop at Nuriootpa (seasonal products made on site, great pate); Gully Gardens (dried fruits), and Seppeltsfield Vineyard (the largest of the 50-odd Barossa wineries, impressive history).

Sunday was a half day tour of Adelaide inner city and heritage areas, showing great Place Making outcomes arising from both strong heritage protection and recent street activation.

I was originally booked to attend Day 1 of the National Roads Conference in Sydney on 24 March, but the Conference was cancelled.

Thanks to Council for the opportunity to attend the ALGWA National Conference, which was a great opportunity for networking with council representatives from around Australia and a very informative range of speakers. The take home message for me was to underline the need for men and women across Australia to actively promote gender equality in leadership roles, that we might harness the inevitable productive gains. The only aspect I felt missing from the Conference was a session on forward planning for campaigning on council issues.

Options

Nil.

Community Engagement & Internal Consultation

Community Engagement

Nil.

Ensuring Good Governance

Internal Consultation

- Director Corporate and Organisational Services.
- 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.

Financial & Economic Implications

Nil.

Attachments

Nil

Ensuring Good Governance

Item: 09.05

Subject: QUARTERLY BUDGET REVIEW STATEMENT - APRIL 2015

Presented by: Corporate & Organisational Services, Rebecca Olsen

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 note the Quarterly Budget Review Statement for the March 2015 Quarter.

Executive Summary

This report will detail the Quarterly Budget Review Statement (QBRs) for the end of the third quarter of the 2014/15 financial year (January 2015 to March 2015).

Discussion

The Quarterly Budget Review Statement (QBRs) is a statutory report prepared in accordance with the Local Government (General) Regulations, Sections 202 & 203.

The 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. It also outlines recommended changes and reasons for major variances.

Whilst the Local Government (General) Regulations requires the annual budget to be reviewed on a quarterly basis through this QBRs, Councillors are provided with details of the financial position and associated variances on a monthly exception basis.

Attached is the Quarterly Budget Review Statement for the March 2015 quarter for Council's information, which includes the following 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
- Budget review of the cash and investments position
- Budget review of contracts and other expenses
- TCorp Ratios

Ensuring Good Governance

This QBRS (Income and Expenses) continues in the adjusted format to reflect comparisons to Council's yearly and quarterly budgets. For the 2014-2015 financial year Council has implemented phased budgeting for its operational budgets. As phased budgeting for capital projects will be introduced in the 2015-2016 financial year, it is anticipated that these comparisons will be then be incorporated into the Capital Budget statement within the QBRS.

The following key variances within the Income and Expense statement are noted:

1. Income

Income of \$133.2m for the year to date (YTD) is 92.5% of the YTD budget, and represents 78.8% of the \$169m annual budget. Key points to note are as follows:

- The increase in the year to date rates income is due to population growth.
- User fees & charges further improved in the quarter from 94.3% to 99.2% of the YTD budget, attributable in part to water charges from a combination of the seasonal influx of visitors, the lifting of water restrictions to level one and more water users moving to the level two tariff (\$5.10/kilolitre).
- Interest & investment revenue against the YTD budget is 142%, and at 102% of the annual budget. Investment revenue is performing well above budget, as noted in the separate Investment report.
- Other Revenues continue to meet the YTD budget, at 101%. Ordinance Services Income (Fines) is currently below budget as most of this income is affected by timing as it is handled by a third party, the Office of State Revenue. This will continue to be monitored throughout the year.
- Operating Grants & Contributions are 92.6% of the YTD budget, and 73% of the annual budget. These payments are subject to timing, with some grants paid up front, whilst others are paid when acquitted. The main YTD variance relates to the LIRS Interest Subsidy (\$337k), due to be paid to council when claimed. Claims occur twice a year and council is yet to claim as it has not made its first interest payment. The quarterly variance of 66% is due to the Pension Subsidy paid in full in the previous quarter.
- Capital Grants received total 18% of the YTD budget (\$2.8m received against YTD budget \$15.7m). This amount is reduced as a result of several projects being delayed or varied from original timeframes, which in turn affects the timing of the capital grants payments. Examples of this includes Sancrox Interchange (timing issue, \$2.3m received of \$4.6m), Ocean Drive at Greenmeadows (not yet started, paid in arrears), Roads to Recovery (dependant on when R2R funded projects start, paid in arrears) and Stingray Ck Bridge (tender awarded, paid in arrears). The reduction in the capital works budget in February has produced the unusual quarterly variance.
- Capital Contributions comprise two types, cash being Section 64 & 94, up significantly on the YTD budget at 196% (\$10.2m actual versus \$5.2m YTD budget), and 137% of the annual budget. The main favourable variances are in roads, open space & community facilities. These are due to increased

Ensuring Good Governance

activity in land sales & developments. The other type is non-cash contributions for developer provided assets, which will not be known until after the end of the financial year.

- Income from the disposal of assets relates to the sale of the last remaining lots of land at the former Flynn's Beach Caravan Park site.

2. Employee costs

Expenditure remained steady at 89.7% of the YTD budget, similar to the previous quarter, YTD 88.3%. Similarly to last quarter this is down in a few areas due in part to the timing of superannuation payments, which are made in the following month, a delay earlier in the year in the replacement of departing staff and the filling of newly created positions.

There is no change to the workers' compensation premium which remains below budget. Budget forecasts remain high with actual premiums determined on actual injury claims. All care is taken to ensure these do not occur, however the actual premium amount remains difficult to quantify throughout the year.

3. Borrowing costs

This variance, at 81.9% of the YTD budget, is mainly derived from the allocated timing of payments in budget versus actual. This can be affected by the timing of the new borrowings. If new loans are borrowed earlier or later than budgeted due to attractive interest rates then the timing of the repayments will be different to initial expectations.

4. Materials & Contracts

Costs expended are on par with the last quarter, at 65% of the YTD budget. A review of the expenditure across sections indicates that there are a number of areas currently underspent. The main areas of note are:-

- Environmental Services - \$1.0m relating to the timing of payments for the Remondis organics contract.
- Transport & Stormwater - \$1.3m underspend relating to sealed road repairs and maintenance. The Group Manager Transport and Stormwater advises that these budgets will be expended in full by the end of the financial year. There are three large resealing projects planned in the June quarter, being Hasting River Drive, William Street and Cameron Street, set to expend \$1m.

It is still anticipated that budgets will be spent by the end of the year and therefore it is not appropriate to make any adjustments at this time. This variance can be in large attributed to timing of events.

5. Other Expenses

These are at 78% of the YTD budget, with a variance of \$2.3m, primarily due to the timing of payments. These include Electricity & Street Lighting (\$722k), the Waste s880 levy (\$488k) and the Sporting Grants Program for

Ensuring Good Governance

donations/contributions (\$475k). The BBRC Affordable Housing Rebate (\$295k) is also a timing issue, but dependent on the release of a Subdivision plan.

A budget review occurs each month, with appropriate adjustments made. At this stage it is not possible to identify any further savings.

6. Net loss from disposal of assets

This section relates to losses which may have occurred from either sale of plant or following capitalisation when an asset is renewed and the old asset disposed. Losses for the year to date from the sale and disposal of assets are \$132k.

Capital Expenditure

A total of \$37m has been spent or committed for the year to date, being 49% of the annual budget. It is noted that at the 18 February 2015 Ordinary Council Meeting, Council resolved within Item 09.15 to reduce the 2014/15 Capital Works Program this quarter by \$41m and list for delivery of these works in the financial year 2015-16.

There are several large projects that are nearing commencement with tenders just or about to be awarded. These include the North Shore Sewerage Scheme, Stingray Creek Bridge and the Dunbogan Flood access Road. The awarding of these tenders will see overall works program expenditure increase in the final quarter and continue into the 2015/16 Financial Year.

Other large pending projects include the Port Macquarie Indoor Stadium, Ocean Drive duplication at Greenmeadows and Hastings River Drive from Gordon Street.

As previously mentioned, the phasing of the capital budget will commence next financial year. While this phasing will require ongoing modifications, due to situations not dissimilar to those being experienced by capital projects this year, it will provide some visibility of actual versus budget and allow for further commentary.

To date \$8.4m of assets have been capitalised consisting of \$3.1m from the current financial year and \$5.3m from Works in Progress (WIP). A further \$16m is in hand for capitalisation comprising \$6m from the current financial year and \$10m from WIP.

TCorp Ratios

Council's current position with regard to these ratios has been attached to this report. As previously advised, some ratios cannot be accurately determined until financial year end, so remain estimates only.

Key ratios of note are the Rates and Annual charges outstanding percentage and Infrastructure ratios.

Rates and Annual Charges outstanding percentage - the actual ratio at 30 June 2014 was 7.25% with this rate currently estimated at 6.98%, down from 7.92% the previous quarter. This percentage will be affected by the Water accrual, an end of year adjustment for water used in the current year, but billed in the next year. Staff is proactive with debt collection, continuing to make considerable effort to reduce this ratio. Historical data indicates that this ratio is trending down, being at levels not obtained since 2006/07.

The Infrastructure ratios are estimates only and extensive work is being undertaken this year to ensure key data used within these calculations are robust. An

Ensuring Good Governance

independent review of Special Schedule 7 methodologies and calculations is in train with interim findings demonstrating improvement in roads and the associated Infrastructure Backlog ratio.

Options

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

Community Engagement & Internal Consultation

Not applicable.

Planning & Policy Implications

Nil.

Financial & Economic Implications

There are no financial and economic implications in this report. The variances between budget and actual results continue to be monitored.

Attachments

1 [View](#). 2014-2015 March Quarterly Budget Review Statement

Ensuring Good Governance

Item: 09.06

Subject: MONTHLY FINANCIAL REVIEW FOR APRIL 2015

Presented by: Corporate & Organisational Services, Rebecca Olsen

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 adopt the adjustments in the "Financial Implications" section of the report for April 2015.

Executive Summary

This report details the monthly budget adjustments for April 2015. Following the March 2015 adjustments, the budget was in a surplus position of \$470,204. Adjustments incurred throughout April have maintained this surplus position.

Discussion

Monthly Budget Adjustments as at 30 April 2015

Each month, Council's budgets are reviewed by Managers and Directors and any required adjustments are reported. The purpose of this report is to provide Council with an up to date view of the current actual financial position in comparison to the adopted 2014-2015 budget along with proposed movement of funds to accommodate any changes.

Monthly Budget Review Summary

| Original Budget as at 1 July 2014 | Balanced | \$0 |
|--|-----------------|-------------|
| Plus adjustments: | | |
| July Review | Balanced | \$0 |
| August Review | Deficit | (\$120,540) |
| September Review | Surplus | \$377,629 |
| October Review | Surplus | \$150,965 |
| November Review | Balanced | \$0 |
| December Review | Balanced | \$0 |
| January Review | Deficit | (\$43,990) |

Ensuring Good Governance

| | | |
|--|----------------|------------------|
| February Review | Balanced | \$0 |
| March Review | Surplus | \$106,140 |
| April Review | Balanced | \$0 |
| Forecast budget position for 30 June 2015 | Surplus | \$470,204 |

April Adjustments

The following adjustments reflect the additional budget requirements included in this report that impact Council's budget position:

| Adjustments | Surplus/ Deficit | Amount \$ | Comment |
|--|---------------------|------------|---|
| Rating Income | Surplus | \$329,164 | This adjustment to the rates income budget is in line with actual receipts and is due primarily to growth in assessments. |
| Grants Operating - Pensioner Subsidy | Surplus | \$21,454 | This adjustment is line with the pensioner subsidy actually received. |
| Transfer to Reserve - Environmental Levy | Deficit | (\$6,867) | Additional environmental levy funds included above must be transferred to reserve. |
| General Rates - Interest | Deficit | (\$10,300) | Increased rate recovery action along with a reduced overdue rates interest rate has reduced the amount of interest that has been levied. |
| Town Beach Public Amenities (Breakwall) | Deficit | (\$27,258) | This project has commenced and this adjustment is required to cover the expected final cost of the project. |
| North Haven Community Hall Restoration | Deficit | (\$45,220) | This project was commenced in the 2013/14 financial year and this adjustment is to cover the final cost of the project. |
| Westport Reserve - Playground Upgrade | Deficit | (\$74,589) | The total available budget for this project was to include considerable investment from the TBoF and their affiliated sponsors. However, much of the promised support was not forthcoming but this was not known until the project was well advanced. |
| Lighthouse Beach East Preconstruction | Deficit | (\$91,911) | This project was commenced in the 2013/14 financial year and this adjustment is to cover the final cost of the project. |
| Environmental Services Income | Deficit | (\$94,473) | The NSW Government has deferred to the 29 April 2016 the need for houses for sale or lease to have a current Certificate of Compliance for swimming pools. |

Ensuring Good Governance

| | | | |
|--|----------------|------------|---|
| | | | This means the income for swimming pools inspections will decrease. |
| | Deficit | \$0 | Adjustment to result |

The following adjustments reflect grant and contribution receipts, transfers between accounts, reserve movements etc that have no impact on the budget position (for example grant receipts have an associated expenditure budget):

| Description | Notes | Funding Source | Amount |
|----------------------------|-------|----------------|-----------|
| Swimming Pool Operations | 1 | Revenue | \$313,134 |
| New Project | 2 | Revenue | \$120,000 |
| Grant Funding | 3 | Grants | \$58,801 |
| Additional Income | 4 | Revenue | \$18,773 |
| Over-expenditure reviews | 5 | Revenue/S94 | \$534,663 |
| Contribution Funding | 6 | Contribution | \$1,600 |
| Transfers between projects | 7 | Revenue | \$275,361 |

With reference to the April adjustments, the following is noted:

1. Council has entered into new swimming pool contracts. Council now receives an income from the PM Pool and is required to cover some of the expenses for all pools previously paid by the contractor. The adjustments in this review reflect the new arrangements. There is no impact on Council's surplus position.
2. A new project "Strategic Bridge Management" has been included for \$120,000 to undertake a strategic review of Council's bridges.
3. Council has received three additional grants:
 - a. Kerb extensions at the Wauchope hospital in the amount of \$30,000
 - b. Anzac Centenary Local grant for \$5,301
 - c. Additional funding of \$23,500 for bushfire tankers.
4. Council has sold some STC credits in conjunction with the Wauchope RFS Solar project. The income from this sale has been applied to the project.
5. Executive have approved a number of over-expenditure reviews, including:
 - a. North Haven Boat Ramp Repairs - \$112,835
 - b. Westport Reserve Playground - \$204,374
 - c. Kooloonbung Creek Nature Park Shared Walkway/Cycleway - \$115,222
 - d. Wauchope WTP - Membrane Replacement - \$59,155
 - e. Dam Safety Studies - \$20,141
 - f. Hastings District Telemetry - Augmentation - \$11,553
 - g. Wauchope STP - Refurbish Aerators & Tank 1 - \$11,383

The majority of these over-expenditures have been funded by transfers from other projects or increased income.

6. \$1,600 has been received for the Mental Health First Aid Program and has been expended on this program.

Ensuring Good Governance

7. There have been transfers between a number of projects totalling \$275,361. The transfers are detailed in the attachment to this report but a summary is provided below:
- \$26,156 for Education and Public Programs transferred to Art Gallery
 - \$5,225 Building Certification expenses transferred to Office Building and Equipment
 - \$25,000 for Stormwater Remediation works and \$10,000 for Sealed road repairs transferred to Short Street Drainage Remediation
 - \$39,150 for Flynn's Beach Reserve Steps transferred to Rainbow Beach Reserve drainage modifications
 - \$49,830 for High Voltage Substation at LUSC Reserve has been combined with Laurieton Entertainment Precinct
 - \$120,000 for Additional Design Works transferred to Preconstruction for Hyndmans Creek Bridge on Comboyne Road

It should also be noted that:

- Any overspends greater than \$50,000 and 2% of the project budget have been reviewed and approved by the Executive Group, being their function to oversee operational activities and approve operational actions.
- There has been no deterioration in the current budget result from last month which remains in a surplus position.
- Any gains in interest income have not been taken into consideration into these calculations.

Options

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

Planning & Policy Implications

Nil.

Financial & Economic Implications

Attached to the report for information is each individual budget adjustment by Division and Section. The net budget movements for March increase the surplus position.

Responsible Accounting Officer Statement

The approved budget surplus for 2014-2015 following the March monthly financial review was \$470,204. The adjustments included in this report will maintain this surplus. The surplus position is considered a satisfactory result for the year.

Attachments

- 1 [View](#). April 2015 Budget Review

Ensuring Good Governance

Item: 09.07

Subject: INVESTMENTS - APRIL 2015

Presented by: Corporate & Organisational Services, Rebecca Olsen

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 note the Investment Report for the month of April 2015.

Executive Summary

- Total restricted funds invested as at 30 April 2015 equals \$186,040,396.54
- Year-to-date investment income of \$5,755,907 is 130.27% of the total annual budget.
- In line with Council's Investment Policy, the total portfolio has performed above benchmark levels.
- All funds are allocated and/or held for specific purposes. Funds are either required to be spent in accordance with legislation, grant agreement or developer contribution plan specifications; or are held for delivery of specific projects or for specific purposes.

Discussion

This report provides details of and certifies that all funds that Council has invested under Section 625 of the Local Government Act 1993, as at 30 April 2015, with all investments made in accordance with the Act, Regulations and Council's Investment Policy.

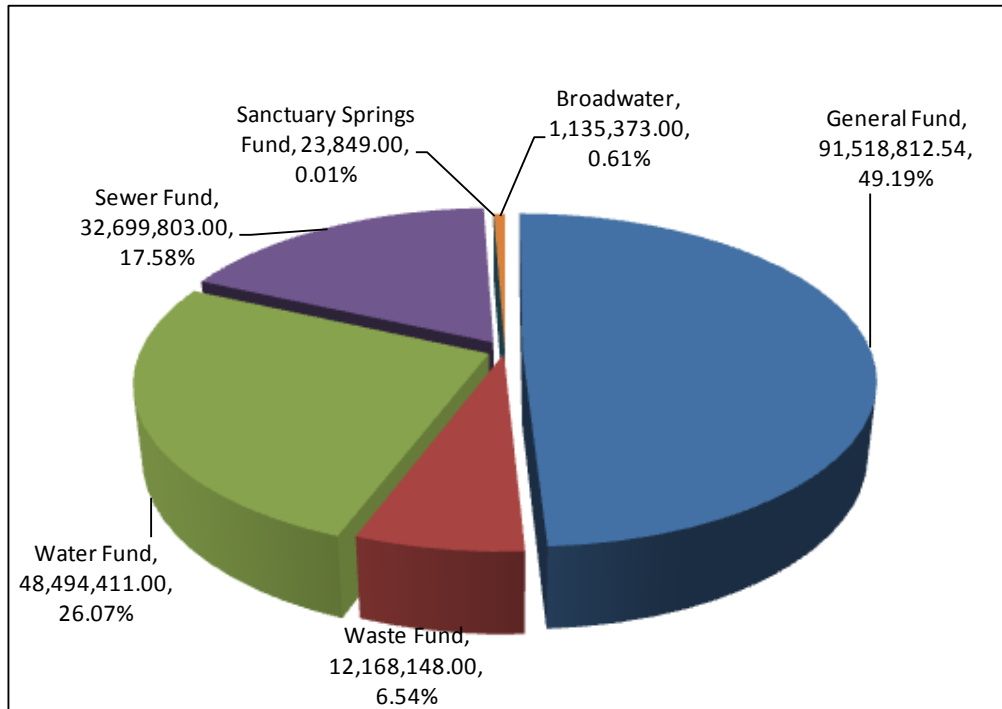
As at 30 April 2015, the investments held by Council totalled \$186,040,396.54 and is attributed to the following funds:

| | |
|------------------------|------------------------------|
| General Fund | 91,518,812.54 |
| Waste Fund | 12,168,148.00 |
| Water Fund | 48,494,411.00 |
| Sewer Fund | 32,699,803.00 |
| Sanctuary Springs Fund | 23,849.00 |
| Broadwater | 1,135,373.00 |
| | <u>186,040,396.54</u> |

Ensuring Good Governance

These are all restricted funds from loans, s94 contributions and other avenues which are committed for future works. These funds may be spent in the shorter or longer term depending on whether they are allocated to specific projects or held to accumulate to allow for larger works. The totals will fluctuate dependent on the status of individual projects. With regard to determining the total quantum of unrestricted funds, this cannot be accurately determined until financial year end.

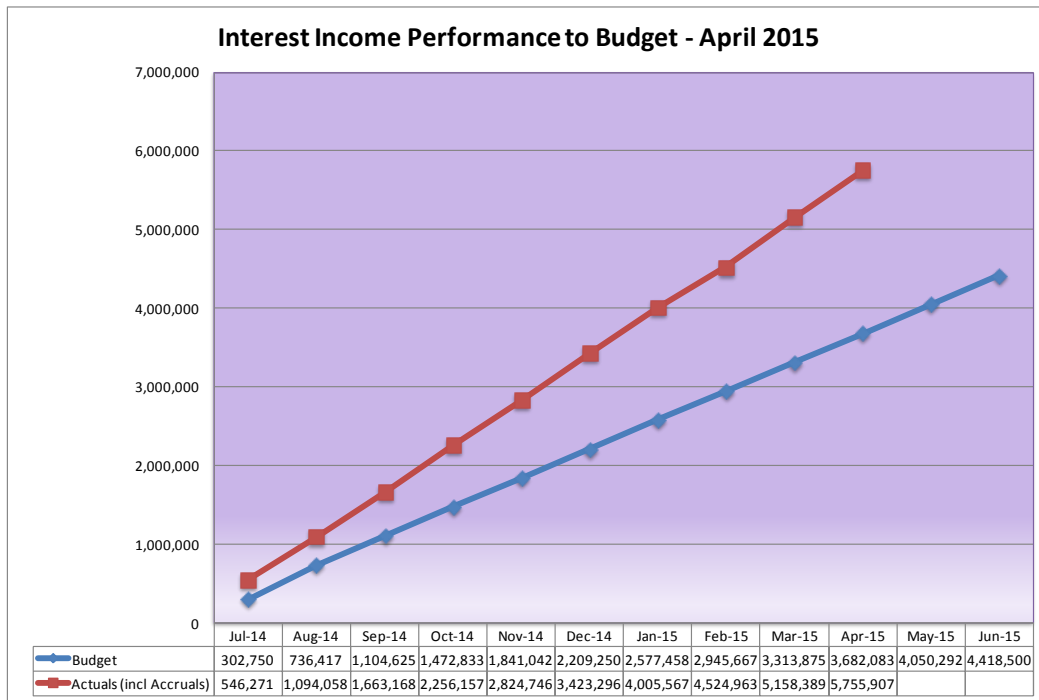
Investments by Fund - as at 30 April 2015



Portfolio Performance

- Council's total investment portfolio performance for April 2015 was 1.70%
1. above the benchmark (3.85% against 2.15%).
- The total year-to-date investment income of \$5,755,907 is 130.27% of the total annual budget of \$4,418,500.

Ensuring Good Governance

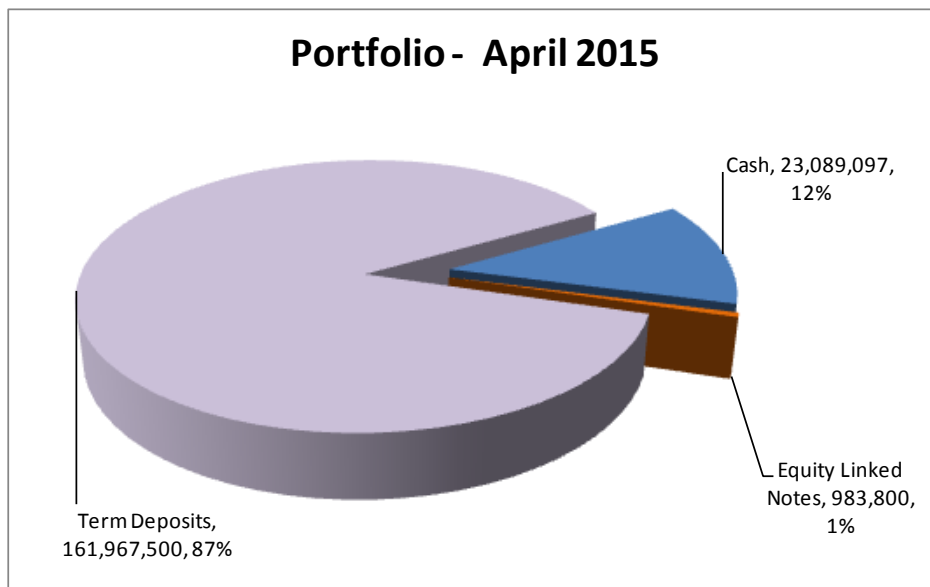


These year-to-date and actuals are not a cash only position, but rather reflect cash and internal accruals at month end.

Investment Portfolio Mix

Council's current portfolio is represented by term deposits and a Capital Protected Equity Linked Note. The total term deposits represent 87% of the total investment portfolio.

As at 30 April 2015, the total investment portfolio was \$186,040,369.54 from \$192,277,856.81 as at the end of March 2015.



Ensuring Good Governance

Term Deposits

Council's Investment Policy identifies the maximum amounts that can be invested in term deposits within the various maturity constraints and the amounts which can be held with various institutions based on their respective credit ratings.

Council's current term deposit portfolio mix is as follows:

Table 1 - Term to Maturity

This table shows the amounts invested within the following maturity terms in accordance with limits as established by Council's Policy:

| Term to Maturity | Balance \$ | % Held | Policy Min | Policy Max |
|--------------------|----------------------|---------------|------------|------------|
| 0 - 12 months | \$87,967,500 | 54.31% | 40.00% | 100.00% |
| 1 - 3 years | \$64,000,000 | 39.51% | 0.00% | 60.00% |
| 3 - 5 years | \$10,000,000 | 6.17% | 0.00% | 30.00% |
| 5+ years | | 0.00% | 0.00% | 15.00% |
| Grand Total | \$161,967,500 | 99.99% | | |

Table 2 - Overall Portfolio Credit Framework

This table shows the amounts held with various institutions based on their respective credit ratings against the maximum limits set for each credit rating category. Setting limits precludes over exposure in any category held in comparison to the maximum allowed and are shown in the table below:

| Rating Framework | Total | % Held | Maximum % Policy | Variance |
|--------------------|--------------------|----------------|------------------|----------|
| A | 33,192,500 | 20.49% | 60.00% | 39.51% |
| AA | 117,775,000 | 72.72% | 100.00% | 27.28% |
| BBB | 11,000,000 | 6.79% | 15.00% | 8.21% |
| Below BBB | | 0.00% | 0.00% | 0.00% |
| Unrated/ADI | 0 | 0.00% | 10.00% | 10.00% |
| Grand Total | 161,967,500 | 100.00% | | |

These tables show the total amount held for Council's term deposits and do not include the Equity Linked Note.

Credit Unions are regarded as ADI's (Authorised Deposit Taking Institutions) and generally do not have ratings. Under the regulation of Australian Prudential Regulation Authority (APRA), all ADI's have to meet the same requirements in terms of capital adequacy (how much capital they are required to hold), ensuring they don't take on too much leverage and become insolvent. In addition, ADI's are an eligible investment under the Minister's Order. Council currently has no such investments with the only investment of this nature redeemed in March 2015.

Ensuring Good Governance

Capital Protected Equity Linked Note - Emu

Council currently holds one capital protected product (CCPI) note, being Emu with a face value of \$1 million.

Whilst originally this product had the potential to be a risky investment, with the correction in the financial markets during the global financial crisis, this deal experienced a 100% shift out of any risky asset to a less risky situation to protect the investor's principal. At the time of writing the report, the April report had not been received.

At this stage, these funds on deposit are growing at a rate that should return 100 cents in the dollar of the original funds invested. This was the case with the Longreach note which matured in late November and returned the full \$3 million of the original investment.

Cash - Westpac Business Cash Reserve Account

This is not available unrestricted cash.

This is a maxi account which the Council uses as a cash flowing tool only. Funds are transferred in and out of this account daily prior to investment, given its higher rate of interest than the general payment account. Levels in this account vary dependent on the time of month and rate payer/creditor cycle.

Ensuring Good Governance

Investment Portfolio by Maturity Date - as at 30 April 2015

| Inv Name | Type | Purchase Date | Maturity Date | Yield | Face Value | | |
|---------------------------------------|--------|---------------|---------------|-----------|---------------|---------------|----------------------|
| National Australia Bank | TD | 15-Aug-14 | 15-May-15 | 3.6500% | 5,000,000 | | |
| Westpac Banking Corporation | TD | 20-Jun-13 | 22-Jun-15 | 4.3000% | 3,000,000 | | |
| Westpac Banking Corporation | TD | 28-Mar-14 | 28-Jun-15 | 3.8900% | 2,000,000 | | |
| Westpac Banking Corporation | TD | 22-Jul-14 | 22-Jul-15 | 3.7300% | 775,000 | | |
| St George Bank | TD | 26-Aug-14 | 26-Jul-15 | 3.7200% | 5,000,000 | | |
| Westpac Banking Corporation | TD | 26-Aug-14 | 26-Aug-15 | 3.7800% | 5,000,000 | | |
| Bank of Queensland | TD | 6-Sep-13 | 6-Sep-15 | 4.2000% | 4,000,000 | | |
| Investec Bank (Australia) Limit | TD | 13-Sep-13 | 14-Sep-15 | 4.2900% | 4,000,000 | | |
| Bank of Queensland | TD | 10-Oct-14 | 10-Oct-15 | 3.5000% | 5,192,500 | | |
| Westpac Banking Corporation | TD | 23-Oct-14 | 23-Oct-15 | 3.8300% | 3,000,000 | | |
| Westpac Banking Corporation | TD | 29-Aug-14 | 29-Oct-15 | 3.7600% | 4,000,000 | | |
| Credit Union Australia | TD | 12-Nov-14 | 12-Nov-15 | 3.6000% | 2,000,000 | | |
| ANZ Bank | TD | 13-Nov-12 | 13-Nov-15 | 4.7000% | 2,000,000 | | |
| National Australia Bank | TD | 25-Nov-14 | 25-Nov-15 | 3.6200% | 2,000,000 | | |
| ANZ Bank | TD | 26-Nov-14 | 26-Nov-15 | 3.6300% | 2,000,000 | | |
| ANZ Bank | TD | 12-Sep-14 | 12-Dec-15 | 3.6700% | 3,000,000 | | |
| National Australia Bank | TD | 17-Dec-14 | 17-Dec-15 | 3.6000% | 2,000,000 | | |
| National Australia Bank | TD | 17-Dec-14 | 17-Dec-15 | 3.6000% | 3,000,000 | | |
| National Australia Bank | TD | 16-Sep-14 | 19-Jan-16 | 3.6800% | 3,000,000 | | |
| National Australia Bank | TD | 23-Feb-15 | 22-Feb-16 | 3.1800% | 5,000,000 | | |
| Westpac Banking Corporation | TD | 23-Oct-14 | 23-Feb-16 | 3.9400% | 4,000,000 | | |
| National Australia Bank | TD | 9-Mar-15 | 9-Mar-16 | 3.1500% | 8,000,000 | | |
| ANZ Bank | TD | 26-Nov-14 | 28-Mar-16 | 3.6300% | 2,000,000 | | |
| National Australia Bank | TD | 28-Mar-14 | 28-Mar-16 | 4.2000% | 2,000,000 | | |
| Westpac Banking Corporation | TD | 20-Aug-14 | 11-Apr-16 | 3.7400% | 4,000,000 | | |
| Bank of Queensland | TD | 17-Apr-15 | 17-Apr-16 | 3.1000% | 3,000,000 | | |
| 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 | | |
| Bank of Queensland | TD | 16-Sep-14 | 16-Jun-16 | 3.7000% | 3,000,000 | | |
| Westpac Banking Corporation | TD | 20-Jun-13 | 20-Jun-16 | 4.5100% | 3,000,000 | | |
| National Australia Bank | TD | 9-Mar-15 | 11-Jul-16 | 3.1500% | 6,000,000 | | |
| Bank of Queensland | TD | 13-Sep-13 | 13-Sep-16 | 4.5500% | 3,000,000 | | |
| Westpac Banking Corporation | TD | 14-Sep-11 | 14-Sep-16 | 6.0500% | 7,000,000 | | |
| Newcastle Permanent | TD | 23-Oct-14 | 24-Oct-16 | 3.7500% | 5,000,000 | | |
| Rabobank | TD | 11-Nov-11 | 11-Nov-16 | 6.3000% | 2,000,000 | | |
| Westpac Banking Corporation | TD | 11-Nov-11 | 11-Nov-16 | 6.2200% | 3,000,000 | | |
| National Australia Bank | TD | 26-Nov-14 | 28-Nov-16 | 3.6500% | 2,000,000 | | |
| National Australia Bank | TD | 17-Dec-14 | 19-Dec-16 | 3.6500% | 2,000,000 | | |
| National Australia Bank | TD | 17-Dec-14 | 19-Dec-16 | 3.6500% | 3,000,000 | | |
| ING Bank (Australia) Limited | TD | 20-Dec-11 | 20-Dec-16 | 6.1600% | 3,000,000 | | |
| National Australia Bank | TD | 23-Feb-15 | 23-Feb-17 | 3.1800% | 4,000,000 | | |
| Bank of Queensland | TD | 9-Mar-15 | 9-Mar-17 | 3.1500% | 6,000,000 | | |
| Westpac Banking Corporation | TD | 12-Mar-14 | 12-Mar-17 | 4.3800% | 3,000,000 | | |
| Bank of Queensland | TD | 17-Apr-15 | 17-Apr-17 | 3.1000% | 2,000,000 | | |
| Westpac Banking Corporation | TD | 4-Sep-14 | 4-Sep-17 | 4.0700% | 2,000,000 | | |
| ANZ Bank | TD | 13-Nov-12 | 13-Nov-17 | 4.8700% | 2,000,000 | | |
| Bank of Queensland | TD | 20-Jun-13 | 20-Jun-18 | 5.0000% | 4,000,000 | | |
| Westpac Banking Corporation | TD | 4-Sep-14 | 4-Sep-18 | 4.2200% | 4,000,000 | | |
| Rabobank | TD | 20-Jan-15 | 20-Jan-19 | 3.90% | \$2,000,000 | | |
| Total TD's | | | | | \$161,967,500 | | |
| Cash Fund | | | | | | | |
| Westpac Business Cash | | | | | | | |
| Reserve Account | CASH | | | 2.95% | \$23,089,097 | | |
| 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 | 98.380 | \$1,000,000 | \$983,800 | Commerzbank |
| Total Cap Protected Notes | | | | | \$1,000,000 | \$983,800 | |
| Total Portfolio | | | | | \$186,056,597 | \$186,040,397 | |

Ensuring Good Governance

Note: The amount within "\$ value" in the table above is the estimate of current realisable value for the investment as provided by FIIG Securities Limited and is not necessarily the amount that is to be received upon maturity.

The portfolio continues to retain a level of liquidity through the cash component total of \$23,089,097 and the Capital Protected investment. Current cash levels remain high at the time of writing with the intention that surplus funds will be invested shortly. Funds within this account are attracting an interest rate of 2.7% being the current cash rate plus 0.7% (based on the recent cash rate drop on 5 May 2015). Recent changes within the Banks following the introduction of the new Basel III Liquidity Coverage Ratio rules, Term Deposits will now require 31 days notice for withdrawals. Council will need to ensure there is sufficient liquidity to allow for this notice period.

The largest sector of the portfolio is the term deposit allocation of \$161,967,500 (last month \$163,967,500) or 87% of the total.

Options

This is an information report.

Community Engagement & Internal Consultation

Council uses the services of an independent financial advisor, on an as needs basis with investments. As the only investments placed this month were term deposits, at which time at least three quotes were obtained from financial institutions in line with Council's Investment Policy, the services of an independent financial advisor were not required. Council obtains regular updates regarding market activities positions from various institutions.

Planning & Policy Implications

Nil.

Financial & Economic Implications

Should benchmark levels not be reached, then this may result in budget cuts in other areas to fund the shortfall.

Alternatively, an excess above budget benchmarks may be allocated to alternative programs. These adjustments will not occur until the end of the financial year adjustments are made, once the level of available funds is determined.

Council's total investment portfolio performance for April 2015 was 1.7% above the benchmark (3.85% against 2.15%) and year-to-date income has reached 130.27% of the total annual budget.

It should be noted that investment income is noted as a gross amount. Section 97(5) of the Local Government Act 1993 indicates that any security deposit held with Council must be repaid with interest accrued. These security deposits will only relate to bonds held for security to make good damage done to works.

The overall investment income will be adjusted at financial year end by the total interest refunded on repayment of bonds. As Council constantly receives and refunds

Ensuring Good Governance

bonds, it is difficult to accurately determine the quantum of these refunds. This financial year Council has refunded bonds with an associated interest component of \$14,904.94. This will be monitored and advised monthly.

Certification

I hereby certify that the investments listed within this report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

Monika Bretmaisser
Responsible Accounting Officer

Attachments

Nil

Ensuring Good Governance

Item: 09.08

Subject: FINANCIAL IMPACT OF COST SHIFTING FROM OTHER LEVELS OF GOVERNMENT

Presented by: Corporate & Organisational Services, Rebecca Olsen

Alignment with Delivery Program

1.5.5 Ensure there is appropriate management of risk for Council and the community.

RECOMMENDATION

That Council note the information within the report.

Executive Summary

At the Ordinary Council meeting held on 18 March 2015, Council resolved:

RESOLVED: Hawkins/Intemann

That Council:

1. *Approve the following documents to be placed on public exhibition for the period 23 March - 1 May 2015 (noting there is a minimum of 28 days in accordance with the requirements of Sections 404 and 405 of the Local Government Act (1993)):*
Draft One Year Operational Plan 2015 - 2016
Draft Fees and Charges 2015 - 2016
Draft Revenue Policy 2015 - 2016
Rating Maps 2015 - 2016
2. *Endorse the community engagement plan for the development of the One Year Operational Plan for 2015 - 2016 and associated documents, to enable the community to provide its input into the decision making of Council.*
3. *Request the General Manager update the February 2013 report on cost-shifting from other levels of government, by tabling an updated report to the May 2015 meeting of Council advising the adverse financial impact of cost-shifting on:*
 - a) *Council's 2015 - 2016 Operational Plan*
 - b) *Council's Long Term Financial Plan.*

CARRIED: 9/0

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

AGAINST: Nil

This report details information to address resolution 3.

Ensuring Good Governance

Discussion

As defined by Local Government NSW, cost-shifting is described as 'a situation where the responsibility for, or merely the costs of, providing a certain service, concession, asset or regulatory function are 'shifted' from a higher level of government on to a lower level of government without providing corresponding funding or the conferral of corresponding and adequate revenue raising capacity.

In previous years, Local Government NSW requested on a yearly basis that all NSW Councils complete a cost-shifting survey to establish the extent of cost-shifting by the Australian and NSW Governments onto NSW Local Government. From this, Local Government NSW collated and then published the results in a yearly survey report. It should be noted that this data has not been captured by Local Government NSW since 2011-12.

The most recent published Council Survey report "LGNSW, The Impact of Cost Shifting on Local Government in NSW - A Survey of Councils 2011-12" (released 2013) highlighted that the survey confirms that cost-shifting continues to place a significant burden on councils' financial situation. Despite the recognition of cost-shifting and its adverse impacts on NSW Local Government, cost-shifting remains at a high level (around 6 per cent of council's total income before capital amounts)'.

Port Macquarie Hastings Council

Using the Cost Shifting Survey as the basis, cost-shifting numbers have been updated to reflect actual costs for 2013-14 and projections for 2014-15 and 2015-16. These revisions indicate the cost-shifting burden for Council continues to increase from \$6.5m in 2013-14 to a potential \$6.9m by 2015-16.

| | 2013/2014 | 2014/2015 | 2015/2016 |
|--|------------------|------------------|------------------|
| | <i>Actuals</i> | <i>Estimate</i> | <i>Estimate</i> |
| Items as per DLG Return | \$ | \$ | \$ |
| Contribution to NSW Fire Brigade | 314,974 | 336,600 | 336,600 |
| Contribution to NSW State Emergency Services | 100,836 | 100,000 | 100,000 |
| Contribution to Rural Fire Service | 210,316 | 492,959 | 492,959 |
| Pensioner Rates Rebates | 1,523,598 | 1,526,000 | 1,526,000 |
| Public Library Operations | 645,168 | 721,086 | 721,086 |
| Onsite Sewerage Facilities | 17,746 | 111,639 | 150,139 |
| Administration of the Companion Animals Act | 161,681 | 176,004 | 176,004 |
| Functions as Local Control Authority for Noxious Weeds | 249,517 | 252,511 | 252,511 |
| Functions under the Rural Fires Act | 679 | 126,000 | 121,600 |
| Immigration Services & Citizenship Ceremonies | 3,974 | 4,600 | 4,600 |
| Administering Food Safety Regulations | 35,599 | 22,366 | 30,538 |
| Community Safety | 11,508 | 8,000 | 8,000 |
| Flood Mitigation Programme | 60,467 | 42,460 | 58,460 |
| Road Safety | 52,373 | 64,520 | 64,520 |
| Community & Human Services | 411,621 | 445,206 | 445,206 |
| Waste Levy | 2,814,394 | 2,390,048 | 2,390,048 |
| Sewerage Treatment System Licence Fee | 122,808 | 100,877 | 123,000 |
| Waste Management Site License Fee | 8,927 | 9,800 | 9,800 |
| Processing of DA Fees | (240,480) | (34,550) | (34,550) |
| Totals | 6,505,705 | 6,896,126 | 6,976,521 |

Ensuring Good Governance

In addition to the items noted above, a number of other categories have been identified that could also be deemed to be costs levied on Local Government by other levels of government, noting that these costs are not currently included within the cost shifting survey. It should be noted that this list may not be exhaustive.

| | | | |
|------------------------------------|------------------|------------------|------------------|
| Cost of Fluoridation | 115,028 | 136,143 | 140,228 |
| Cost of Maintaining Crown Reserves | 1,419,500 | 1,645,958 | 1,815,492 |
| | 1,534,528 | 1,782,101 | 1,955,720 |

The addition of these items will collectively increase the cost-shifting burden for Council to \$8m in 2013-14 increasing to \$8.9m by 2015-16.

Financial Impact of cost-shifting on Council's Operational Plan and Long Term Financial Plan

This cost-shifting will have a clear effect on both Council's Operational Plan and Long Term Financial Plan. As reiterated by the LG Government survey, 'the results consistently show that cost-shifting is a significant burden on councils, impeding their capacity to deliver quality services and infrastructure for their communities'.

The impact of this \$8.9m cost-shifting could improve Council's operating position and/or otherwise be spent on some of the following:-

- Additional services to the Community
- Increasing current service levels to the Community
- New infrastructure works
- Increased maintenance expenditure
- Increased spend on renewal of assets

Some of these items would lead to a better overall performance against TCorp ratios and in turn demonstrate improvement of the Fit for the Future ratios. Council is required to either meet or demonstrate improvement in a number of TCorp ratios as part of their required submission due June 2015.

In addition to cost-shifting, another factor noted as having a financial impact to Council is the impact of the Federal Government's decision to freeze indexation to their Financial Assistance Grants. Currently it is proposed that the freeze be for three years (14/15 - 16/17). The compounding effect of this three year indexation freeze could result in a cumulative loss of some \$6.5m to Council over a 10 year period.

As the LG Government indicated in a recent press release 'councils do not have the means to keep taking on new jobs without being provided adequate financial resources'. This would also extend to the provision of additional services not originally core to Council's community obligations and/or not simply being able to meet standards expected by the community,

Options

This report is for information purposes.

Ensuring Good Governance

Community Engagement & Internal Consultation

There has been no community engagement. Discussions have occurred with the Group Manager Financial Services and Director Corporate and Organisation Services.

Planning & Policy Implications

There are no planning & policy implications.

Financial & Economic Implications

This report discusses Council's current position from 2013-14 to projected 2015-16 with regard to cost-shifting imposed on Council from both the Federal and NSW Governments.

Whilst this cost-shifting does have an effect on Council's financial position and ability to deliver to the community, there are no direct financial or economic implications in the immediate term as a result of this report.

Attachments

Nil

Ensuring Good Governance

Item: 09.09

Subject: PENSIONER CONCESSIONS REBATE POLICY REVIEW

Presented by: Corporate & Organisational Services, Rebecca Olsen

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 place on public exhibition the draft Pensioner Concessions Rebate Policy for a period of 28 days.

Executive Summary

The Pensioner Concessions Rebate Policy has been reviewed with the following changes proposed:

- Reduction of the rebate period available to eligible pensioners from the current year plus the preceding six (6) years to the current year to one (1) year
- Addition of "and residing on the property" in section (e) within Applications
- Update of role titles
- Addition of Reference Materials

Discussion

Under section 575 of the *Local Government Act 1993* ("the Act"), Council currently offers a rebate of rates and charges to any eligible pensioners.

Eligibility meaning that they must in receipt of a Pensioner Concession card issued by Centrelink/Veteran Affairs or has a Gold Card embossed with TPI (totally permanently incapacitated), EDA (extreme disability allowance) or WW (war widow).

The Act details the yearly monetary limits for this rebate being as follows:

- Ordinary rates and charges for waste management not to exceed \$250
- Water supply special rates or charges not to exceed \$87.50
- Sewerage special rates or charges not to exceed \$87.50

From the total pensioner concession rebates granted, Council must pay 45% of this amount with the remaining 55% subsidised by the State Government.

Any council does have the capacity to offer a greater rebate to its eligible pensioners. However any additional amounts allowed by Council over the statutory limits noted above cannot be redeemed and must be funded from other Council revenues. It

Ensuring Good Governance

should be noted that Port Macquarie-Hastings Council does not offer its eligible pensioners any further rebates over and above statutory limits.

The current Policy allows for Council to provide the current year rebate and preceding six years. This is not a common occurrence with most NSW councils only providing a rebate for current year plus one (1) year.

In 2014-2015 the extra cost to Council by allowing the additional five (5) years equated to almost \$95,000.

There is no requirement by law for Council to provide a rebate for more than the current year. Allowing the one year plus current year will capture circumstances such as the purchase of a property prior to the financial year end with settlement in the new financial year.

The recommendation is to reduce the relevant periods to align with a more consistent approach to other councils as well as reduce expenditure to Council.

The remaining three Policy amendments are considered more administrative. The addition of 'and residing on the property' will provide further clarification from the original Policy with the update of role titles and reference materials aimed to provide formatting consistency across all Council Policies.

Options

Council can resolve to not place the draft Pensioner Concessions Rebate Policy on exhibition.

Community Engagement & Internal Consultation

Community Engagement

It is proposed that the draft Pensioner Concessions Rebate Policy be publicly exhibited for a 28 day period.

Council will accept submissions from the public on the draft Policy during the exhibition period.

Internal Consultation

There has been internal consultation between the Rates & Revenue Coordinator, Group Manager Financial Services and Director Corporate and Organisational Services.

In addition, this was presented and discussed at a Councillor Briefing Session on Wednesday 6 May 2015.

Planning & Policy Implications

The draft Pensioner Concessions Rebate Policy proposes a series of amendments to the current Policy. The draft Policy is provided as Attachment 1.

Ensuring Good Governance

Financial & Economic Implications

The financial and economic implication to Council will be that this will reduce the amount required to be paid from general revenues. In the 2014-2015 periods this totalled almost \$95,000.

Attachments

1 [View](#). Draft Pensioner Concessions Rebate Policy

Ensuring Good Governance

Item: 09.10

Subject: 2014 - 2015 OPERATIONAL PLAN PROGRESS REPORT AS AT 31 MARCH 2015

Presented by: Community & Economic Growth, Tricia Bulic

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Note the 2014 - 2015 Operational Plan quarterly progress report as at 31 March 2015.**
- 2. Adopt modifications to the 2014 - 2015 Operational Plan actions and performance measures as detailed in this report.**

Executive Summary

This quarterly progress report covers the period between July and March 2015 and effectively three quarters of the 2014 - 2015 financial year. The report assesses Council's delivery against the actions and performance measures adopted in the current Operational Plan.

This report seeks to provide concise and accurate information, focusing on reporting to the community and increasing understanding of the Integrated Planning and Reporting Framework.

Meeting the targets and performance measures in the annual Operational Plan contributes to the achievement of the objectives outlined in the four-year Delivery Program. The Delivery Program is reviewed on a six-monthly basis and is next scheduled to be reported to Council in September 2015.

The overview section of the report provides a statistical snapshot of Operational Plan performance measurement data across the organisation. Further analysis of performance highlights and actions that may be behind target is then listed according to each Focus Area.

The attachment provides the full 2014 - 2015 Operational Performance Report, which includes a comprehensive listing of each individual Operational Plan action, performance measure, target and commentary on progress.

Capital works projects are incorporated into the body of the Operational Plan and as such are reported on as individual actions with performance measured against budget and timeframe.

Ensuring Good Governance

Discussion

Overview: 2014 - 2015 Operational Plan - Progress Report

This progress report covers the reporting period from July 2014 to March 2015 and assesses performance against the actions of the adopted 2014 - 2015 Operational Plan.

In total, there are 673 Operational Plan performance measures adopted within the 2014 - 2015 Operational Plan.

At the three quarter point of the reporting period, 85 per cent are considered on target or achieved, with the remaining 15 per cent being behind target or behind schedule.

| Focus Area | Performance measures | On target /achieved | Behind target/schedule |
|----------------|----------------------|---------------------|------------------------|
| Governance | 97 | 91 | 6 |
| People | 104 | 90 | 14 |
| Prosper | 72 | 56 | 16 |
| Environment | 37 | 28 | 9 |
| Infrastructure | 363 | 306 | 57 |
| Totals | 673 | 571 | 102 |

The Operational Plan activities that are complete include significant achievements across all of the Focus Areas. Community expectations are being met through delivery of actions such as community interaction using engagement and direct communication tools; programs to educate and involve community members of varied ages and residential locations; achievement of long term environmental outcomes; as well as significant infrastructure completion such as footpath and cycleway projects.

As at December 2014, when previous reporting data was submitted, many projects were reported as not commenced and therefore were not being highlighted at risk. During the third quarter, further analysis has been done on these projects and they are now reported as on or behind target. This allows a clearer picture of all Operational Plan actions that may be at risk of not being delivered by financial year end, therefore being identified as actions that may continue into 2015 - 2016.

Detailed Analysis By Focus Area

Achievement highlights and details of those actions not on target is summarised below according to the Focus Areas within the Operational Plan.

Ensuring Good Governance

Guiding Principle - Ensuring good governance

| Focus Area | Performance Measures | On target/ achieved | Behind target/schedule |
|--------------------------|----------------------|---------------------|------------------------|
| Ensuring good governance | 97 | 91 | 6 |

Highlights

- Consistent and relevant communication with the community achieved through distribution of more than 270 media releases, printed marketing materials, e-newsletters, weekly Mayoral columns and advertising throughout July 2014 - March 2015 reporting period;
- A combination of online, face-to-face and written materials were used in more than 70 community engagement programs conducted across the local government area;
- More than 72,000 counter enquires and transactions have been processed at the Laurieton, Wauchope and Port Macquarie Customer Services Offices and of these 90 percent of initial customer interactions were dealt with at the first point of contact;
- More than 91,000 calls were managed through the call centre from July to March, with 83 percent of calls answered within the service standard - exceeding the 75 percent target;
- Over 1,180 Development Applications, Construction Certificates and Complying Development Certificates were determined from June 2014 - March 2015 within the agreed processing times;
- Work, Health and Safety targets achieved for lost time injuries and workers compensation are well below the NSW local government benchmarks set;
- Take the Council to the community meetings have been held in Wauchope and Laurieton;
- Listening and Engaging with the Community Program delivered in Long Flat, Kew, Wauchope and Bybarra.

Operational Plan Actions Behind Target

1.1.1.5 Regularly update Council's website to ensure that it meets the needs of the Community

Community Engagement and Planning - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Average length of stay on website increases compared to previous year | 3.11 mins | 2.58 mins | 1. Behind target. The average length of stay on the website is slightly under target and assessment is underway to determine if this is impacted by content or improved navigation. |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--------------------------------------|---------------|------------|--|
| Number of unique visitors to website | 257,663# | 167,996# | 2. Behind target. Overall visits are below target for the period. Activities have been undertaken to push users back to the website to increase the number of unique visitors. Additionally, the website is up by 8% on unique users and up 3.7% on website sessions compared with March 2014. |

1.2.1.1 Implement the Councillor Training plan
Governance and Executive Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Greater than 75% overall attendance during the year | 75% | 0% | Behind target. Courses have not been run, reference checking now complete. Course scheduled and confirmed for April 2015. |

1.3.1.1 Participate in strategic alliances and groups with other NSW Councils
General Manager's Office - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|----------------------------|---------------|------------|--|
| Alliance meetings attended | 100% | 67% | Behind target. Unable to attend meetings in August, September and December due to prior commitments. |

1.5.2.4 (a1) Purchase of Aerial Photography for Urban areas and whole local government area for use in GIS system - \$45,000
Assets and Systems - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Completed within approved timeframe (Purchase of Aerial Photography) | 100% | 0% | Behind schedule. Awaiting processing of imagery data by Land and Property Information (LPI). Imagery data expected in 2015 - 2016. |

Ensuring Good Governance

1.5.6.1 Effectively manage our workforce to engage, develop and retain high quality staff

Employee Engagement - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Proportion of performance management plans (for 2013 - 2014) completed on time increases compared to previous year | 80% | 48% | Behind target. It is aimed to have all reviews completed annually by August. This financial year, 48% were completed on time with the remainder of reviews completed in the months after August. An increase has been noted compared to the same period last year which is showing a trend of improvement. |

Focus Area - Looking after our people

| Focus Area | Performance Measures | On target/ achieved | Behind target/schedule |
|--------------------------|----------------------|---------------------|------------------------|
| Looking after our people | 104 | 90 | 14 |

Highlights

- More than 4,800 school students participated in Beach Safety Education Programs
- New playground at Westport Reserve - Livvi's Place was completed in December 2014
- Actions from the Disability Discrimination Act action plan have been implemented
- The community grants program was delivered with over \$83,000 in grant funding distributed to 16 community groups in Round 1 and over \$64,000 distributed to 11 community groups in Round 2
- Community events included Countdown to Christmas, Moonlight Movies and Australia Day activities with thousands attending from across the local government area fostering community well being
- More than \$15,000 raised at the Mayors Sporting fund events for distribution to young athletes across the region
- More than 480 parks, reserve or sporting field bookings have resulted in a range of events held in open spaces across the local government area.

Ensuring Good Governance

Operational Plan Actions Behind Target

2.1.3.01 Monitor and take action as appropriate to ensure compliance with development approvals and building standards, including fire and swimming pool safety requirements

Regulatory Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| >80% of building related complaints responded to within set customer service standards | 80% | 74% | Behind target. Building certificate applications doubled in February along with breach of development conditions impacting on the ability to achieve target overall. |
| A minimum of 40 fire safety inspections complete | 40# | 17# | Behind target. Fire safety inspections are being carried out with investigations ongoing. |
| All swimming pool certificate applications processed within the service standard | 100% | 77% | Behind target. Service standards for swimming pool certificate applications needs review to reflect the follow up work associated with high non compliance rates. |

2.1.3.02 Monitor and take action as appropriate to ensure compliance with environmental standards in relation to issues such as noise, water, land and air pollution

Lead responsibility - Regulatory Services

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| >80% of complaints regarding environmental issues responded to within set customer service standards | 80% | 77% | Behind target. The volume of work on hand and continuing to be received has impacted on the ability to achieve target with the resources available. |

2.1.3.03 Monitor and take action as appropriate to ensure compliance with on-site sewage management requirements

Regulatory Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| >80% of on-site sewage management issues responded to within set customer service standards | 80% | 77% | Behind target. Inspections have increased which has lead to being slightly behind annual target on service standard. |

Ensuring Good Governance

2.1.3.04 Monitor and take action as appropriate to ensure compliance with public health standards, including food health
Regulatory Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| >80% of public health issues responded to within set customer service standards | 80% | 73% | Behind target. Volume of work on hand and continuing to be received has impacted the ability to achieve target with available resources. |

2.1.3.08 Undertake all sampling, analysing and reporting of environmental and regulatory requirements as requested and provide services to outside organisations on an approved cost for service basis
Commercial and Business Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| All sampling, analysing and reporting of environmental and regulatory requests completed in accordance with the required service standards | 100% | 95% | Behind target. On target for sampling, however, slightly behind target pending results for internal analysis and finalisation of reports on some samples. |

2.1.3.10 Deliver approved companion animals education programs to schools
Regulatory Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Companion education program delivered to 10 schools across the Hastings | 10# | 1# | Behind target. School education program is being finalised. Annual target is expected to be achieved. |

2.4.1.3 Coordinate and facilitate the Access Committee and in conjunction undertake programs and activities utilising a Place Making approach that focus on better outcomes for the aged and disabled
Community Place - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| Access Committee meetings held on a monthly basis | 12# | 6# | Behind target. The Access Committee meets formally six times per year. The alternative months Access Friendly Business visits are conducted. Due to Seniors Week/Fortnight and an early Easter this did not occur for March. The next Access Committee meeting is scheduled for 20 April 2015. |

Ensuring Good Governance

2.4.1.7 Implement the actions from the Aboriginal Awareness and Understanding Strategy through Place Making initiatives
Community Place - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Four interagency meetings attended - issues arising reported annually | 4# | 3# | Behind target. Overall year to date target is currently behind as August meeting was not attended. Meetings are held bi-monthly. The final meeting for the year will be held in April 2015 and the annual target will be met. |

2.6.1.1 Participate in the Rural Communities Network
Community Place - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Six rural network meetings attended by 30 June | 6# | 2# | Behind target. Meetings scheduled revised to quarterly in August 2014. Next meeting planned for May 2015. |

2.6.2.10 Purchase beach wheelchair for - Flynn's Beach disability access - \$3,700
Community Place - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Completed within approved timeframe (Purchase beach wheelchair) | 100% | 0% | Behind target. The proposed chair has not yet been purchased as there is currently nowhere on site at Flynn's beach to store it. Council investigated the opportunity to place a chair at Livvis place, however this was not a viable option. Other options still being sought. |

2.9.2.1 (b) Allocate Library local priority grant - \$139,221
Community Place - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Completed within approved timeframe (Allocate Library local priority grant) | 100% | 0% | Behind schedule. Priority has been on spending the Library Development Grant for the Imaginarium. |

2.9.2.1 (d) Revitalising Regional Libraries Grant - children's play area at Laurieton Library (Carry Over 2013/2014) - \$16,000
Recreation and Building - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Completed within approved budget (Revitalising Regional Libraries Grant) | 100% | 110% | Behind target. Project was partially constructed on a time charge basis in order to meet tight timeframe. Discrepancies in delivery against planning are being documented in |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|------------------|---------------|------------|----------------------------|
| | | | project completion report. |

Focus Area - Helping our community prosper

| Focus Area | Performance Measures | On target/ achieved | Behind target/schedule |
|-------------------------------|----------------------|---------------------|------------------------|
| Helping our community prosper | 72 | 56 | 16 |

Highlights

- The Construction Industry and Manufacturing Industry Action Plans were both developed
- Operating revenue for Council Business Units which include the Glasshouse, Airport, Commercial Operations and Innes Gardens has increased by 10 percent compared with the previous year
- Achievement in planning milestones for Cassegrain winery and associated tourism development included completion of LEP and DCP amendments
- Over 4,400 aircraft movements and more than 168,000 passengers recorded at Port Macquarie Airport
- Continued planning on Airport Land Development
- Continued support on development of the new Food, Soil and Water Research facility
- Glasshouse Marketing and Sales Strategies developed.

Operational Plan Actions Behind Target

3.1.1.2 Develop an education and training industry advocacy plan Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Development of an industry advocacy plan underway by 30 June 2015 | 100% | 0% | Behind target. Council's Economic Development Steering Group agreed to defer 'advocacy plan' development until end of 2015 and reconsider the approach needed at that time. In the interim, advocacy will occur as appropriate. |

3.2.1.04 Develop a health, disability and aged care services industry action plan Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Develop the health, disability and aged care services industry action plan by 30 November 2014 | 100% | 45% | Behind target. Project research complete, industry engagement undertaken in March 2015. A further industry meeting in May will determine the approach to be taken on this Action Plan Project. |

Ensuring Good Governance

3.2.1.06 Develop a transport and warehousing industry action plan
Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Develop a transport and warehousing industry action plan by 30 November 2014 | 100% | 60% | Behind target. Project research complete. Further industry engagement occurred during Feb 2015 with drafting to be complete in April 2015. |

3.2.1.07 Develop an agriculture, forestry and fisheries industry advocacy plan
Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Development of the agriculture, forestry and fisheries industry advocacy plan underway by 30 June 2015 | 100% | 0% | Behind schedule. Council's Economic Development Steering Group agreed to defer 'advocacy plan' development until end of 2015 and reconsider the approach needed at that time. In the interim, advocacy will occur as appropriate. |

3.2.1.08 Develop an creative industries advocacy plan
Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Development of the creative industries advocacy plan underway by 30 June 2015 | 100% | 0% | Behind schedule. Council's Economic Development Steering Group agreed to defer 'advocacy plan' development until end of 2015 and reconsider the approach needed at that time. In the interim, advocacy will occur as appropriate. |

3.2.1.09 Develop an electricity advocacy plan
Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Development of electricity advocacy plan underway by 30 June 2015 | 100% | 0% | Behind schedule. Council's Economic Development Steering Group agreed to defer 'advocacy plan' development until end of 2015 and reconsider the approach needed at that time. In the interim, advocacy will occur as appropriate. |

Ensuring Good Governance

3.2.1.10 Develop a small and home-based business advocacy plan
Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Development of the small and home-based business advocacy plan underway by 30 June 2015 | 100% | 0% | Behind schedule. Council's Economic Development Steering Group agreed to defer 'advocacy plan' development until end of 2015 and reconsider the approach needed at that time. In the interim, advocacy will occur as appropriate. |

3.2.2.03 (e) Upgrade Port Macquarie Historic Cemetery - \$115,554 (Carryover 12/13)
Recreation and Buildings - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Completed within approved timeframe (Upgrade PMQ Historic Cemetery) | 100% | 0% | Behind schedule. This project will need to be carried forward to 2015/16 due to priority being given to other projects. |

3.2.2.11 Redevelop Glasshouse website as part of Marketing Strategy
Commercial and Business Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Glasshouse website redeveloped by 30 June 2015 | 100% | 15% | Behind target. Project commenced February 2015 with initial trending information presented to the Glasshouse Sub Committee in March. Investigations are currently underway to identify suitable content management systems to best support the Glasshouse operational needs. |

3.2.3.2 Preparation of Local Environmental Plan (LEP) and Development Control Plan (DCP) amendments in relation to Birdon Marine Precinct
Strategic Land Use Planning - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| Report to Council following exhibition by August 2014 | 100% | 90% | Behind target. Re-exhibition during February 2015 was required pending receipt of amended acoustic report from Birdon Marine. The report is planned to be presented to Council in April 2015 to finalise LEP and DCP amendments. |

Ensuring Good Governance

3.2.3.9 Prepare a Local Environmental Plan (LEP) and investigate Development Control Plan (DCP) amendments to facilitate light industrial development at Houston Mitchell Drv, Lake Cathie

Strategic Land Use Planning - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Report to Council regarding draft planning proposal (pre gateway determination) by 31 May 2015 | 100% | 0% | Behind schedule. Waiting on applicant to proceed. Now unlikely to meet May target. |

3.2.6.1 Prepare DCP amendments to Major Innes Road, Charles Sturt University precinct, Public Hospital precinct and Innes Peninsula

Strategic Land Use Planning - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| Draft DCP provisions reported to Council for exhibition by 17 December 2014 | 100% | 5% | Behind schedule. Awaiting action on broader work affecting John Oxley Drive. |
| Report on final draft DCP to Council by April 2015 | 100% | 5% | Behind schedule. Awaiting action on broader work affecting John Oxley Drive. |

3.3.2.2 Develop marketing collateral that promotes our Local Government Area (LGA) as a great place to live, learn, work, play and invest

Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| On-line investment prospectus developed October 2014, expanded version by April 2015. | 100% | 70% | Behind target. On-line investment prospectus developed October 2014, expanded version by April 2015. |

3.4.1.1 Implement Port Macquarie-Hastings Council's digital strategy to maximise use of current technologies and future opportunities for local businesses and industry

Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Key performance indicators achieved in accordance with actions outlined in the digital strategy | 100% | 0% | Behind target. Draft Digital Strategy finalised and presented to Council in March for public exhibition. Strategy to go to Council for final endorsement following exhibition in May. |

Ensuring Good Governance

3.5.4.2 Support and participate in the Regional Economic Board
Economic Development - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Attendance at quarterly Regional Economic Board meetings | 4# | 0# | Behind target. No meetings were scheduled between July-October 2014 and as at end of November 2014, the Regional Economic Board has been dissolved. |

Focus Area - Looking after our environment

| Focus Area | Performance Measures | On target/ achieved | Behind target /schedule |
|-------------------------------|----------------------|---------------------|-------------------------|
| Looking after our environment | 37 | 28 | 9 |

Highlights

- More than 610 hectares of land has been treated for invasive weeds and over 1,200 km of weed dispersal routes treated as part of the Weed Management Program;
- Over 600 hectares of bush regeneration has been undertaken across the local government area;
- The new domestic waste collection service was implemented in September 2014 as scheduled;
- Development Assessment functions and the Development Assessment Panel have met all process requirements without legal challenge;
- Vegetation management is being undertaken as part of the overall Bushland open space management strategy.

Operational Plan Actions Behind Target

4.1.1.1 Undertake the weed management program according to the Mid North Coast Invasive Plant Species Strategy 2012, working in partnership with community groups such as Landcare

Environmental Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| 300 properties inspected for invasive weeds | 300# | 173# | Behind schedule. Riparian Weed and Wrights Creek urban inspections completed in February and March. Overall annual inspection are on target to be achieved by financial year end. |

4.3.1.1 Meet effluent quality requirements of Environmental Protection Licences
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Compliance with Environment Protection Authority licence effluent | 100% | 98% | Behind target. Effluent quality for several months throughout the reporting period from July 2014 to March 2015 was slightly under target |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--------------------|---------------|------------|-------------------------|
| quality conditions | | | for EPA licence limits. |

4.4.1.6 Construct Kew Transfer Station - (NOTE: Financial realignment to \$300k spend in 2014 - 2015 of original \$900k) Year 1 of 2 year budget (pending tender and revised Long Term Financial Plan).

Infrastructure Delivery - Lead responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Project yet to commence. Awaiting detailed design finalisation and approvals. Waste Section progressing these items. Construction program and estimated costs to be confirmed following detailed design completion. This project is programmed to continue into the 2015 - 2016 financial year. |

4.7.1.1 Preparation of strategic policy/Koala Plan of Management (KPoM) for Port Macquarie Hastings LGA

Strategic Land Use Planning - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Exhibition of draft strategic policy/KPoM by 30 June 2015 | 100% | 5% | Behind schedule. Due to Council consideration of habitat mapping. Draft project plan prepared and preliminary research commenced ahead of Council briefing. |

4.7.1.2 Prepare a draft Biodiversity Strategy to determine environmental priorities for conservation and restoration

Environmental Services - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Exhibition of draft strategy by 30 June 2015 | 100% | 17% | Behind schedule. Councillor briefing scheduled for April. |

4.7.1.3 Inform and educate residents, industry and community groups on Council's Tree Management requirements within the Development Control Plan

Recreation & Buildings - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Advice on Council's Tree Management requirements provided in | 100% | 83% | Behind target. High winds experienced in September and a training program for new arborist during the reporting period resulted in high numbers of |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| accordance with service standards and industry best practice | | | customer requests and lower completion rates. Total customer requests (CR) for the July - March period was 1390. 1155 (Public) and 235 (Private). Attainable delivery for resource of one tree officer is approx 90 -100 customer requests per month. An additional 369 telephone enquiries. 263 regarding public trees and 172 for private and 93 internal enquiries with most requiring immediate action. |

4.8.1.2.(a) Investigate landfill gas capture at Cairncross Landfill Environmental Services - Lead responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|--|---------------|------------|---|
| Trial of main capture system completed by 30 June 2015 | 100% | 0% | Behind schedule. Further Council briefing to be prepared. |

4.8.1.2.(a1) Commence landfill gas capture, design and construction, year 1 of 2 year budget - (subject to change following tender and revised Long Term Financial Plan) - \$400,000

Environmental Services - Lead responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|--|---------------|------------|---|
| Completed within approved budget (Commence landfill gas capture, design and construction) | 100% | 0% | Behind schedule. Further Council briefing to be prepared. |
| Completed within approved timeframe (Commence landfill gas capture, design and construction) | 100% | 0% | Behind schedule. Further Council briefing to be prepared. |

Ensuring Good Governance

Focus Area: Planning and providing our infrastructure

| Focus Area | Performance Measures | On target/ achieved | Behind target /schedule |
|---|----------------------|---------------------|-------------------------|
| Planning and providing our infrastructure | 363 | 306 | 57 |

Highlights

- Design and preconstruction works completed on numerous projects across the region some of which include; the midblock crossing on Horton St between Clarence and Hayward St, footpath replacement on Short St from Hayward St, the roundabout at Ocean Drive and Houston Mitchell Drive, Lighthouse Rd West - Pacific Dr to Matthew Flinders Drv, Beechwood Rd upgrades of segments 20,40 and 50, Clarence St - Hay to Murray St intersection and Short St - William St to Bourne St west side;
- More than \$330,000 spent on replacement and rehabilitation of numerous footpaths across the region including Bain St Wauchope, The Parade North Haven, Main St Kendall, Short St from Clarence St to William St PMQ and Findlay Ave PMQ interchange;
- Loggy Creek Bridge replacement on Pembroke Rd completed in November 2014 on time and under budget;
- \$275,000 of refurbishment works completed on community halls across the local government area including: Beechwood and Laurieton School of Arts Halls, PMQ Senior Citizen Centre, Wauchope Youth Hall and the North Haven Community Hall;
- Googik Track - Stage 1 complete;
- Kooloonbung Creek - Stage 2 shared cycleway/walkway valued over \$200,000;
- Completion of Fairmont Gardens subsurface drainage valued at \$75,000
- Restoration works complete on the access steps at Flynns Beach Reserve valued at \$100,000;
- Over \$12,000 of facility upgrades complete at Ostler Park;
- \$20,000 invested in footpath replacement at Oxide St Reserve;
- \$30,000 of refurbishment works complete on the turf wicket at Oxley Oval
- Completion of replacement works on pathways/park furniture valued over \$30,000 at Pilot Beach;
- Replacement of park furniture valued at \$30,000 at Westport Reserve;
- Accessible fishing platform valued at \$100,000 at Camden Haven complete;
- North Haven boat ramp reconstruction complete;
- Completion of the new toilet block at the Community Hall Reserve at Bonny Hills valued over \$17,000;
- Community engagement undertaken on Urban Growth Management Strategy review and briefing provided to Council;
- Draft structure plans and preparation of Local Environment and Development Control Plan provisions for the Greater Sancroix area presented to Council;
- Community engagement undertaken in relation to neighbourhood planning for Thrumster in conjunction with the review of Local Environment and Development Control Plans presented to Council;

Ensuring Good Governance

- Draft Urban Design study for Gordon St/Lord St and Town Beach precinct presented to Council;
- Draft planning proposal regarding the staged review of the Port Macquarie-Hastings Local Environmental Plan presented to Council;
- Remedial upgrade works of the chlorine dosing facility at Rosewood Road valued at \$150,000;
- Renewal of water filtration membranes at the Wauchope Water Treatment Plant value at \$300,000;
- Refurbishment of aerators at Wauchope Sewer Treatment Plant valued over \$400,000;
- The sealed road maintenance program, including pothole repairs is currently on target and being delivered in line with the Roads Maintenance Hierarchy program;
- Concept designs are underway for the Comboyne, Long Flat and Telegraph Point small town sewerage program;
- North Shore village sewer scheme construction commenced;
- Beechwood Rd upgrade between Bains Bridge and Rosewood Rd commenced;
- Continued focus on parks, reserves and sporting field maintenance, particularly weed treatment, garden maintenance and maintenance of parks furniture.

Operational Plan Actions Behind Target

5.1.1.1 (c) Miscellaneous design works - \$293,616

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Completed within approved timeframe (Miscellaneous design works) | 100% | 0% | Behind target. Various transport designs have been identified for this project. Scopes of works currently being finalised for these designs, projects include Hyndmans Creek Bridge replacement on Comboyne Road. |

5.1.1.1 (d) North South Link Road - undertake design/preconstruction - \$150,000

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 80% | Behind target. A report will be presented to the April Ordinary Meeting of Council that will seek to increase the scope for this project to include other key link roads such as the east-west link and airport link. |

Ensuring Good Governance

5.1.1.1 (g) Town Centre Master Plan - undertake design/preconstruction of Kooloonbung Foreshore between Gordon Street to William Street - \$30,000
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Project planning completed, review of existing concept design underway. Expect design works to be completed by mid 2015. |

5.1.1.1 (h) Town Centre Master Plan - undertake design/preconstruction of walkway from Town Beach to Kooloonbung Creek - \$100,000
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 5% | Behind target. Project planning finalised, scope of design confirmed and endorsed through to the Town Centre Master Plan Sub Committee. Significant interface for this project with the adjoining Town Green upgrade project continues to delay progress. Survey works underway. |

5.1.1.1 (k) Town Centre Master Plan - undertake design/preconstruction of Town Square - \$60,000
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 25% | Behind target. Detailed concept design subject to ongoing discussion and requires confirmation asap in order for project to proceed in accordance with program. In house landscape architect has provided a concept for TCMP review and endorsement, design completion not expected prior to Mid 2015. Project at risk due to ongoing delays in concept design endorsement. A significant interface exists between this project and the adjoining Town Green upgrade project, this interface continues to impact progress. |

5.1.1.1 (n) Ocean Drive - undertake preconstruction for duplication Greenmeadows Drive south to Matthew Flinders Drive (Carryover 2013 - 2014) - \$268,863
Infrastructure Delivery - Lead Responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 60% | Behind schedule. Project Steering Group established by Council to provide Governance to this project. |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|------------------|---------------|------------|---|
| | | | Ongoing delays in the finalisation of the environmental assessment for this project continue. Council have supported the proposed approach addressing key environmental challenges regarding Koala habitat and management and finalisation of design/approvals continues. Delays associated with design sub consultant local office closure have been acute and continued in this reporting period. |

5.1.1.3 (a) Hastings River Drive - undertake continued construction/delivery Gordon St to Aston St - \$5,600,000 (NOTE: Financial realignment to spend \$1,000,000 in 2014 - 2015, remainder continued to 2015 - 2016)

Infrastructure Delivery - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Project funding secured through LIRS grant funding announcement. Project planning being finalised and detailed design being wrapped up also. Construction tender advertisement pending National Stronger Regions Fund Grant application announcement expected May 2015 with the project continuing in 2015 - 2016. |

5.1.1.3 (b) Houston Mitchell Drive - Houston Mitchell Drive segment 50 from Pacific Hwy 900m east - \$1,910,000

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Project design nearing completion, however project construction has been deferred to 2015 - 2016 financial year in lieu of roundabout construction at intersection with Ocean Drive. |

5.1.1.3 (c) Beechwood Road - construction from Bains Bridge to Rosewood Road - \$1,775,000

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 95% | Behind schedule. Road rehabilitation practically complete. January and |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|------------------|---------------|------------|--|
| | | | February wet weather has caused some additional costs to be incurred due to rework, delays and erosion issues. |

5.1.1.3 (d) Ocean Dr - undertake continued construction/delivery - replace Stingray Creek Bridge (Carry Over 2013 - 2014) \$15,712,018 - (NOTE: Financial realignment to spend \$2,000,000 in 2014 - 2015 remainder continued to 2015 - 2016)
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Completed within approved timeframe (replace Stingray Creek Bridge) | 100% | 0% | Behind schedule. Yet to commence construction. Carry over project from 2013 - 2014 financial year. Detailed design and contract documentation completed and tender advertised in December. Tenders closed 27 Feb 2015 and tender assessment underway. Steering Group established to oversee project governance. NSW Public Works appointed as Project Managers for construction. Preliminary works underway by Water and Sewer section. |

5.1.1.3 (f) Town Centre Master Plan - Clarence Street-Hay to Murray Street upgrade including intersection - \$1,000,000 (NOTE: Financial realignment to spend \$400,000 in 2014 - 2015 remainder continued to 2015 - 2016)
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Due to delays in design finalisation, expect commencement prior to June 2015. This project will require some carry over to 2015 - 2016 financial year. |

5.1.1.3 (g) Town Centre Master Plan - Clarence Street and Murray Street - construct intersection gateway - \$40,000
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Due to delays in design finalisation, expect commencement prior to June 2015. This project will require some carry over to 2015 - 2016 financial year. |

Ensuring Good Governance

5.1.1.3 (k) Town Centre Master Plan - signage installation (Carry Over 2013 - 2014)
\$119,430

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Signage audit completed across Port Macquarie CBD, results and recommendations of audit will inform the changes/upgrades and maintenance required. Signage upgrade program being developed. |

5.1.1.3 (l) Town Centre Master Plan - construct Town Square - \$650,000 (NOTE: Financial realignment to spend \$250,000 in 2014-2015 remainder continued to 2015 - 2016)

Infrastructure Delivery - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Detailed concept design to be confirmed and incurring ongoing delays. Project follows item 5.1.1.1 (k). Detailed cost estimate will be confirmed following design finalisation. |

5.1.1.3 (m) Town Centre Master Plan - construct William Street (Buller St Bridge to Short Street) - \$600,000

Infrastructure Delivery - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. William Street upgrade between Buller Bridge and Short Street commencement deferred until 2014 - 2015 financial year by Council. |

5.1.1.3 (n) Town Centre Master Plan - implement cyclist friendly actions - \$50,000

Infrastructure Delivery - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 5% | Behind schedule. Scope of works determined and endorsed by Town Centre Masterplan Sub Committee. Project planning underway, project may continue into 2015 - 2016 financial year. |

Ensuring Good Governance

5.1.1.3 (o) Town Centre Master Plan - construct lighting and banner poles, including up lighting of trees - \$250,000

Infrastructure Delivery - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Signage/lighting audit underway across Port Macquarie CBD, results and recommendations of audit will inform the changes/upgrades and maintenance required. |

5.1.1.4 (c) Ocean Drive-Undertake continued design/const/delivery - Matthew Flinders Dr to Greenmeadows duplication - \$9,500,000 (NOTE: Financial realignment to spend \$1,500,000 in 2014 - 2015 remainder continued to 2015 - 2016)

Infrastructure Delivery - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 5% | Behind schedule. Carry over project from 2013 - 2014 financial year. Concept design near completion, environmental approvals being progressed, but delaying project overall. Steering Group established to provide Governance to project. Construction program/schedule to follow detailed design completion. Project will require some carry over to 2015 - 2016 financial year. |

5.1.1.5 Undertake revaluation of Council's transport assets including roads, bridges, footpaths, drainage and bulk earthworks

Asset and Systems - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 85% | Behind schedule. Significant work has been completed. Project completion is subject to field testing of existing asset useful life assumptions, which is currently being undertaken. |

5.3.1.2 (c) Port Macquarie Indoor Stadium - upgrade and extend (Carry Over 2013 - 2014) - \$5,015,978 (NOTE: Financial realignment to spend \$2,500,000 in 2014 - 2015 with remainder continued to 2015 - 2016)

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Carry over project from 2013 - 2014 financial year. Construction tender assessment finalised. Council deferred determination of this tender at |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|------------------|---------------|------------|--|
| | | | November Ordinary Meeting to December 2014 Meeting. Council declined to accept any of the tenders submitted. Further negotiations to be carried out preferred tenderer. Pre tender construction estimate identifies potential budget shortfall, steering group endorsement for tender advertisement to proceed confirmed. Awaiting Exec and Council determination. Steering Group established for project governance. Detailed design completed. |

5.3.1.3 (f) Westport Reserve - Playground upgrade (Carry Over 2013 - 2014) - \$123,366

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|----------------------------------|---------------|------------|--|
| Completed within approved budget | 100% | 160% | Behind target. Project completion and over-expenditure reports being prepared for Executive consideration. |

5.3.1.4 (a) Amethyst Way - replace playground at end of useful life - \$40,000

Infrastructure Delivery - Recreation and buildings

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Commencement of project has been delayed due to prioritisation of other projects. This project will be identified to continue into the 2015 - 2016 Operational Plan for completion. |

5.3.1.4 (aa) Town Beach amenities/kiosk/marine rescue building - undertake upgrade (Carry Over 2013 - 2014) - \$250,000 (NOTE: Additional budget of \$162,900 approved at Ord Council Meeting March 2015)

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Project design and construction certificate (CC) finalised. Pre construction tender and contract documentation also near completion. Additional project funding confirmed during this reporting period. Construction tender advertisement expected prior to end of April 2015. |

Ensuring Good Governance

5.3.1.4 (q) Westport Reserve - upgrade boat ramp Stage 2 - \$150,000
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Design completed. Project construction commencement programmed for 2015 post summer season. Pre construction planning and documentation now being progressed towards 2015 commencement of works. This project has potential to require some carry over to the 2015 - 2016 financial year as a work in progress. |

5.3.1.4 (w) Town Beach - construct public toilets (Carry Over 2013 - 2014) - \$180,000
Infrastructure Delivery - Lead Responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 0% | Behind target. Awaiting Development Application determination and construction certificate release. Utilities to new structure being coordinated. Construction programming and resource estimation to follow design completion and approvals. Project will continue into 2015 - 2016 financial year. |

5.3.1.4 (x) Dunbogan Reserve - undertake replacement of revetment wall and boat ramp repairs (Carry Over 2013 - 2014) - \$106,250
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind target. Detailed design completed. Estimated construction and project management costs exceeds project budget allocation. Asset owner review underway in regard to available funding and scope of works. Construction programming and project planning finalisation to follow budget and scope of works confirmation from asset owner. Additional funding to be pursued through RMS. |

Ensuring Good Governance

5.3.1.4 (y) Wayne Richards Park - undertake design and construction of Stage 3 (Carry Over 2013 - 2014) - \$1,486,444 (NOTE: Financial realignment to spend \$250,000 in 2014 - 2015 with remainder continued to 2015 - 2016)

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind schedule. Pre construction planning underway for the project. Confirmation of the transfer of grant funding to this scope of works from the depot site confirmed during this reporting period. Expect advertisement of this design and construct project in May 2015. This project will require some carry over to the 2015 - 2016 financial year. |

5.3.1.4 (z) Town Green - implementation of Master Plan (Carry Over 2013 - 2014) - \$912,862 (NOTE: Financial realignment to spend \$500,000 in 2014 - 2015 with remainder continued to 2015 - 2016)

Recreation and Buildings - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|-------------------------------------|---------------|------------|---|
| Completed within approved timeframe | 100% | 0% | Behind target. Staging is yet to be decided by Council. Current focus is on the Foreshore Path including the section going through Town Green East to confirm cost estimates prior to commencing detailed design. |

5.4.1.1 Review the Port Macquarie-Hastings Urban Growth Management Strategy Strategic land Use Planning - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|---|---------------|------------|--|
| Report to Council regarding exhibition of draft strategy by June 2015 | 100% | 20% | Behind schedule. Response being prepared on long term growth options in accordance with Council resolution in February 2015. Preparation of Draft Strategy underway. |

5.4.1.5 Preparation of LEP and DCP amendments for the South Lindfield urban releases area

Strategic land Use Planning - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|---|---------------|------------|---|
| Report to Council following exhibition of the draft Planning Proposal by 30 June 2015 | 100% | 0% | Behind schedule. Will not be possible to achieve due to delays with initial report. |

Ensuring Good Governance

| | | | |
|--|------|-----|--|
| Report to Council regarding draft planning proposal (pre NSW State Government Gateway determination) by 28 February 2015 | 100% | 80% | Behind schedule. Landowner engagement requires more work prior to reporting to Council, including responses to proposed planning agreements from multiple owners, now expected May 2015. |
|--|------|-----|--|

5.4.3.1 Undertake staged review of the Port Macquarie Hastings Local Environmental Plan (LEP) 2012

Strategic land Use Planning - Lead Responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Report to Council regarding draft Planning Proposal (post formal community engagement) by 30 June 2015 | 100% | 25% | Behind schedule. Due to prioritisation of South Lindfield planning. |

5.4.3.2 Undertake staged review of Development Control Plan

Strategic land Use Planning - Lead Responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Report to Council regarding revised draft DCP amendment (post formal community engagement) by 30 June 2015 | 100% | 20% | Behind schedule. Operational Plan action has been reprioritised due to Urban Growth Management Strategy and other planning commitments at this time. Likely to proceed in the first quarter of 2015 - 2016. Compilation of the register of miscellaneous development assessment matters for consideration is ongoing. |
| Report to Council regarding staged DCP amendment (pre formal community engagement) by 31 March 2015 | 100% | 50% | Behind schedule. Operational Plan action has been reprioritised due to Urban Growth Management Strategy and other planning commitments at this time. Likely to proceed in the first quarter of 2015 - 2016. Compilation of the register of miscellaneous development assessment matters for consideration is ongoing. |

5.5.1.1 (b) Granite Street No.2 - 20ML Reservoir - investigations and tender documentation for construction of additional 20ML reservoir for construction 2015 - 2017 - \$500,000

Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 90% | Behind target. Design to commence in this financial year, however, anticipate it |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--------------------------------------|---------------|------------|---|
| (Granite Street No.2 20ML Reservoir) | | | will extend into next financial year. Budget to be carried over into 2015 - 2016. |

5.5.1.1 (c) Koree Water Pump Station No.1 Renewal - Koree No 1 Water Pumping Station renewal - \$500,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Completed within approved timeframe (Koree Water Pump Station No.1 Renewal) | 100% | 80% | Behind target. Project is currently behind schedule while alternative designs are being investigated. Project will become a 2015 - 2016 carry over. |

5.5.1.1 (d) O'Briens Dam rehabilitation works - \$100,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| Completed within approved timeframe (O'Briens Dam rehabilitation works) | 100% | 90% | Behind target. Project running behind schedule, draft design documentation received from NSW Public Works. |

5.5.1.1 (e) Port Dam emergency booster Water Pumping Station - \$200,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Completed within approved timeframe (Port Dam emergency booster Water Pumping Station) | 100% | 90% | Behind target. Works to be undertaken as resources Options being considered for bypass of Port Dam pump station to enable maintenance works to be carried out. |

5.5.1.2 (b) Southern Arm trunk main - program to construct main along Houston Mitchell Dr (Carry Over 2013 - 2014) - \$4,500,000 (NOTE: Financial realignment to spend \$1,000,000 in 2014 - 2015, remainder continued in 2015 - 2016)
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|------------------------------------|---------------|------------|--|
| Completed within approved timeline | 100% | 0% | Behind schedule. Carry over project from 2013 - 2014 financial year. Clearing works completed on Pacific Highway to Cowarra balance tank segment. Detailed design and environmental approvals for this trunk main are currently being finalised. Pipe construction tender delayed due to the discovery of Naturally Occurring Asbestos (NOA) within proposed |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|------------------|---------------|------------|---|
| | | | pipeline route. Some redesign of this main is required to avoid extensive excavation, treatment and disposal of NOA. Additional costs will be incurred. Project will carry over to 2015 - 2016. |

5.5.1.3 (d) Renewals - rolling program of customer water meter renewals - \$800,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 90% | Behind schedule. Programmed renewal of existing water meters has been impacted by staff resources available, as staff are prioritised to respond to water operational needs. |

5.5.1.3 (l) Grants Head Bonny Hills - replace pipes and fittings in conjunction with Bonny Hills High Level Booster works (Carry Over 2013 - 2014) - \$180,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Completed within approved timeframe (Grants Head Bonny Hills - replace pipes and fittings) | 100% | 90% | Behind schedule. Work delayed due to essential (unscheduled) project work commitments to secure grant funding. |

5.5.1.4 (b) Port Dam 33kV switchgear upgrade (Carry Over 2013 - 2014) - \$950,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Completed within approved timeframe (Port Dam 33kV switchgear upgrade) | 100% | 90% | Behind target. Project behind schedule, detailed design progressing and expected to be complete mid April. Tender to be advertised by end of financial year. Project to carry over to 2015 - 2016. |

5.5.1.4 (c) Switchboard replacement program - rolling program to renew water supply electrical switchboards - \$150,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 0% | Behind target. Program will not progress this year. New switchboards installed in conjunction with specific projects and allocated budgets. For example St Agnes booster pump station, Mill Hill booster pump station, |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|------------------|---------------|------------|---|
| | | | New Bonny's reservoir, Sancrox reservoir and Koree pump station number 2. |

5.5.3.1 (a) Camden Haven Sewerage Pump Station 22 power supply upgrade - \$150,000

Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Completed within approved timeframe (Camden Haven Sewerage Pump Station 22 power supply upgrade) | 100% | 90% | Behind schedule. Delays experienced in easement process. Negotiations currently being held with Essential Energy as to easements in Essential Energys favour. |

5.5.3.1 (c) Port Macquarie Reclaimed Water Treatment Plant upgrade for growth - \$750,000

Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Completed within approved timeframe (Port Macquarie Reclaimed Water Treatment Plant upgrade for growth) | 100% | 90% | Behind target. Pre construction activities have commenced and will continue into 2015 - 2016 with construction to follow. |

5.5.3.1 (d) Upgrade Camden Haven Sewerage Treatment Plant effluent pump station and reticulation main - \$500,000

Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| Completed within approved timeframe (Upgrade Camden Haven Sewerage Treatment Plant) | 100% | 0% | Behind schedule. Investigations have identified that capital works for this project can be delayed for several years. This project will not continue into 2015 - 2016. |

5.5.3.1 (e) Small towns sewerage program - provision of centralised sewerage systems for Comboyne (Carry Over 2013 - 2014) - \$420,000

Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Completed within approved timeframe (Small towns sewerage program - Comboyne) | 100% | 0% | Behind schedule. Yet to commence construction. NSW Public Works project managing delivery of this project. Concept design underway, construction tender to follow detailed design. Construction not expected to |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|------------------|---------------|------------|-----------------------------|
| | | | commence prior to mid 2015. |

5.5.3.1 (f) Small towns sewerage program - provision of centralised sewerage systems for Long Flat (Carry Over 2013 - 2014) - \$420,000
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|--|
| Completed within approved timeframe (Small towns sewerage program, Long Flat) | 100% | 0% | Behind schedule. Yet to commence construction. NSW Public Works project managing delivery of this project. Concept design underway, construction tender to follow detailed design. Construction not expected to commence prior to mid 2015. Resource estimate on construction cost to be finalised prior to project start. |

5.5.3.1 (g) Small towns sewerage program - provision of centralised sewerage systems for Telegraph Point (Carry Over 2013 - 2014) - \$440,000
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Completed within approved timeframe (Small towns sewerage program - Telegraph Point) | 100% | 0% | Behind schedule. Yet to commence construction. NSW Public Works project managing delivery of this project. Concept design underway, construction tender to follow detailed design. Construction not expected to commence prior to mid 2015. |

5.5.3.3 (c) Replacement of sewer telemetry and computer hardware including Programmable Logic Controllers at sewerage treatment plants where required - \$327,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Completed within approved timeframe (Replacement of sewer telemetry and computer hardware) | 100% | 0% | Behind target. No expenditure to date. Tender documentation not yet completed. Tender report to Council now delayed until May 2015 meeting. |

5.5.3.3 (e) Purchase of trailer mounted 400KVa generator - \$110,000
Water and Sewer - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| Completed within approved budget (Purchase of trailer) | 100% | 107% | Behind schedule. Supplier identified. Accepted quotation \$7,000 over budget. Order to be placed by 10 April |

Ensuring Good Governance

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|--|
| mounted 400KVa generator) | | | 2015. |
| Completed within approved timeframe (Purchase of trailer mounted 400KVa generator) | 100% | 90% | Behind schedule. Supplier identified, delivery dependent on import and fitting custom hardware. Current indications are plant will not be delivered before close of this financial year and may continue into 2015 - 2016. |

5.5.3.4 (i) Small towns sewerage program - provision of centralised sewerage systems for North Shore (Carry Over 2013 - 2014) - \$5,200,000 (NOTE: Financial realignment to spend \$2,500,000 in 2014 - 2015 remainder continued to 2015 - 2016)
Infrastructure Delivery - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|--|---------------|------------|--|
| Completed within approved timeframe (Small towns sewerage program - North Shore) | 100% | 0% | Behind schedule. Yet to commence construction. NSW Public Works project managing delivery of this project. Detailed design underway, construction tender to follow detailed design. Construction not expected to commence prior to mid 2015. |

5.5.5.5 Operate the sewerage network to ensure service delivery meets public health and safety requirements
Water and Sewer - Lead Responsibility

| Success Measure | Annual Target | YTD Actual | Comment on progress |
|--|---------------|------------|--|
| Nil reportable incidents relating to the operation of the sewerage network | 0# | 5# | Behind target. Five incidents have been report for the July - March period. All incidents have been dealt with in accordance with pollution incident response management plan. |

5.5.6.1 (b) Short Street drainage - undertake condition rating and investigations (Carry Over 2013 - 2014) - \$37,006
Infrastructure Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|-------------------------------------|---------------|------------|--|
| Completed within approved timeframe | 100% | 80% | Behind target. Behind planned completion timeframe of January 2015. However, contractors are now confirmed and are to meet on site with council staff in April to determine best time to commence works as this needs to be undertaken at the lowest tide. |

Ensuring Good Governance

5.5.6.3 (a) Stormwater remediation - Batar Creek Road System, Kendall Stage 2 - stormwater drainage remediation works to catchment - \$90,000
Transport and Stormwater Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|---|---------------|------------|---|
| Completed within approved timeframe (Stormwater remediation - Batar Creek Road System, Kendall Stage 2) | 100% | 0% | Behind schedule. Yet to commence. Detailed design being developed. Construction not expected to commence prior to second quarter 2015. Resource estimate on construction cost to be finalised prior to project start. |

5.5.6.3 (b) Stormwater remediation - continuation of remediation at Skyline Terrace/Ocean Drive Bonny Hills - \$45,000
Transport and Stormwater Delivery - Lead responsibility

| Success Measures | Annual Target | YTD Actual | Comment on Progress |
|--|---------------|------------|---|
| Completed within approved timeframe (Stormwater remediation at Skyline Terrace /Ocean Drive Bonny Hills) | 100% | 0% | Behind schedule. Detailed design completed. Construction expected to start early in 2015. |

Operational Plan Modifications

Throughout the year changes occur within project priorities and timeframes. In order to ensure reporting accuracy it is recommended that the Operational Plan be modified. The tables following outline proposed modifications.

Lead responsibility - Economic Development

| Reason for modification to the Operational Plan actions below: | | |
|---|--|--|
| The Economic Development Steer Group (EDSG) agreed to defer several 'advocacy planning' Operational Plan actions until the end of 2015 and reconsider the approach needed at that time. In the interim, advocacy will occur as appropriate. These items will be removed as per the EDSG recommendation. | | |
| OP Ref | Current Action description | Current Performance measure |
| 3.1.1.2 | Develop an education and training industry advocacy plan | Development of an industry advocacy plan underway by 30 June 2015 |
| 3.2.1.04 | Develop a health, disability and aged care services industry action plan | Develop the health, disability and aged care services industry action plan by 30 November 2014 |
| 3.2.1.07 | Develop an agriculture, forestry and fisheries industry advocacy plan | Development of the agriculture, forestry and fisheries industry advocacy plan underway by 30 June 2015 |

Ensuring Good Governance

| | | |
|----------|---|---|
| 3.2.1.08 | Develop an creative industries advocacy plan | Development of the creative industries advocacy plan underway by 30 June 2015 |
| 3.2.1.09 | Develop an electricity advocacy plan | Development of electricity advocacy plan underway by 30 June 2015 |
| 3.2.1.10 | Develop a small and home-based business advocacy plan | Development of the small and home-based business advocacy plan underway by 30 June 2015 |

Reason for modification to the Operational Plan action below:

The Regional Economic Board has been dissolved, therefore this action cannot be achieved during 2014 - 2015. This item will be removed.

| OP Ref | Current Action description | Current Performance measure |
|---------|--|--|
| 3.5.4.2 | Support and participate in the Regional Economic Board | Attendance at quarterly Regional Economic Board meetings |

Options

Seek further information on performance measures reflected in this report.

Community Engagement & Internal Consultation

The information contained in this report has been subject to consultation with the Executive, Senior Leadership Team and staff. It is planned that the performance report on the 2014 - 2015 Operational Plan will be placed on Council's website within a week of Council noting the report.

The 2014 - 2015 Operational Plan is available on Council's website.

Planning & Policy Implications

This report is consistent and aligned with the Integrated Planning and Reporting Framework provisions contained in the Local Government Act (1993).

Financial & Economic Implications

Nil related to this report. Quarterly financial statements reported under separate cover.

Attachments

1 [View](#). 2014 - 2015 Operational Plan Progress Report as at 30 March 2015.

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: 10.01

Subject: RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - APRIL MEETING

Presented by: Community & Economic Growth, Tricia Bulic

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. Mr Cameron Lindsay in the amount of \$200.00 to assist with the expenses he would have incurred travelling to and competing at the CHS Volleyball Championships held in Mt Druitt, Sydney from 21 - 23 April 2015 inclusive.**
- 2. Mr Harrison Northey in the amount of \$250.00 to assist with the expenses he would have incurred travelling to and competing at the National Swimming Titles held in Sydney Olympic Park Aquatic Centre, Sydney on 16 and 17 April 2015.**
- 3. Ms Paige Leonhardt in the amount of \$350.00 to assist with the expenses she would have incurred travelling to and competing at the Georgina Hope Foundation and the National (Age & Open) Swimming Titles held in March and April 2015 respectively.**

Executive Summary

The Mayor's Sporting Fund Sub-Committee met on 23 April 2015, reached consensus on Item 08 (attached) and now submits the above recommendation for Council consideration.

Attachments

1 [View](#). 2015 MSF Sub-Committee Meeting Minutes Extract Item 8 23042015

Looking After Our People

Item: 10.02

**Subject: SUSPENSION OF THE ALCOHOL FREE ZONE - ZONE 2 ON FRIDAY
26 JUNE 2015**

Presented by: Community & Economic Growth, Tricia Bulic

Alignment with Delivery Program

2.1.1 Provide leadership in implementing safety initiatives.

RECOMMENDATION

That Council suspend the alcohol free zone in Zone 2 from 3pm to 10pm on Friday 26 June 2015 in accordance with the Local Government Act 1993 Alcohol Free Guidelines (Section 646).

Executive Summary

In September 2014 it was resolved by Council to:

1. Re-establish Alcohol Free Zones in the Port Macquarie CBD for a further four years from December 2014 to December 2018.
2. Establish two Alcohol Free Zones within the Port Macquarie CBD to allow for flexibility of use whilst maintaining an overall Alcohol Free Zone.

Council has the power to suspend the alcohol free zone for community events. After a successful event held in March 2015 and with no incidents it was determined that this would be the best course of action for the second Clarence Place Street Food Festival on Friday 26 June 2015. It is intended to suspend the alcohol free zone in Zone 2 and this will ensure the majority of CBD will remain alcohol free.

Discussion

Alcohol Free Zones prohibit the drinking of alcohol in public places such as roads or car parks under Part 4 of the NSW Local Government Act 1993, Sections 642 - 649. The purpose of these zones is to create a safe environment in which individuals may move about without interference from irresponsible street drinkers. Alcohol Free Zones operate 24 hours a day, 7 days a week.

As per Section 645 of the Act, Council has the power to suspend or cancel the Zone at an earlier date if deemed necessary, or to hold a specific community event. Council is required to do so via a Council resolution and must publish a notice of suspension and/or cancellation. In the case of a cancellation, all signage would need to be removed immediately.

Prior to cancellation or suspension Council would be required to liaise with Police both prior to and after the Council resolution.

Looking After Our People

The second event proposed in Clarence Place (west end of Clarence Street) will be predominately run by the local businesses with Council to facilitate and support where needed. To this end the Liquor Licence will be applied for by the Businesses for this event.

Options

Council does not suspend the Alcohol Free zone and the serving of Liquor for the Clarence Place Event is undertaken only in the licensed premises.

Community Engagement & Internal Consultation

Clarence Street businesses engaged in the Food Festival:

Participating Eating Establishments

- Cedros
- Grape and Petal
- The Pier
- LV's on Clarence
- Carlos & Co
- Mekong Restaurant
- Latin Loafer
- Focus Magazine
- The Cruise Terminal

Community Participation

- Hastings Primary School
- Port Macquarie Community Preschool
- Charles Sturt University

Port Macquarie Local Area Command

- Sergeant John Lawrie
- Inspector Crisp
- Dean McGuinness

NSW Fire Brigade

NSW Ambulance Service

NSW Department of Crown Lands

NSW Office of Liquor Gaming and Racing

Internal

- Community Place
- Electrical Trades and Services
- Economic Development
- Transport and Stormwater
- Waste
- Communications

Looking After Our People

Planning & Policy Implications

This process is directly linked to the Alcohol use on Public reserves and Beaches Policy 2010.

Financial & Economic Implications

The event has been planned with the local businesses and it is intended to allow consumption of food and alcohol within the street zone.

The event is being financially supported by the surrounding businesses and has proved to be economically successfully for all that participated in the first event on 13 March 2015.

Attachments

- 1[View](#). 2014-2018 Alcohol Free Zone Map
- 2[View](#). Local Government Act 1993 - AFZ
- 3[View](#). Clarence Place Street Food Festival Proposed Layout

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: 11.01

Subject: DIGITAL STRATEGY - PUBLIC EXHIBITION REPORT

Presented by: Community & Economic Growth, Tricia Bulic

Alignment with Delivery Program

3.4.1 Advocate and lobby government for implementation of the National Broadband Network as soon as possible.

RECOMMENDATION

That Council:

- 1. Note the submissions made in response to the exhibition of the draft Port Macquarie-Hastings Digital Strategy.**
- 2. Adopt the Port Macquarie-Hastings Digital Strategy with the inclusion of changes as identified within the report.**

Executive Summary

A draft Port Macquarie-Hastings Digital Strategy was developed to provide Council with an approach to improving local digital engagement and infrastructure.

During the recent public exhibition period, nine submissions and 18 survey responses were received from local business and community members.

It is proposed that Council adopt the strategy, with proposed alterations to the document, as outlined in this report.

Discussion

Background

Council's 2013-2016 Economic Development Strategy identified a need to:

- Develop and implement a digital strategy so as to maximise current technologies and future opportunities. (Action 21)*

The draft Digital Strategy builds on the work undertaken in late 2014, when Council undertook an *Infrastructure Gap Analysis* project. This project considered local telecommunications (and transport) infrastructure gaps which have the potential to constrain future economic development.

The *Infrastructure Gap Analysis* report identified the following priorities, in terms of the need to further identify and define strategies to address telecommunication gaps:

1. Creation of a central source of information and knowledge potentially hosted by Council;

Helping Our Community Prosper

2. The facilitation of a forum for the engagement of stakeholders, service providers and other levels of government;
3. The engagement with other levels of government; and
4. The identification of a specific case study area with specific issues that could be surveyed, analysed and resolved. It is considered that such a case study would provide a valuable learning and scoping opportunity for Council in the area of telecommunications.

The *Infrastructure Gap Analysis* report also supported the development of a Digital Strategy to define Council's role in addressing local telecommunications gaps.

The draft Port Macquarie-Hastings Digital Strategy was developed in close consultation with the Hastings Business Hub (which includes representatives from local business networks and Chambers of Commerce). Prior to Council endorsement of public exhibition in March 2015, the Strategy was endorsed by the Hastings Business Hub and Council's Economic Development Steering Group (EDSG). The revised draft Strategy was considered at the 6 May Economic Development Steering Group meeting and endorsed with minor amendment.

Strategy Summary

The Strategy has the following vision:

High speed broadband infrastructure contributes to Port Macquarie-Hastings as a great place to do business. Our businesses are actively engaged in maximising the benefit from this.

This reflects the Strategy's two pronged approach - focusing on both the supply of and demand for high speed broadband. The overall objectives of the strategy are to:

1. Expand the opportunities to access high speed broadband; and
2. Support business and industry to maximise the benefit of high speed broadband and other digital technology.

The key outcomes identified in the Strategy are:

- Business-led engagement, leadership and innovation
- Excellent infrastructure
- Vibrant public spaces for our community and visitors
- Central point of information and knowledge

It is proposed that Strategy implementation will involve Council working with a range of stakeholders including other government agencies, industry, local business networks and the education sector. Many of the actions identified in the Strategy focus on promoting the benefits of digital engagement through information sharing, education and awareness to ensure there is sufficient uptake to attract further infrastructure investment by high speed broadband and digital technology providers.

Public exhibition

During public exhibition, feedback was received via online submissions and a short pmhclisting website survey. Overall, the draft was well received, with some constructive suggestions that have resulted in amendments to the draft (refer Attachments 1 and 2 for the submissions and survey reports)

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- The website was visited by 232 people with 86 taking steps to gather more information.
- 22 people looked at the strategy document.
- 18 people completed the survey (with one duplicate)
- 9 people completed a submission.

Strategy Revisions

In response to the feedback, additional detail has been added to explain the background to the Strategy, the meaning of the outcomes, and their value and relevance to the wider community. While this strategy focuses primarily on key local business and industrial precincts, it also notes the benefits to the broader community and businesses that will come with improved digital infrastructure in the region.

Feedback from the community highlighted the importance of mobile coverage in urban and rural areas. Information in this regard is very limited, so proposed action focuses around research and advocacy.

Maps included in the report have been updated to reflect the updates from NBN Co and to include Lake Cathie. Since public exhibition of the strategy, Council's business confidence survey has revealed updated data on business usage of digital technology which has been included in the revised draft.

Options

1. Adopt the draft Digital Strategy as drafted and attached to this report.
2. Refer the draft strategy back to the Economic Development Steering Group / Council staff for further amendments.

Community Engagement & Internal Consultation

| Submission | | Issue |
|------------|--|--|
| 1. | Justyn Walker (Communications Manager, RDA Mid North Coast) | <ul style="list-style-type: none"> • Suggest a need for more information/explanation to support the five strategic goals and the outcomes/actions table. • Suggests surveying the business community rating which points are most important to them and then a graph showing the areas of industry priority. • Interested to see where mobile blackspots rank in terms of community priority. |
| | Response/Comment: | <ul style="list-style-type: none"> • Additional section included in the revised strategy. |
| 2. | Margaret Dafter (Resident) | <ul style="list-style-type: none"> • Any improvements to the current internet wireless service would be beneficial. • Experiences many difficulties with slow internet and can't access NBN cable or satellite wireless. |

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| | | |
|----|--|--|
| | Response/ Comment: | <ul style="list-style-type: none"> Feedback has been noted and considered in the revised draft. |
| 3. | Geoffrey Roberts (Resident) | <ul style="list-style-type: none"> The strategy does not mention Lake Cathie or show it on the maps. NBN available at the Ocean Club Resort but the Lake Cathie exchange is limited with no room for expansion. Would like to see that Lake Cathie and Laurieton are considered in the strategy. |
| | Response/ Comment: | <ul style="list-style-type: none"> Ocean Club Resort falls under the new developments 100+ lots category meaning it is automatically eligible for fixed line NBN services. Lake Cathie and Laurieton consideration included in the strategy. |
| 4. | John Hanlon (Resident) | <ul style="list-style-type: none"> "Digital" needs to be explained. Need for greater detail on the issue of mobile coverage e.g. it should highlight that urban <i>and</i> rural areas have inadequate mobile coverage. |
| | Response/ Comment: | <ul style="list-style-type: none"> A definition of 'digital' has been included in the revised Strategy. It has been noted that greater detail on mobile coverage is required, but there is currently limited information available. The implementation of the strategy will endeavour to address this. |
| 5. | Brook Sneddon (BMS Network Solutions) | <ul style="list-style-type: none"> Vertel provide high speed 1:1 contented broadband services to Port Macquarie's small and medium business community. Symmetrical 10Mbps or 20Mbps with carrier class availability. Coverage maps attached as supporting files. |
| | Response/ Comment: | <ul style="list-style-type: none"> Information has been noted and will be considered in the implementation of the Strategy. |
| 6. | Heather Smith (Owner, Oakvale Farm) | <ul style="list-style-type: none"> Concerns over isolation of small businesses operating outside of town and cities. Strategy should consider zones in our region that are outside the larger populous making particular note of the agricultural industry which does not always see the benefits of technology advances as they happen. |
| | Response/ Comment: | <ul style="list-style-type: none"> Feedback noted and considered in the revised Strategy. |

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| | | |
|----|---|---|
| 7. | Chris Simon (Local Business Development Specialist, Telstra) | <ul style="list-style-type: none"> Telstra Wi-Fi hotspots trial throughout the CBD of Port Macquarie as part of a national trial started late 2014 and is open until June 2015 and allows public access 30minutes of unmetered internet per day. Since installations hotspots have been well used - Clarence St location data consumption was 103GB (630 clients approx), 190 GB (260 clients) at Lord St location. Telstra aims to offer Australians (Telstra and non-telstra customers) access to two million wi-fi hotspots across nation in five years into community areas, social precincts, shopping strips, business centres and transport hubs. |
| | Response/ Comment | <ul style="list-style-type: none"> Information has been noted and will be considered in the implementation of the Strategy. |
| 8. | Kenneth W Flemming (Resident) | <ul style="list-style-type: none"> Lake Cathie is not included in any of the three maps. Enquired whether Lake Cathie is on the NBN list to be considered and if there is a timeframe. |
| | Response/ Comment: | <ul style="list-style-type: none"> Feedback noted and the maps have been amended to reflect planned and current availability of NBN in Lake Cathie. |
| 9. | Caleb Rose (North Coast TAFE) | <ul style="list-style-type: none"> Little commentary on employment opportunities offered by an enhanced digital capacity in the region - a critical outcome for the local economy. North Coast TAFE support the 'Outcomes and Actions' identified in the draft strategy and are willing to be active contributors to achieving some of those outcomes including but not limited to training and up-skilling. Will be pleased to be a significant player in promoting and supporting education opportunities and information sharing. North Coast TAFE's Information Technology Industry Services are willing to lead a working party tasked to advocate and facilitate development of programs and collaborative models for digital education, training and capability building workshops. Will contribute venues, networks, expertise and people to IT events that drive awareness and education. Notes the initiative of Council in developing this strategy and is pleased to offer support wherever possible. |

Helping Our Community Prosper

| | | |
|--|-------------------------------|--|
| | Response/ Comment: | <ul style="list-style-type: none">Feedback noted and will be considered in the implementation of the Strategy. |
|--|-------------------------------|--|

Planning & Policy Implications

Nil specific to Council. Adoption of this strategy will establish a roadmap for greater digital engagement and infrastructure in the local government area.

Financial & Economic Implications

Financial

Costs associated with the plan relate to staff and/or financial support. These will be funded from the Economic Development Budget.

Economic

The Strategy adoption has no direct economic impact. Improvements in digital engagement as a result of the strategy may be reflected in improved local business and economic outcomes or greater incentives for further investment in the region.

Attachments

- 1[View](#). Draft Digital Strategy Submissions Report
- 2[View](#). Draft Digital Strategy Survey Report
- 3[View](#). Port Macquarie-Hastings Digital Strategy 2015

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: 12.01

Subject: DA2015 - 0129 - DWELLING, SWIMMING POOL AND BOAT RAMP INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDING) UNDER PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 32, DP 1069338, 74 THE ANCHORAGE, PORT MACQUARIE

Report Author: Matt Rogers

| | |
|--------------------------|---|
| Property: | Lot 32 DP 1069338, 74 The Anchorage, Port Macquarie |
| Applicant: | Collins W Collins |
| Owner: | P B & T A Stewart |
| Application Date: | 2 March 2015 |
| Estimated Cost: | \$857,450 |
| Location: | Port Macquarie |
| File no: | DA2015 - 129.1 |
| Parcel no: | 45331 |

Alignment with Delivery Program

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

RECOMMENDATION

That the determination of DA2015 - 0129 for a dwelling, swimming pool and boat ramp including clause 4.6 objection to clause 4.3 (height of building) under Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 32, DP 1069338, No. 74 The Anchorage, Port Macquarie, be noted.

Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegation. Granting consent involved use of Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.3 (building height) by not more than 10%.

The development incorporated a 9.22m building height which was a variation from the applicable 8.5m building height standard of 8.47% or 720mm.

The Department of Planning and Infrastructure circular PS 08-003 provides for the Director General's assumed concurrence.

Looking After Our Environment

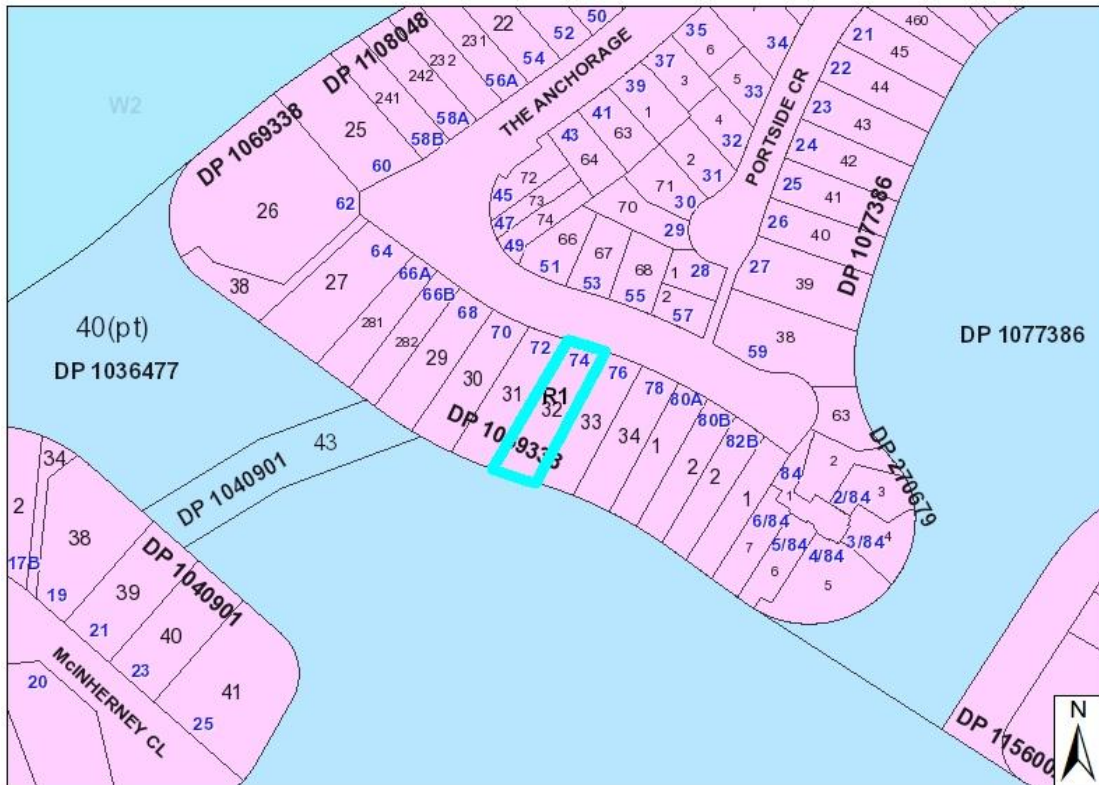
The Department's circular PS08-014 further reminds councils of their assumed concurrence role in relation to SEPP 1 and Clause 4.6 LEP variations. The circular advises that where Clause 4.6 variations are approved under delegated authority that Council be advised of the decision made and it be appropriately recorded.

1. BACKGROUND

Existing sites features and Surrounding development

The site has an area of 876.7m².

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:



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

Looking After Our Environment



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of dwelling, swimming pool and boat ramp

Refer to attachments at the end of this report.

Attachments

1 [View](#). DA2015 - 0129 Approved Plans

2 [View](#). DA2015 - 0129 Consent Approval

Looking After Our Environment

Item: 12.02

Subject: DA2015 - 0030 - ADDITIONS TO DWELLING INCLUDING CLAUSE 4.6
OBJECTION TO CLAUSE 4.3 (HEIGHT OF BUILDINGS) OF PORT
MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT
LOT 377 DP 236950, 31 VENDUL CRESCENT, PORT MACQUARIE

Report Author: Matt Rogers

| | |
|--------------------------|---|
| Property: | Lot 377 DP 236950, 31 Vendul Crescent, Port Macquarie |
| Applicant: | Wayne Ellis Architect |
| Owner: | A J Brinkman |
| Application Date: | 1 April 2015 |
| Estimated Cost: | \$367,582 |
| Location: | Port Macquarie |
| File no: | DA2015 - 0030 |
| Parcel no: | 24362 |

Alignment with Delivery Program

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

RECOMMENDATION

That DA2015 - 0030 for additions to dwelling including Clause 4.6 variation to Clause 4.3 (height of buildings) of Port Macquarie-Hastings Local Environmental Plan 2011, at Lot 377, DP 236950, 31 Vendul Crescent, Port Macquarie, be determined by Council.

Executive Summary

This report considers a development application for additions to a dwelling at the subject site and provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979.

Following exhibition of the application, two (2) submissions were received.

The application was considered by Council's Development Assessment Panel (DAP) on 8 April 2015 with the following staff recommendation:

That it be a recommendation to Council that DA2015 - 0030 for additions to dwelling including Clause 4.6 variation to Clause 4.3 (height of buildings) of Port Macquarie-Hastings Local Environmental Plan 2011, at Lot 377, DP 236950, 31 Vendul

Looking After Our Environment

Crescent, Port Macquarie, be determined by granting consent subject to the recommended conditions.

DAP was unable to reach a consensus.

David Fletcher moved the following motion:

That the application be deferred to enable the applicant to investigate reducing the void height between the first and second floor to 300mm and a corresponding reduction in overall roof ridge height be made.

David Troemel and Dan Croft supported the motion.

Paul Drake did not support the motion. The dissenting recommendation from Paul Drake was:

That it be a recommendation to Council that DA2015 - 0030 for additions to dwelling including Clause 4.6 variation to Clause 4.3 (height of buildings) of Port Macquarie-Hastings Local Environmental Plan 2011, at Lot 377, DP 236950, 31 Vendul Crescent, Port Macquarie, be determined by granting consent subject to the recommended conditions with amendments to conditions of consent as follows:

- *Amend condition A(4) by adding an additional numbered point to read; 'Building works are to be undertaken so as not to result in the damage or loss of existing vegetation on the site.'*
- *Additional condition in Section B of the consent to read: 'Prior to release of the construction certificate, the plans are to be amended to provide for opaque glass to the windows of the second floor ensuite and wardrobe.'*

Council is required to make a determination on the development application due to the extent of the proposed building height variation.

1. BACKGROUND

Existing sites features and Surrounding development

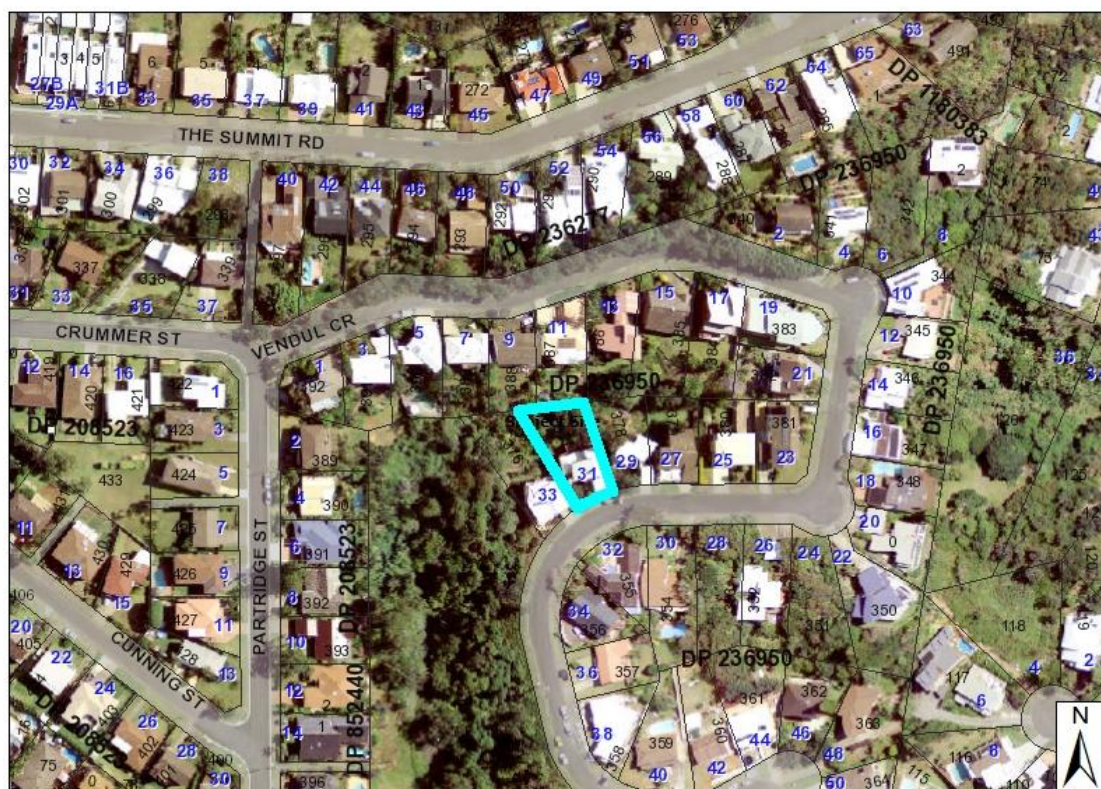
The site has an area of 733.5m².

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



Looking After Our Environment

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Additions to a single dwelling comprising 3 levels.
- Clause 4.6 variation is proposed to Clause 4.3 (Height of Buildings) of Port Macquarie-Hastings Local Environmental Plan 2011.

Refer to attachments at the end of this report.

Application Chronology

- 22/1/2015 - Application lodged with Council.
- 30/1/2015 to 12/2/2015 - Exhibition period.
- 30/1/2015 - Copy of exhibition material provided to neighbour.
- 12/2/2015 - Inspection of adjoining property 33 Vendul Crescent carried out by assessing officer.
- 13/2/2015 - Council staff requested additional information on the statement of environmental effects, bushfire assessment, revised plans and details of screening. Site inspection requested.
- 18/2/2015 - Inspection of adjoining property 29 Vendul Crescent carried out by assessing officer.
- 25 to 26/2/2015 - Applicant provided partial response to additional information request by providing revised statement of environmental effects and comment on screening. Revised plans and bushfire report to follow.
- 3/3/2015 - Following a request from one of the neighbours an update on the status of the application was provided by the assessing officer.
- 18 to 19/3/2015 - Bushfire report submitted by the applicant but was not accepted by Council staff. Revised report requested.
- 27 to 30/3/2015 - Discussion with neighbour regarding status of the application and process.
- 31/3/2015 - Site inspection of property completed. Revised bushfire report submitted by applicant. Additional detail on balustrade provided by the applicant to demonstrate screening.
- 1/4/2015 - Revised plans submitted in response to Council's request for additional information dated 13/2/2015. Further discussion between Council staff and the applicant regarding clarifying the revised plans. A further updated set was provided.
- 7 to 8/4/2015 - Neighbour requested a copy of the revised plans and update on status of DA. Response and copy of plans provided to the neighbour by the assessing officer.

3. STATUTORY ASSESSMENT

Section 79C(1) Matters for Consideration

In determining the application, Council is required to take into consideration the following matters as are relevant to the development that apply to the land to which the development application relates:

Looking After Our Environment

- (a) The provisions (where applicable) of:
(i) any Environmental Planning Instrument:

State Environmental Planning Policy 44 - Koala Habitat Protection

There is no Koala Plan of Management on the site. Additionally, the site is less than 1ha in area therefore no further investigations are required.

State Environmental Planning Policy 55 – Remediation of Land

In accordance with clause 7, following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

State Environmental Planning Policy 62 - Sustainable Aquaculture

In accordance with clause 15C, given the nature of the proposed development, proposed stormwater controls and its location; the proposal will be unlikely to have any identifiable adverse impact on any existing aquaculture industries

State Environmental Planning Policy 71 – Coastal Protection

The site is located within a coastal zone as defined in accordance with clause 4 of SEPP 71.

In accordance with clause 5, this SEPP prevails over the Port Macquarie-Hastings LEP 2011 in the event of any inconsistency.

Having regard to clauses 8 and 12 to 16 of SEPP 71 and clause 5.5 of Hastings LEP 2011 inclusive the proposed development will not result in any of the following:

- a) any restricted access (or opportunities for access) to the coastal foreshore
- b) any identifiable adverse amenity impacts along the coastal foreshore and on the scenic qualities of the coast;
- c) any identifiable adverse impacts on any known flora and fauna (or their natural environment);
- d) being subject to any identifiable adverse coastal processes or hazards;
- e) any identifiable conflict between water and land based users of the area;
- f) any identifiable adverse impacts on any items of archaeological/heritage;
- g) reduce the quality of the natural water bodies in the locality.

In particular, the site is located within an area zoned and already developed for residential purposes. It is considered that the height and bulk of the proposed dwelling additions is consistent with others in the area and would blend in with the existing house forms.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

In accordance with clause 6, a BASIX certificate (number A208975) has been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified at Occupation Certificate stage.

Looking After Our Environment

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The subject SEPP does not apply as the proposal has been lodged as a standard development application.

Port Macquarie-Hastings Local Environmental Plan 2011

In accordance with clause 2.2, the subject site is zoned R1 General Residential.

In accordance with clause 2.3(1) and the R1 zone landuse table, the proposed development for additions to a single dwelling is a permissible landuse with consent.

The objectives of the R1 zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

In accordance with clause 2.3(2), the proposal is consistent with the zone objectives, particularly as the proposal is a permissible landuse and is consistent with the established residential locality. The additions result in a house type and density that provides individual variations but is consistent with the overall bulk and scale of other surrounding houses.

In accordance with clause 4.3, the maximum overall height of the proposal from ground level (existing) is 12.996m which does not comply with the standard height limit of 8.5m applying to the site.

Pursuant to Clause 4.6(3), consent must not be granted for a proposal that contravenes a development standard unless the consent authority has considered a written request from the applicant that justifies the variation by showing that the subject standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify the contravening of the standard.

As a result of the above, the applicant submitted a Clause 4.6 variation to the standard based on the following reasons:

1. Level 2 is existing and is currently a bedroom, ensuite and robe. The proposed addition is an extension of this level by adding a kitchen and living area. The resultant height difference is minimal but the extent of the area exceeding the height limit has been increased.
2. The slope on the subject site and adjoining properties falls away dramatically from the street and hence the pole type construction. As described in point 1, a height variation already exists and a similar concession has been afforded to the existing residence and also neighbouring properties.
3. To obtain reasonable views, access and orientation, the residence needs to have floor levels relative to the street frontage, as proposed.
4. The proposal does not adversely affect the neighbouring properties in respect of views or privacy. This application is conscious of the past privacy issue and has taken steps via distance and screening to avoid any privacy conflict.
5. The completion of this residence will provide for better outcomes in respect to liveability, views attainable and orientation.

Having considered the application and Clause 4.6 variation, the variation is considered acceptable for the following reasons:

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1. The building design has had regard for views from adjoining properties and does not create any significant impact. In addition, areas of the design that do create a partial impact on view actually comply with the height limit (i.e. the area of the building towards the street). Refer to view sharing comments later in this report.
2. The bulk and scale of the development is consistent with other development in the immediate area.
3. The site is steep and strict compliance with the standard is unreasonable given this constraint.
4. The building contains open areas and articulation to break up the bulk of the building.
5. The north south aspect of the properties along this section of Vendul Crescent will ensure overshadowing impacts are minimal.
6. Windows and outlook from the development are focused on the rear yard and distant views to the south/south west rather than adjoining neighbours. Windows on side boundaries have been minimised, have obscure glass, are small in size, use hoods around windows to restrict angle of view, are associated with low activity areas or are to be screened. The existing deck has screening conditioned under a previous application while the new second level deck is further setback from adjoining properties and will employ thick balustrades to eliminate downward views.
7. The design provides a suitable height that has regard for the current legislative height controls and what has actually been built in the area to date.

As per Planning Circulars PS 08-003 & 08-014, Council has assumed concurrence for dealing with variations to height controls. Concurrence from the Department of Planning and Environment is therefore not required. However, the variation is over 10% of the standard and will therefore need to be determined by Council as per the circulars.

Based on the above, the development is consistent with the height control objectives and also the zoning objectives as discussed previously in this report. It is recommended that the Clause 4.6 variation to Clause 4.3 be supported.

In accordance with clause 4.4, the applicant nominated a floor space ratio of 0.46:1, which complies with the maximum 0.65:1 floor space ratio applying to the site. Council staff calculated the revised floor plans to have a maximum floor space ratio of 0.6:1, which also complies.

In accordance with clause 7.13, satisfactory arrangements are in place for provision of essential public utility infrastructure.

(ii) Any draft instruments that apply to the site or are on exhibition:

None relevant.

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(iii) any Development Control Plan in:

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development

| | Requirements | Proposed | Complies |
|---------|---|---|--------------------|
| 3.2.2.2 | <p>Articulation zone:</p> <ul style="list-style-type: none"> • Min. 3m front setback • 25% max. width of dwelling | Refer to comments below. | N/A |
| | <p>Front setback (Residential not R5 zone):</p> <ul style="list-style-type: none"> • Min. 6.0m classified road • Min. 4.5m local road or within 20% of adjoining dwelling if on corner lot • Min. 3.0m secondary road • Min. 2.0m Laneway | <p>The development and surrounding properties already have building elements forward of the 4.5m requirement. On the subject site, the existing garage is forward of the 4.5m requirement.</p> <p>There is an addition to the garage proposed but it is considered minor and is positioned behind the façade of the existing garage.</p> <p>The south west tip of the proposed second floor living room also encroaches onto the front setback by approximately 300mm for an area of 0.2m².</p> <p>The remainder of the building and additions will be setback the required 4.5m.</p> <p>Based on the above, the two variations are considered minor and will not be readily evident from the street when compared to the other existing variations in the street. The streetscape will therefore not be adversely affected.</p> | No but acceptable. |
| 3.2.2.3 | <p>Garage 5.5m min. and 1m behind front façade.</p> <p>Garage door recessed behind building line or eaves/overhangs provided</p> | Refer to above comment. | No but acceptable. |

Looking After Our Environment

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development

| | Requirements | Proposed | Complies |
|---------|---|--|---------------------|
| 3.2.2.4 | 4m min. rear setback. Variation subject to site analysis and provision of private open space | The development is setback over 4m from the rear boundary. | Yes |
| 3.2.2.5 | Side setbacks: <ul style="list-style-type: none"> • Ground floor = min. 0.9m • First floors & above = min. 3m setback or where it can be demonstrated that overshadowing not adverse = 0.9m min. • Building wall set in and out every 12m by 0.5m | <p>As the development is predominately raised on stilts, the 3m setback requirement is the more relevant standard to utilise. In particular, little of the development is actually located on ground level. As a result, the proposed development contains variations on both side boundaries. Where the variations occur, privacy is considered to have been retained via the use of a combination of compliant separation, screens, obscure glass windows, positioning of room types, high sill windows, hoods around windows and wider balustrades to restrict angle of views. Openings have also been provided to focus on the properties rear yard or distant vistas, rather than neighbouring properties.</p> <p>In addition, whilst variations are proposed, there are significant portions of the building that are setback further than the required 3m. This also helps to provide articulation and reduced bulk.</p> <p>The north south orientation of the lots ensures suitable solar access to key living areas.</p> <p>There are also no unarticulated sections exceeding 12m.</p> | No, but acceptable. |

Looking After Our Environment

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development

| | Requirements | Proposed | Complies |
|----------|---|---|---------------------|
| 3.2.2.6 | 35m ² min. private open space area including a useable 4x4m min. area which has 5% max. Grade and directly accessible from ground floor living area. | The development contains over 35m ² open space area and a 4m x 4m area directly accessible from a living room. Due to the stilt design addressing slope, access to ground level open space is via the side of the house. The proposed deck areas more than compensate for such a site constraint with deck areas exceeding 35m ² . | Yes |
| 3.2.2.7 | Front fences: <ul style="list-style-type: none"> • If solid 1.2m max height and front setback 1.0m with landscaping • 3x3m min. splay for corner sites • Fences >1.2m to be 1.8m max. height for 50% or 6.0m max. length of street frontage with 25% openings • 0.9x0.9m splays adjoining driveway entrances • Front fences and walls to have complimentary materials to context | A 2.1-2.2m high front courtyard fence is proposed. The variation to height is created by the steep downward slope away from the street. The variation is offset by having a greater 1.5m setback to the street and provision of landscaping. In addition, due to the downward slope, the fence will have the appearance of being only 1.8m high from the street (i.e. the lower part of the fence will be obscured by the slope of the land). Based on the above, the variation to the fence will not impact on streetscape while at the same time the fence will define the frontage and provide privacy to the residents. The upstairs living areas with street facing windows will maintain suitable street surveillance. | No, but acceptable. |
| 3.2.2.8 | No chain wire, solid timber, masonry or solid steel front fences | None proposed. | |
| 3.2.2.10 | Privacy: | Direct views between living areas of adjacent dwellings | Yes |

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DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development

| | Requirements | Proposed | Complies |
|--|---|--|----------|
| | <ul style="list-style-type: none"> • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. i.e. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m • Privacy screens provided to balconies/verandahs etc which have <3m side/rear setback and floor level height >1m | and also living areas to private open space areas have been avoided via the use of a combination of compliant separation, screens, obscure glass windows, positioning of room types, high sill windows, hoods around windows and wider balustrades to restrict angle of views. Openings have also been provided to focus on the properties rear yard or distant vistas, rather than neighbouring properties. | |

DCP 2013: General Provisions

| | Requirements | Proposed | Complies |
|---------|--|--|----------|
| 2.7.2.2 | Design addresses generic principles of Crime Prevention Through Environmental Design guideline | The proposed development contains limited concealment and entrapment areas. Where concealment areas are created, surveillance is provided either by the dwelling or the street. In addition, the owner has the option of installing sensor lights and CCTV if necessary. | Yes |
| 2.3.3.1 | Cut and fill 1.0m max. 1m outside the perimeter of the external building walls | The use of the stilt design has eliminated the use of any major cut or fill. | Yes |
| 2.4.3 | Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater | Refer to main body of report. | Noted |

Looking After Our Environment

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development

| | Requirements | Proposed | Complies |
|---------|---|--|----------|
| 2.5.3.3 | Parking in accordance with Table 2.5.1. 1 space per single dwelling (behind building line) | The dwelling retains in excess of one parking space within garage. | Yes |

(iiiia) any planning agreement that has been entered into under Section 93f or any draft planning agreement that a developer has offered to enter into under Section 93f:

None relevant.

iv) any matters prescribed by the Regulations:

New South Wales Coastal Policy

The proposed development is consistent with the objectives and strategic actions of this policy.

Demolition of buildings AS 2601 - CI 66 (b)

To be conditioned to comply.

v) any coastal zone management plan (within the meaning of the [Coastal Protection Act 1979](#)), that apply to the land to which the development application relates:

None relevant.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, social and economic impacts in the locality:

Context & Setting

- The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.
- The proposal is considered to be consistent with other residential development in the locality and adequately addresses planning controls for the area.
- While there will be a partial impact on view sharing, it is considered within an acceptable level.
- There is no adverse privacy impacts (refer to discussion under DCP section above and submission section below).
- There is no adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

View Sharing

During the public exhibition period, concern surrounding view loss was raised.

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An inspection of neighbouring properties and a view sharing image provided by the applicant triggered the need for consideration of view impacts in this case. It should be noted that the use of height poles etc was not considered warranted in this case as the plans and existing roof profile made it possible to delineate onsite where the new building will go and associated view impact.

The overall notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. Taking all the view away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.

Using the principles of NSW Land and Environment Court case law - *Tenacity Consulting v Warringah 2004 NSW LEC 140*, the following comments are provided in regards to the view impacts using the 4 step process to establish whether the view sharing is acceptable.

Step 1

Assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

Comments: The view corridor from the affected residence at 29 Vendul Crescent is orientated towards the south, south west and west toward Lighthouse Beach, Lake Cathie, Bonny Hills, Laurieton and Dunbogan, including hinterland areas to the west. Overall, 29 Vendul Crescent enjoys both ocean, land water interface and hinterland views. Included in the hinterland views are the mountain features of North Brother and Jolly Nose. The view of North Brother and Jolly Nose are considered to have iconic views aspects.

Step 2

Consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

Comments: Views are enjoyed from 29 Vendul Crescent across the front boundary. The views are enjoyed from both standing and sitting positions from various parts of the dwelling with the most prevalent being from the upstairs living area and balcony.

Step 3

Assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

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Comments: The extent of the impact upon the views enjoyed from 29 Vendul Crescent are considered to be acceptable for the following reasons:

- The existing views of the ocean, land/water interface and North Brother will remain virtually unaffected from key living areas.
- While parts of the hinterland view will be lost, the design does maintain partial hinterland views. The hinterland views are not considered as iconic or important as the land water views.
- Only part of the view to Jolly Nose will be lost depending on where one stands in the living room and adjoining balcony. In addition, the section of the proposed dwelling which creates the view loss impact on Jolly Nose complies with the height requirements.
- Where views are impacted more substantially is from the lesser use areas of the house.
- The majority of view loss occurs across a side boundary which is considered to have lesser determinative weight.

Step 4

Assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

Comments: The proposal contains a number of variations. However it is considered that the variations do not result in any adverse loss of view. As detailed above, key views from the primary living area will still be retained.

Based on the above, the proposed development is considered to achieve a suitable level of view sharing.

Access, Transport & Traffic

The proposal will be unlikely to have any adverse impacts in terms access, transport and traffic. The existing road network will satisfactorily cater for any increase in traffic generation as a result of the development.

Utilities, Water, Sewer & Stormwater

The proposed development will not impact on existing services.

Soils

The proposed development will be unlikely to have any adverse impacts on soils in terms of quality, erosion, stability and/or productivity subject to a standard condition requiring erosion and sediment controls to be in place prior to and during construction.

Air & Micro-climate

The operations of the proposed development will be unlikely to result in any adverse impacts on the existing air quality or result in any pollution.

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Flora & Fauna

Construction of the proposed development will not require removal/clearing of any significant vegetation and therefore will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna. Section 5A of the Act is considered to be satisfied.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated.

Energy

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of BASIX.

Noise & Vibration

Noise impacts are considered capable of being managed. Standard construction hours and restrictions will apply.

Natural Hazards

The site is identified as being bushfire prone. The applicant has submitted a bushfire report, which recommends a Bushfire Attack Level (BAL) of BAL 29. Asset Protection Zones are provided either onsite or via adjoining properties, which is accepted practice in existing built up areas. The details provided are acceptable and to be reinforced via conditions.

Contamination Hazards

Refer to comments on SEPP 55 above in this report. No impact.

Safety, Security & Crime Prevention

The proposed development contains limited concealment and entrapment areas. Where concealment areas are created, surveillance is provided by the dwelling or street. In addition, the owner has the option of installing sensor lights and CCTV if necessary.

Social Impact in the Locality

Given the nature and type of development proposed, no adverse social impacts foreseen.

Economic Impact in the Locality

No adverse impacts. Likely positive impacts can be attributed to the construction of the development and associated flow on effects (i.e. maintained employment in the construction industry and associated expenditure in the area).

Site Design and Internal Design

The proposed design satisfactorily responds to the site attributes and will fit into the locality. No adverse impacts likely.

Deposited Plan and 88B Instrument

The deposited plan and 88B instrument for the site were created in 1968. There is a restriction on the subject lot and adjoining lots that no buildings be allowed forward of a nominated point. This does not appear to have been enforced with various

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developments encroaching on such an area not only on the subject site but adjoining properties.

Construction

While there may be some standard short term impacts associated with a construction site (i.e. loss of off street parking due to construction workers, construction noise etc), no long term impacts to neighbouring properties will occur. In addition, standard conditions will be recommended to restrict hours of construction.

Cumulative Impacts

The proposed development is not expected to have any adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality.

The height of the building and variation is consistent with other houses in the area as property owners address the steep terrain.

(c) The suitability of the site for the development:

While there are a number of variations proposed, it is considered that suitable justification has been provided in this case to ensure the development is consistent with other development in the area. In this regard, the development is considered to still satisfy relevant planning controls for the area and is not expected to impact adversely on the wider public interest.

Site constraints have been adequately addressed and appropriate conditions of consent recommended.

(d) Any submissions made in accordance with this Act or the Regulations:

Two written submissions have been received following public exhibition of the application.

Key issues raised in the submissions received and comments in response to these issues are provided as follows:

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| Submission Issue/Summary | Planning Comment/Response |
|---|--|
| <p>Height variation not acceptable and should be reduced. There is no precedent for such a variation and bulk. The void between the first and second floor is unnecessary.</p> | <p>Refer to comments on Clause 4.3 and Clause 4.6 in the LEP section of this report. The height variation is considered acceptable.</p> <p>The removal of the void will not result in a substantial change to the design that would create any noticeable improvement to surrounding areas. The void allows for consistent floor levels throughout the building.</p> |
| <p>Remove top deck and windows that face west or move back further. Loss of privacy to the west. The western view from 31 Vendul Crescent will be lost in the near future as vegetation grows. Therefore, the focus of 31 Vendul Crescent to the west to obtain views will no longer be valid but will be done at the expense of long term privacy to 29 Vendul Crescent.</p> | <p>Direct views between living areas of adjacent dwellings and also living areas to private open space areas have been avoided via the use of a combination of compliant separation, screens, obscure glass windows, positioning of room types, high sill windows, hoods around windows and wider balustrades to restrict angle of views. Openings have also been provided to focus on the properties rear yard or distant vistas, rather than neighbouring properties.</p> <p>The view sharing plan (in the attachments of this report) shows that for the most part, the unscreened top deck complies with the setback requirements of Council's DCP, especially when factoring in the height of the deck (i.e. vertical separation also needs to be considered). The thicker balustrades will also limit downward view angles into the neighbouring yard.</p> <p>The only area of the deck that does not comply is a small section of the south west corner. A conscious effort would need to be made to stand in such an area and look back at the neighbouring property. A screen in this area is not warranted and would impact on views from other parts of the proposed dwelling/deck looking west (not at the dwelling). It is noted that there is a living room window on the first floor that is shown to be unscreened. A condition will be imposed to install screening to this window.</p> <p>Comment on the view being lost in the future is noted but it is also felt that the design does not result in a loss of privacy. In addition, the view of tree canopy to the west as opposed to a distant view is not necessarily a negative for 31 Vendul Crescent.</p> <p>Based on the above, the location of the deck and windows are considered acceptable.</p> |
| <p>The development proposes a number of variations to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Council</p> | <p>The subject legislation does not apply to this development application.</p> |

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| should ensure compliance. | |
| Setback to western 7.5m high wall to be moved to a 1.7m setback or the wall height reduced. | The wall and setback are no different to an 8.5m high compliant wall on a dwelling being setback at 900mm, which is allowed under DCP 2013 (subject to a merit assessment). The setbacks have been assessed on merits in the DCP 2013 section of this report. |
| The proposed Colorbond fence is to be removed from the plans. | Council does not require the fence and therefore the agreement to install such a fence is a civil matter to be determined under the <i>Dividing Fences Act 1991</i> . |
| Privacy screens and windows should meet State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. | While the SEPP does not apply, it is agreed that where screening is proposed on the plans, it will be conditioned to meet the requirements in the SEPP to ensure consistency and a referenced standard to check compliance. |
| Garage used for storeroom for business and not garage. This results in cars being parked on the road. Council should condition vehicles be parked in proposed parking areas. | A garage has been nominated on the plans. Should the garage be changed to a different use, than such an issue can be investigated as a separate compliance matter. In addition, it is not Council practice to require cars (associated with dwellings) to be parked in garages. Council provides home owners the option to park in their garage or legally on the street. The key is that parking area is provided off street, which in this case the development has done so. |
| Lighting to be specified so as not to create light pollution. | Light spill is common in residential areas with people having different lifestyles and work times. However, the key is to ensure a light is not directed specifically at an adjoining property. As a result, a condition will be imposed that any external lighting is not directed onto adjoining properties. |
| The development should reduce floor level sizes and move them towards the street. | The floor space ratio of the property complies with the legislative standard. In addition, the bulk of the building is consistent with others in the area. In terms of moving the development towards the street, this would result in view loss to 29 Vendul Crescent. It is considered that the current design achieves a suitable mix of view sharing, privacy and amenity. |
| The application should be submitted in Mr Perri's name instead of A Brinkman. | There is no legal requirement for this. Anyone can lodge a development application provided they obtain land owner consent. In this case the application was lodged by Wayne Ellis Architects and has the consent of the listed owner A Brinkman. |
| Privacy and soil erosion to be monitored during construction. | Standard soil erosion conditions will be conditioned and can be monitored and checked by Council's Compliance Team during construction. The context of maintaining privacy during construction is a difficult one. It is not possible to maintain 100% privacy during construction as parts of the building may not be in place. For example, it |

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| | is not possible and would have little value installing obscure glass into a window if the frame is not finished. The open frame may create privacy implications but this is standard on construction sites and is normally only a short term impact. |
| Genuine builder to be used and monitored. Previous work was done onsite without approval and in a dodgy manner. Will the previous work hold up to the additions? | It is a requirement of the Construction Certificate process that a licensed builder or an approved owner builder be utilised. Applicant will be conditioned to provide structural certification of existing components of the building and their ability to accept the additional load. |
| The report does not include correct house numbers. | Noted. A revised report has been submitted correcting the street numbers. |
| Height should be validated before the release of the construction certificate. | The applicant has already had a survey done to establish levels. As an alternative, Council staff suggest that the height should be checked at the frame stage and this has been conditioned. If it is found to be incorrect, there is still time to amend the design to comply. |
| The deck floor sizes are too large for the block. The sizes need to be verified. | Council controls do not contain a maximum limit on allowable deck areas. Therefore, the deck areas proposed are compliant. The issue is to consider privacy, which has been dealt with previously in this report. Floor areas and dimensions have been checked by Council staff and are considered accurate. The applicant had a different floor space ratio to the assessing officer but this is common. Both the applicant and assessing officer's FSR figures were still below the permitted standard. |
| The development size and reduced setbacks will create overshadowing. | Following a site inspection, it is considered that due to the terrain of the area, orientation of lots and location of key living areas on adjoining properties; the development will not create any adverse overshadowing. While lower use areas will be overshadowed, the key living areas and yard spaces will remain predominately unaffected. The outdoor living area underneath the driveway of 33 Vendul Crescent and located on the southern side of the house is already significantly shaded. The location of the area under the driveway by its very nature is a heavily shaded area and receives very little sun penetration from the east. |
| Loss of view from 29 Vendul Crescent. Suggest the applicant eliminate the south west point on the top floor. | Refer to view sharing comments above in this report. Having reviewed the plans and the angle of the view, the removal of the point is not likely to provide any more view. The point would need to be substantially scaled back to make a difference and given the comments on view sharing, it is not |

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| | considered warranted. In particular, 29 Vendul Crescent will still retain views to the ocean, land water interface and key mountain features from living areas. |
| Views from study into 29 Vendul Crescent. Suggest screening. | Applicant has agreed to use obscure glass on the study windows and this will be reinforced through conditions. |
| The development should use muted colours and avoid bright reflective materials. | Given the views involved, it is agreed that they should not be hampered by reflective surfaces. Therefore, the use of muted non reflective colours will be conditioned. |
| The top floor windows should be screened to ensure the view from 29 Vendul Crescent is not looking into 31 Vendul Crescent. | The applicant has utilised a combination of high sill windows, obscure glass windows and hoods around windows on the eastern elevation to control the angle of views and provide screening. The rooms on the eastern elevation are also predominately low use areas (i.e. bedrooms, toilets). Potential does exist for a person using part of the living area deck of 29 Vendul Crescent to look into the southern part of the second floor living area of 31 Vendul Crescent. The applicant is reluctant to screen the subject window or install louvers as it would impact on the view from 31 Vendul Crescent to the south. Installing a larger single fin piece that juts out from the wall would eliminate the privacy issue but would also have a negative impact of reducing views from 29 Vendul Crescent towards the south and south west. Given the view from 29 Vendul into 31 Vendul is limited and at an angle; screening is not considered warranted in this case. |

(e) The Public Interest:

As detailed throughout the above report, the proposed development suitably satisfies relevant planning controls and is unlikely to impact on the wider public interest.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

There is an existing dwelling onsite with no additional dwellings or lots proposed. Therefore, contributions do not apply in this case.

5. CONCLUSION

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

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The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. It is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.

Attachments

- 1 [View](#). DA2015 - 0030 Plans
- 2 [View](#). DA2015 - 0030 Recommended Conditions
- 3 [View](#). DA2015 - 0030 Submission - Laing 04022015
- 4 [View](#). DA2015 - 0030 Submission - Laing 09022015
- 5 [View](#). DA2015 - 0030 Submission - Laing 12022015
- 6 [View](#). DA2015 - 0030 Submission - Robertson
- 7 [View](#). DA2015 - 0030 Additional Comments From Objector Presented at DAP Meeting - Laing
- 8 [View](#). DA2015 - 0030 Additional Comments From Objector Presented at DAP Meeting - Robertson

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Item: 12.03

Subject: DA2015 - 0114 - DWELLING INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.4 (FLOOR SPACE RATION) UNDER PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 18 DP 24185, 7 KALANG STREET, LAKE CATHIE

Report Author: Matt Rogers

Property: Lot 18 DP 24185, 7 Kalang St, Lake Cathie
Applicant: P & M Clancy
Owner: P & M Clancy
Application Date: 26 February 2015
Estimated Cost: \$382,500
Location: Lake Cathie
File no: DA2014 - 114.1
Parcel no: 10536

Alignment with Delivery Program

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

RECOMMENDATION

That the determination of DA2015 - 0114 for a dwelling including clause 4.6 objection to clause 4.4 (floor space ratio) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 18, DP 24185, No. 7 Kalang St, Lake Cathie, be noted.

Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegated authority. Granting consent involved use of Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.4 (floor space ratio) by not more than 10%.

The development incorporated a floor space ratio of 0.70:1 which was a variation from the LEP standard of 0.65:1. This represents a 8% variation. The variation was considered acceptable as the development was not out of character with the existing locality and it did not result in adverse bulk and scale impacts. There were no adverse privacy, overshadowing or view loss impacts as a result of the development.

The Department of Planning and Infrastructure circular PS 08-003 provides for the Director General's assumed concurrence in this instance.

Looking After Our Environment

The Department's circular PS08-014 further reminds councils of their assumed concurrence role in relation to SEPP 1 and Clause 4.6 LEP variations. The circular advises that where Clause 4.6 variations are approved under delegated authority that Council be advised of the decision made and it be appropriately recorded.

1. BACKGROUND

Existing sites features and Surrounding development

The site has an area of 461.6m².

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:



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

Looking After Our Environment



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction of two storey dwelling

Refer to attachments at the end of this report.

Attachments

1 [View](#). DA2015 - 0129 Approved Plans

2 [View](#). DA2015 - 0129 Consent Approval

Looking After Our Environment

Item: 12.04

Subject: MERGER OF THE HASTINGS LGA COAST & ESTUARIES SUB-COMMITTEE AND THE HASTINGS LGA FLOODPLAIN SUB-COMMITTEE

Presented by: Development & Environment Services, Matt Rogers

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. Merge the Hastings LGA Coast & Estuaries Sub-Committee and the Hastings LGA Floodplain Sub-Committee to form the Coast, Estuary and Floodplain Advisory Sub-Committee.
2. Retain the existing membership of each Sub-Committee in the new Coast, Estuary and Floodplain Advisory Sub-Committee (but that vacancies in the Sub-Committees not be filled) and thank those members for their past and ongoing commitment to assisting Council.
3. Determine Councillor membership of the Coast, Estuary and Floodplain Advisory Sub-Committee.

Executive Summary

Estuary Management Sub-Committees were formed in the 1990s to assist Council with the development of Estuary Management Plans for the Hastings, Lake Cathie and Camden Haven estuaries. Over time, the form of the Sub-Committees as evolved and the current structure includes a Sub-Committee advising on coast and estuary management issues and a separate Sub-Committee advising on floodplain management issues.

Council has developed and adopted various management plans through these Sub-Committees.

Major policy development work has now been completed and Council is continuing with ongoing plan implementation (many actions have been completed). It will be necessary overtime to review the plans to ensure Council's management responses remain contemporary and relevant in the face of changing natural resource management and community priorities and it is considered that a single Sub-Committee structure is an appropriate mechanism to advise Council into the future.

Both the Hastings LGA Coast & Estuaries Sub-Committee and the Hastings LGA Floodplain Sub-Committee have agreed to be merged into a single Sub-Committee.

Looking After Our Environment

Discussion

Estuary Management Sub-Committees were formed in the 1990s to assist Council with the development of Estuary Management Plans for the Hastings, Lake Cathie and Camden Haven estuaries.

In the late 1990s, a working group of the Hastings River Estuary Management Sub-Committee was formed to advise Council on the development of a Floodplain Management Plan. The Working Group was subsequently constituted as a Sub-Committee to have carriage for advising Council on the development of Floodplain Management Plans for both the Hastings and Camden Haven River Estuaries.

As the policy development phase of estuary management planning came to a close, Council combined the individual Estuary Management Sub-Committees into the current Hastings LGA Coast & Estuaries Sub-Committee, to advise on both coastal and estuary management issues across the local government area.

During this time, Council has developed and adopted various management plans through these Sub-Committees including the:

1. Lake Cathie Estuary Management Plan
2. Camden Haven River Estuary Management Plan
3. Hastings River Estuary Management Plan
4. Camden Haven Floodplain Risk Management Plan
5. Town Beach Coastal Zone Management Plan
6. Hastings Floodplain Risk Management Plan
7. Lake Cathie Coastal Zone Management Plan

Major policy development work has now been completed and Council is continuing with ongoing plan implementation (many actions have been completed). It will be necessary overtime to review the plans to ensure Council's management responses remain contemporary and relevant in the face of changing natural resource management and community priorities and it is considered that a single Sub-Committee structure is an appropriate mechanism to advise Council into the future.

Both Sub-Committees have agreed to be merged into a single Sub-Committee and that future meetings should occur on a minimum six monthly basis with more frequent meeting occurring on an "as-needs" basis.

Follow-up correspondence was sent to all members of both Sub-Committees requesting any concerns or comments on the proposed merger. No objections, comments or suggestions were received on the proposed merger from Sub-Committee members.

In view of the in-principal agreement from both Sub-Committees, it is recommended that:

1. The Hastings LGA Coast & Estuaries Sub-Committee and the Hastings LGA Floodplain Sub-Committee be merged to form the Coast, Estuary and Floodplain Advisory Sub-Committee.

Looking After Our Environment

2. The existing membership of each Sub-Committee be retained in the new Coast, Estuary and Floodplain Advisory Sub-Committee but that vacancies in the existing Sub-Committees not be filled.
3. Council determine Councillor membership of the Coast, Estuary and Floodplain Advisory Sub-Committee.

One of the first tasks of a merged Sub-Committee will be to develop a draft Charter for endorsement by the Council.

Options

The following options are presented to Council for consideration:

1. Retention of the existing Sub-Committees in their current form.
2. Combination of the existing Sub-Committees to form a single Sub-Committee of Council (recommended option).
3. Disband the current Sub-Committee.
4. Determine an alternative Sub-Committee structure.

Given the importance of coastal, estuary and floodplain management issues in the local government area, and the benefit of maintaining community based networks to engage with stakeholders, it is recommended that the option canvassed by this report be endorsed by Council.

Community Engagement & Internal Consultation

The proposal for a merger was included as an item of business on the Sub-Committees' agendas for specific discussion. Each Sub-Committee supported the merger pending the approval of the other Sub-Committee.

Planning & Policy Implications

Nil.

Financial & Economic Implications

Nil.

Attachments

Nil

Looking After Our Environment

Item: 12.05

Subject: RECOMMENDED ITEM FROM HASTINGS LGA FLOODPLAIN SUB-COMMITTEE - DRAFT PORT MACQUARIE-HASTINGS FLOOD POLICY.DCP FLOOD DEVELOPMENT PROVISIONS

Presented by: Development & Environment Services, Matt Rogers

Alignment with Delivery Program

4.8.1 Carry out relevant studies to determine the likely extent of natural events and the impact of climate change, develop relevant mitigation strategies.

RECOMMENDATION

That Council place on public exhibition for 28 days the Draft Port Macquarie-Hastings Flood Policy/DCP Flood Provisions (April 2015), with minor amendments identified by the Hastings LGA Floodplain Sub-Committee.

Executive Summary

The Hastings LGA Floodplain Sub-Committee met on 23 April 2015, reached consensus on Item 6 (attached) and now submits the above recommendation for Council consideration.

Amendments agreed to by the Sub-Committee have been incorporated into the Draft Port Macquarie-Hastings Flood Policy/DCP Flood Provisions (April 2015) as attached.

Attachments

- 1 [View](#). Item 06 Hastings LGA Floodplain Sub-Committee 2015 04 23
- 2 [View](#). Draft Port Macquarie-Hastings Flood Policy/DCP Flood Provisions (April 2015)

Looking After Our Environment

Item: 12.06

Subject: CHOOSE YOUR BIN AND NEW DOMESTIC WASTE SERVICE SURVEY

Presented by: Development & Environment Services, Matt Rogers

Alignment with Delivery Program

4.4.1 Reduce waste to landfill, utilising appropriate education, facilities and strategies.

RECOMMENDATION

That Council note the report and use the results of the survey to inform ongoing waste education and awareness programs.

Executive Summary

This report outlines the results of a survey conducted to gain community feedback on the implementation of the new domestic waste service.

The outcomes of the survey provide a positive picture of the implementation of the new services and give useful information for Council to consider as part of ongoing waste education and awareness programs.

Key findings of the survey include:

- 89% of residents were aware of the Choose Your Bin campaign, with the majority of residents having heard about it via 'letter/flyer in mail', 'Council newsletter with rates notice', 'advertisement in newspaper, radio, TV, or billboard', and 'news story in local media'. These outcomes suggest that Council's communication regarding the program has been effective.
- The campaign was successful in migrating residents to less frequent waste collection services, with 93% of those who responded selecting one of the fortnightly options. Furthermore, the most common reason cited for failing to respond was being 'happy to receive the default service', confirming general support for the campaign
- At least 78% of residents indicated awareness of each of the prompted waste management measures, with ratepayers again more likely to be aware of waste-related issues. The community's commitment to waste management is echoed in their highly perceived understanding of proper waste sorting, where 98% claimed some degree of knowledge.

Looking After Our Environment

Discussion

A report was presented to the Ordinary Council Meeting of 16 July 2014 outlining the implementation of the communication and marketing strategy associated with the new waste collection arrangements which commenced on 1 September 2013.

Council resolved:

That Council:

1. *Note the report.*
2. *Undertake a survey of the new service to seek community feedback on its implementation by March 2015.*
3. *Undertake a waste audit in mid 2015 to determine the change in waste separation behaviours resulting from the new waste collection service.*
4. *Request the General Manager to present a report to Council in October 2015 that provides the results of the waste audit, and an evaluation of the outcomes of the new waste collection service.*

CARRIED: 8/0

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

AGAINST: Nil

This report outlines the findings of a survey carried out as required by part 2 of the resolution.

The audit listed in Item 3 has commenced. Results of the waste audit and an evaluation of the outcomes of the new waste collection service will be presented to Council in October 2015.

In March 2015, *Micromex Research* were engaged to undertake a telephone interview (survey) to gauge the success of the recent Choose Your Bin campaign, the Bin Delivery and Retrieval process and general Waste Education and Bin (usage) Behaviour.

A sample size of 612 people was chosen to provide a statistically valid survey result and the telephone interview was conducted in accordance with the *AMSRS Code of Professional Conduct* and lasted an average of 12 minutes. The survey was conducted during the period 1 to 11 April 2015.

Below is a summary of Key Findings from the *Choose Your Bin and New Waste Service Survey (April 2015)* report.

Choose Your Bin campaign

- 89% of residents were aware of the campaign, with the majority of residents having heard about it via 'letter/flyer in mail', 'Council newsletter with rates notice', 'advertisement in newspaper, radio, TV, or billboard', and 'news story in local media'. These outcomes suggest that Council's communication regarding the program has been effective.
- 82% responded to the campaign by selecting a service level – of these, 47% used 'Council's website/online form' and a further 35% used the 'reply paid postal form'.

Looking After Our Environment

- Ratepayers were more likely to be aware of the 'Choose Your Bin' campaign, to have heard via a rates notice, and to select a service level, suggesting that homeowners have a stronger engagement with the issues.
- The campaign was successful in migrating residents to less frequent waste collection services, with 93% of those who responded selecting one of the fortnightly options. Furthermore, the most common reason cited for failing to respond was being 'happy to receive the default service', confirming general support for the campaign.

Bin Delivery and Retrieval

- 92% of respondents reported receiving the correct bins by the new service start date, a positive result.
- Over three-quarters of residents indicated that they had received the information booklet accompanying the new bins. Of these, the vast majority (93%) 'read/flipped through it', again indicating broad interest in waste management issues among local residents.
- Over half of the residents (52%) disposed of their old bin by leaving it to be collected by Council, while a further 37% chose to keep their bin for personal use.
- 87% reported no problems with the start of the new waste service, an encouraging outcome.
- Similarly to the 13% who experienced problems, 11% of residents reported seeking information about the new service. The provided avenues for advice were effective, with 94% indicating that they had found the information they were looking for.
- The most frequently used means of seeking information was the 'Bin Hotline or customer service call centre' (42%), followed by 'Council's website' (35%). The predominant comment given regarding the experience was that the service received had been positive/helpful/effective.

Waste Education and Bin Behaviour

- At least 78% of residents indicated awareness of each of the prompted waste management measures, with ratepayers again more likely to be aware of waste-related issues. The community's commitment to waste management is echoed in their highly perceived understanding of proper waste sorting, where 98% claimed some degree of knowledge.
- A majority of residents (69%) claimed to use their kitchen bin daily, with the most common impediment to greater use being a lack of food waste generated.
- Reaction to the new waste service was largely positive, with 84% of residents expressing some degree of support.
- 86% of residents reported a positive outcome of the new service on their red bin waste levels, with 47% having actually reduced their waste levels. Despite this, 36% of residents did report issues with the new fortnightly collection, predominantly dissatisfaction with unpleasant smells and insect infestations resulting from the longer period between collections.

Looking After Our Environment

- Interest in the proposed areas of education ranged from 34% to 62%. Among those who expressed an interest in accessing information regarding waste sorting, 'recyclable materials', 'plastics', and 'food waste' were the materials most frequently cited as being of concern. 20% of residents were not interested in any of the these education areas, perhaps reflecting the high existing level of knowledge within the community.

The results of this survey are very encouraging, particularly regarding the level of knowledge of the various stages of the waste campaign. The results indicate good support for the fortnightly service and indicate people are generally coping well with the new waste service.

The results will guide ongoing education and awareness programs.

Further detail can be found in the attached report, *Choose Your Bin and New Waste Service Survey (April 2015)*.

Options

This report is intended as an update and no specific options have been identified.

Community Engagement & Internal Consultation

The survey is a community engagement activity and will be a valuable resource for informing ongoing waste education and awareness programs.

Planning & Policy Implications

This report has no specific planning or policy implications.

Financial & Economic Implications

No significant financial or economic implications have been identified in relation to the survey or results therein.

Attachments

1 [View](#). Choose Your Bin and New Waste Service Survey

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: 13.01

Subject: NOTICE OF MOTION - 2015-16 BUDGET CONSIDERATIONS

Councillor Sharon Griffiths has given notice of her intention to move the following motion:

RECOMMENDATION

That Council consider the following items in the development of the final draft 2015-16 budgets and capital works programs:

1. Consult, design and construct a pedestrian crossing on Ocean Drive, Lake Cathie in the vicinity of the northern side of the lake.
2. Undertake a feasibility study and associated investigations into providing additional parking atop the Port Central Shopping Centre car park on Murray Street, Port Macquarie.
3. Fund short term works to allow two lanes of traffic in each direction from the Ocean Drive intersection to the Oxley Highway roundabout on Lake Road, Port Macquarie.
4. Allocate \$1 million for urgent stormwater repairs and maintenance across the LGA.
5. Allocate funding towards the completion of the Port Macquarie Lighthouse to Davis Crescent footpath project, including resealing the road surface from Matthew Flinders Drive to the Lighthouse.
6. Undertake investigations into a signalised intersection on Gordon Street and Gore Street to also include pedestrian crossings on all four ways.
7. Seal Stoney Creek Road in the currently unsealed sections as per the works program.
8. Remove from the current Draft Budget considerations any funds and resources allocated to the Cairncross Gas Capture project.
9. Place on hold the Kew Waste Transfer Station project until a detailed review and analysis has been undertaken and reported to a Council meeting.
10. Remove from the draft consideration for an \$800,000 loan to fund parks and gardens works.
11. Place a moratorium on new staff positions for the remainder of the Council term to September 2016.
12. Fund items as outlined above 1 through 14 from cash reserves, operational savings or grant funding.

Comments by Councillor (if provided)

Nil

Planning and Providing Our Infrastructure

Attachments

Nil

Planning and Providing Our Infrastructure

Item: 13.02

Subject: WATER SUPPLY POLICY 2015

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.5.1 Plan, investigate, design and construct water supply assets.

RECOMMENDATION

That Council place on public exhibition the draft Water Supply Policy 2015 for the period 27 May to 24 June 2015.

Executive Summary

The attached Draft Water Supply Policy 2015 provides general information relating to the Port Macquarie-Hastings water supply. The Policy outlines legislative framework, limit of responsibilities, tariff structures, water accounts, concessions etc. The document supersedes the Port Macquarie-Hastings Water Supply Policy 2010.

Discussion

The Water Supply Policy 2015 provides general information relating to the Port Macquarie-Hastings water supply business and is a useful general reference for water supply staff and the public.

The Policy was last updated in 2010 and required a review to ensure it remained current with relative legislation amendments and tariff structures.

An attachment to this report highlights the amendments made to the 2010 Policy that are now included in the Draft 2015 Policy for exhibition.

Options

Council can accept, reject or amend the above recommendations. In declining the recommendation, Council can either adopt the reviewed Policy without a public exhibition period or may opt to request further amendments be made prior to a period of public exhibition.

Community Engagement & Internal Consultation

The Policy review has been undertaken internally in consultation with Water & Sewer staff and Financial Services staff.

Planning and Providing Our Infrastructure

Community engagement is proposed to be undertaken by public exhibition with documents available at the Council offices in Wauchope, Laurieton and Port Macquarie, at the Port Macquarie Library and on Council's website at www.pmhclisting.com.au.

Planning & Policy Implications

Following exhibition and ultimate adoption by Council the 2015 Policy will supersede the existing Port Macquarie Hastings Water Supply Policy 2010.

Financial & Economic Implications

There are no financial and economic implications.

Attachments

1 [View](#). Draft Water Supply Policy 2015

2 [View](#). Record of Amendments and Modifications to PMHC's Water Supply Policy 2010

Planning and Providing Our Infrastructure

Item: 13.03

Subject: TOWN GREEN RE-TURFING

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 undertake rehabilitation of an area of Town Green as indicated in this report from existing Town Green budget allocations in the current 2014/15 Operational Plan.

Executive Summary

The Town Centre Master Plan (TCMP) Sub-Committee made a recommendation to the Ordinary Council Meeting held on 24 February 2015 to:

1. *Express to Council its ongoing frustration and disappointment at the overall poor condition of the turf on the Town Green, particularly but not restricted to the 'turfed' section immediately to the North of the CWA.*
2. *Recommend to Council that Council consider the allocation of funding for returfing of the Town Green in the upcoming 2015-2016 Operational Plan.*

Council resolved at the Ordinary Council Meeting held on 18 March 2015:

RESOLVED: *Hawkins/Turner*

That the General Manager bring back a report to the May 2015 Council Meeting pending further information from staff on urgent remedial actions for the Town Green as per the Town Centre Master Plan recommendation.

CARRIED: 7/2

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

Subsequently, the TCMP Sub-Committee revised their recommendation and resolved at their meeting held on 25 March 2015 to recommend that Council:

1. *Allocate funding sources from the TCMP Reserve for urgent, remedial turfing and levelling of Town Green West, generally to the north of the CWA.*
2. *Note that a large scale returfing exercise on the Town Green is not recommended at this time, as this should only occur AFTER the major planned construction works have been completed in the future.*
3. *Representatives of the Sub-Committee work with staff for input into the Council report due in May to identify the area concerned.*

Planning and Providing Our Infrastructure

Discussion

As per the original TCMP Sub-Committee recommendation to the Ordinary Council Meeting held on 24 February 2015, the TCMP Sub-Committee are frustrated and disappointed at the overall poor condition of the turf on the Town Green, particularly but not restricted to the 'turfed' section immediately to the North of the CWA.

The TCMP Sub-Committee would like to see this particular area of the Town Green revitalised in the interests of the CBD and wider community.

Staff met onsite with a working party of members of the TCMP Sub Committee and agreed on an area of Town Green to be rehabilitated. Staff then set about identifying estimates and seeking quotes to complete works of the manner agreed.

To complete the works over an area of approximately 460m², an allocation of \$43,750 is considered to be required. TCMP Sub Committee members have expressed their concerns over the potential cost of this work.

A financial analysis is provided in the confidential attachment. (Relates to information that would, if disclosed, confer a commercial advantage on a competitor of the Council - Local Government Act 1993 - Section 10A(2)(dii)).

The preliminary scope of works includes:

- Lifting service pits to finish flush with finished turf height. Note: finished turf height is to marry with existing turf edges on northern and western edges of footprint; 10mm below fixed paver edges on southern and eastern boundaries
- Reinstating irrigation heads to height of 10mm below finished turf height
- Provision and placement of Australian Standards compliant turf underlay material. Depth of underlay 150mm
- Application of topdressing to blend edges as required

It should be noted that, in addition to this quote, funds will be required for the following:

- the supply and installation of chain wire fencing around the work area
- the establishment and maintenance of the turf after the initial installation by Council staff
- the stripping and removal of excavated material to landfill

The area of works is defined in the attachment titled Indicative Footprint of Works.

Options

Council can choose to resolve in favour of the above recommendations, decline the recommendations or request further information from staff.

Council can elect to contribute funding to these works from a combination of the existing allocations or solely from either the TCMP Reserve or General Fund.

Planning and Providing Our Infrastructure

Community Engagement & Internal Consultation

Representatives of the TCMP Sub-Committee met with staff on-site to determine the location and scope of works required.

Planning & Policy Implications

Nil.

Financial & Economical Implications

In the current Operational Plan two line items exist for Town Green upgrades. As broader work on the Town Green remains outstanding there is an opportunity to undertake the rehabilitation works outlined in this report from the existing allocations. A combined total of \$912,862 is comprised of two allocations, one being GL41385 (TCMP Town Green) of \$500,000 and the other GL41252 (General Fund) for \$412,862.

Attachments

- 1 [View](#). Item 05 - TCMP Minutes 2015 03 25
- 2 [View](#). Indicative Footprint of Works
- 3 [View](#). Financial Analysis of Works (Confidential)

Planning and Providing Our Infrastructure

Item: 13.04

Subject: ROAD NETWORK PLANNING

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. Endorse the investigation and planning for new road links and upgrades within the Local Government Area including:**
 - (a) new North-South and East-West links**
 - (b) additional links to Port Macquarie Regional Airport**
 - (c) new link between Central Road and Acacia Avenue**
 - (d) options for additional access to the southern section of the Lake Road Industrial area through to Kingfisher Drive/Wrights Road area.**
 - (e) Upgrade of Lake Road to two lanes in each direction between the Oxley Highway and Ocean Drive.**
- 2. Consider the proposed link road investigations in the preparation of the Urban Growth Management Strategy (UGMS) review and prior to commencing any investigations for the future rezoning of land that may be affected by future link roads.**
- 3. Actively seek external funding for the preconstruction activities required for the upgrade of Lake Road and consider funding the preconstruction activities in the 2016 - 2017 budget.**

Executive Summary

A significant function of Council is to plan for the future needs of the region. Of particular concern is the need for long term planning of new roads or major road upgrades and the assurance that corridor locations are planned, protected and acquired where necessary.

Council has a strong focus on economic development in the area and providing infrastructure that will sustain business growth. This includes the operations of the Regional Airport and the potential to leverage this valuable asset following recent runway upgrades and new planning for an Airport Business park.

There are some significant issues relating to the existing road network and its ability to meet capacity demands of the current population and transport needs and this translates as an inability to cope with future growth without hindering economic growth or sustainability.

Planning and Providing Our Infrastructure

The most significant of these is the constrained east-west road links which push all traffic through either Lake Road or the Oxley Highway.

Currently traffic generated in the eastern areas of Port Macquarie gains access to Ocean Drive at eight main intersections with Ocean Drive, being Gordon Street, Lake Road (east), Koala Street, Greenmeadows Drive (both north & south intersections), Dahlsford Dr/Crestwood Dr, Pacific Dr/Jonas Absalom Dr and Matthew Flinders Dr/Emerald Dr.

There is, as noted above, then only two roads to take all westward bound traffic, being the Oxley Highway and Lake Road (west).

Other major issues include better access to the airport and Hastings River Drive from the south, an alternate access for the industrial area south of Lake Road and potential connection of Acacia Avenue and Central Road.

These issues have all been discussed at length through the Roads & Infrastructure Portfolio meetings, with Councillors taking a significant lead in moving forward with the planning for our road network.

Discussion

One of the key strategic functions of Council is to adequately manage and plan for necessary changes in the road network. These changes are driven by a need to accommodate population growth as well as changes in land use and travel patterns. Constructing new roads or upgrading existing roads ensures that the efficiency and capacity of the network is maintained. This requires the identification and planning of new road corridors as well as increasing the corridors of existing roads.

The road network is heavily constrained for east-west movements, with all traffic travelling through the Lake Road / Oxley Highway Roundabout and funnelling through the Oxley Highway between Lake Road and the Pacific Highway. The only alternatives are Houston Mitchell Drive, some 14km to the south or Hastings River Drive which caters more for northern traffic movements and diverts traffic through the town. Hastings River Drive will lose its direct connection to the Pacific Highway once the current highway upgrades are completed. Currently all north-south traffic is funnelled through the Port Macquarie township, with significant volumes travelling over Clifton Drive which is a narrow local road. Furthermore the Airport is heavily constrained by the flooding and condition of Boundary Street and alternate access is required if growth in airport usage and potential business development is sought.

In light of the current situation, ongoing residential growth, increases in major traffic generators such as the base hospital and higher education facilities, changes in land use, and a desire to have a prosperous and sustainable economy, it is clear that there is an imperative to plan for new road corridors and existing network upgrades.

An increase in traffic crashes and negative driver behaviour can be readily related to increased congestion and delayed travel times, and can be tracked through regular data collection and analysis. However, the impact of traffic congestion on business productivity, sustainability and growth is often overlooked.

To better assess this issue, an Infrastructure Gap Analysis was commissioned by the Economic Development Steering Group (EDSG) and completed by PSA Consulting.

Planning and Providing Our Infrastructure

The report prepared by the consultant along with EDSG commentary was considered at the 19 November 2014 Ordinary Meeting of Council, where Council resolved as follows:

RESOLVED: Sargeant/Roberts

That Council:

- 1. Note the Port Macquarie-Hastings Infrastructure Gap Analysis report.*
- 2. Note the views of Council's Economic Development Steering Group with regard to the key priorities and future actions stemming from this analysis.*

CARRIED: 8/0

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

AGAINST: Nil

The EDSG, in considering the Infrastructure Gap Analysis Report, determined the following view point as contained in the Council report:

"To ensure long-term economic growth opportunities in the future, Council needs to identify and plan for infrastructure that will facilitate this growth. Without this infrastructure in place, our region's economic growth and prosperity may be stymied."

The EDSG also identified five critical projects to assist in ensuring long term economic growth opportunities:

- Lake Road duplication [*between the Oxley Highway and Ocean Drive*]
- Hastings River Drive Duplication (between Park and Aston Street)
- A southern access road to the airport
- Boundary St Upgrade
- A southern ring road that would link Ocean Drive to John Oxley Drive

Staff have commenced design work on the duplication of Lake Road between the Oxley Highway and Toorak Court which will provide dual lanes through from Acacia Avenue to the Highway. Concepts for the upgrade of Lake Road to dual lanes have previously been developed; however, funding should be sought for the remaining design work including intersection upgrades and environmental approvals. A funding allocation for preconstruction activities for Lake Road between the Oxley Highway and Ocean Drive should be considered in the development of the 2016/17 Operational Plan.

The duplication of Hastings River Drive between Park and Aston Streets forms part of the current 2014/15 Operational Plan and Draft 2015/16 Operational Plan.

Currently, Council has allocated \$150,000 to investigations for the North South Link road. However, to ensure the appropriate network is planned for, it is proposed that, as part of this project, corridors are also investigated for an east-west link (southern ring road) and alternate accesses for the Regional Airport.

This proposal will see three of the five priority projects identified by the EDSG investigated; being the southern access to the airport, Boundary Street upgrade and a southern ring road. A corridor plan incorporating these projects will allow Hastings

Planning and Providing Our Infrastructure

River Drive to be clearly connected to the Oxley Highway and John Oxley Drive, forming an orbital road around the Port Macquarie Township to provide better access to the broader network.

In addition to the above projects, the Roads and Infrastructure Portfolio has also identified the potential of a link between Acacia Avenue and Central Road. This link may provide some traffic relief to Lake Road and provide a better link in the long term. It may also assist traffic movements following the introduction of a central median in Lake Road in vicinity of the Acacia Avenue intersection.

The proposed investigations will provide valuable data for inclusion in the Area Wide Traffic Study that Council is undertaking. This will allow better analysis of these and other potential corridors and upgrades and their short, medium and long term effects on the road network.

By failing to plan for, and construct over time, the necessary new roads and upgrades, we will be left with an under capacity inefficient road network that will negatively impact upon the long term growth and economy of the area.

Options

Council has the option of accepting or amending the recommendations presented within this report, or rejecting the recommendations and determining an alternate resolution.

Community Engagement & Internal Consultation

Community engagement will not form part of these preliminary corridor investigations. Any form of community engagement will not be possible until there is clearer understanding of what may be feasible and more detailed investigation is then undertaken on identified routes.

Internal consultation has occurred with:

- Roads Portfolio
- Mayor & Councillors
- General Manager
- Director Infrastructure and Asset Management
- Group Manager Transport & Stormwater Network
- Group Manager Strategic land use Planning
- Transport & Traffic Engineer

Planning & Policy Implications

There are no planning or policy implications from undertaking the recommended investigations. However there may be implications resulting from the proposed investigations.

Financial & Economic Implications

Currently there is a \$150,000 budget allocation in the 2014-15 Operation Plan for preconstruction activities for a North South Link Road, which can accommodate the additional corridor review and investigations for an East West Link and alternate access to the Regional Airport.

Planning and Providing Our Infrastructure

There is also current funding for an Area Wide Traffic Study and model which will also be utilised in time to assess any proposed new linkages and road upgrades.

Currently there is no allocation to fund further design work on Lake Road. This can be considered by Council in future budgets as well as seeking external funding grants for the design works.

There is also a significant opportunity cost to the community as a whole if these investigations are not completed and the road network is not properly managed to ensure safe and efficient capacity is maintained.

Attachments

1 [View](#). Road Corridors for Investigation

Planning and Providing Our Infrastructure

Item: 13.05

Subject: PORT MACQUARIE-HASTINGS BIKE PLAN

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. Note the submissions made in response to the exhibition of the Draft Final Port Macquarie-Hastings Bike Plan.**
- 2. Adopt the Port Macquarie-Hastings Bike Plan - May 2015 with the inclusion of changes as identified within the report.**

Executive Summary

Council has been developing a new Bike Plan, to update the previous plan prepared in the late 1990s, and as part of the development of an overarching Transport Strategy. The purpose of this report is to seek Council adoption of the final plan.

A Draft Bike Plan, including a summary report and bicycle network maps, was placed on public exhibition during April/May 2014. Following the review of submissions and consideration of amendments, a Draft Final Bike Plan was publicly exhibited during January/February 2015.

The Bike Plan was exhibited twice in order to maximise the opportunity for the community to have influence on its preparation.

A final Bike Plan is now presented to Council for adoption.

Discussion

A Bike Plan is a strategic document to assist in creating a coordinated approach to delivering cycling infrastructure. It establishes cycling objectives for the region and identifies the actions needed to achieve these objectives. The Bike Plan will provide guidance for the ongoing development of the bicycle network both within and linking the main urban areas of the region. The overarching aim is to increase safe cycling levels in our community, for both transport and recreation.

Once a Bike Plan is adopted, proposed works will then be considered for more detailed investigations and/or incorporation into other projects and programs, leading to inclusion in future Delivery Programs and Operational Plans.

Planning and Providing Our Infrastructure

The Port Macquarie-Hastings Bike Plan - May 2015 (attached) includes:

1. Final information on how the Bike Plan operates
2. Final bicycle network maps:
 - Map 1: Final Port Macquarie Bicycle Network
 - Map 2: Final Wauchope Bicycle Network
 - Map 3: Final Lake Cathie - Bonny Hills Bicycle Network
 - Map 4: Final Camden Haven Bicycle Network
 - Map 5: Final Kendall - Lakewood Bicycle Network
 - Map 6: Final Inter-Town Bicycle Network - North
 - Map 7: Final Inter-Town Bicycle Network - South

Community Engagement & Internal Consultation

The Draft Final Bike Plan was publicly exhibited between 19 January and 20 February 2015. The following submissions were received. A copy of all submissions is included as an attachment.

| Submission | | Issue | Response/ Comment: |
|------------|--|--|--|
| 1. | Michael Ebbs | Supportive of the bike plan. No specific issues. | Noted |
| 2. | Paul Martin | Supportive of the bike plan. Lake Road through the industrial area should have off-road facilities and not just on-road | Noted Upgrade plans for Lake Road will consider the inclusion of a shared path on one or both sides of the road, although it is a narrow road reserve, which constrains current and future use. |
| 3. | Odette Counsell | Shared path should be provided between Bonny Hills and North Haven | Such a path may be considered in the long term, but the plan seeks to concentrate on links that can be realistically provided in the short to medium term. |
| 4. | Port Macquarie Base Hospital Senior Medical Staff Boundary Trail Cycleway Subcommittee | Request a connection between the Hospital precinct and the industrial area / Googik Track | An indicative connection is shown on Map 1 and will be the subject of more detailed investigation in the future. |

All submissions have been responded to by Council staff.

Planning and Providing Our Infrastructure

Planning & Policy Implications

There are no planning or policy implications as a result of this report. However, it is anticipated that future planning of infrastructure projects, such as road reconstruction works, will need to consider the adopted plan.

Development of works to be included within future Operational Plans will consider the priorities included in the Bike Plan.

Additionally, a Bike Plan is required by the RMS in support of any grant applications through that Agency.

Financial & Economic Implications

There are no financial or economic implications at this stage. However, it is anticipated that once the Bike Plan has been adopted, works will be considered for more detailed investigations and inclusion in future Delivery Programs and Operational Plans.

Attachments

- 1 [View](#). Port Macquarie-Hastings Bike Plan
- 2 [View](#). Combined Submissions (Jan/Feb 2015)

Planning and Providing Our Infrastructure

Item: 13.06

Subject: PORT MACQUARIE-HASTINGS PEDESTRIAN ACCESS AND MOBILITY PLAN

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. Note the submissions made in response to the exhibition of the Draft Final Port Macquarie-Hastings Pedestrian Access and Mobility Plan.**
- 2. Adopt the Port Macquarie-Hastings Pedestrian Access and Mobility Plan - May 2015 with the inclusion of changes as identified within the report.**

Executive Summary

Council has been developing a new Pedestrian Access and Mobility Plan (PAMP), to update the previous plan prepared in 2001, and as part of the development of an overarching Transport Strategy. The purpose of this report is to seek Council adoption of the final plan.

A Draft PAMP, including a summary report and pedestrian infrastructure maps, was placed on public exhibition during April/May 2014. Following the review of submissions and consideration of amendments, a Draft Final PAMP was publicly exhibited during January/February 2015.

The new PAMP was exhibited twice in order to maximise the opportunity for the community to have an influence in its preparation and outcome.

A final PAMP is now presented to Council for adoption.

Discussion

A PAMP is a strategic action plan to assist in creating a coordinated approach to delivering key pedestrian infrastructure. A PAMP was prepared in 2001 for the main urban centres of Port Macquarie-Hastings and many of the recommended works were implemented successfully.

The PAMP will provide guidance for the ongoing development of the pedestrian network in the main town and village centres, with a focus on the two most critical types of pedestrian infrastructure - footpaths and road crossings.

Planning and Providing Our Infrastructure

Once a final PAMP is adopted, proposed works will be considered for more detailed investigations or incorporation into other projects and programs, leading to inclusion in future Delivery Programs and Operational Plans.

The Port Macquarie-Hastings Pedestrian Access and Mobility Plan - May 2015 (attached) includes:

1. Final information on how the PAMP operates
2. Final pedestrian infrastructure maps for:
 - Port Macquarie town centre
 - Port Macquarie East
 - Settlement City precinct
 - Wauchope town centre
 - Lake Cathie village centre
 - Bonny Hills village centre
 - North Haven village centre
 - Laurieton town centre
 - Kew village centre
 - Kendall village centre

Community Engagement & Internal Consultation

The Draft Final PAMP was publicly exhibited between 19 January and 20 February 2015. The following submissions were received. A copy of all submissions is included as an attachment.

| Submission | | Issue | Response/ Comment: |
|------------|----------------------------------|---|---|
| 1. | Odette Counsell | Supportive of the PAMP and looking forward to improved pedestrian facilities in Bonny Hills | Noted |
| 2. | Bonny Hills Progress Association | Generally supportive of pedestrian infrastructure map for Bonny Hills | Noted |
| | | Path on western side of Ocean Drive should be extended to the community hall and skate park | Revised map includes this suggestion |
| | | Bonny Hills map should be extended to the north | The current PAMP is focused on the selected high pedestrian activity areas. However, footpath and pedestrian facilities works are not restricted to areas shown in the pedestrian infrastructure maps. |

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| Submission | | Issue | Response/ Comment: |
|------------|---------------|---|--|
| | | | Council will continue to discuss with BHPA improvements along Beach Street |
| 3. | Country Labor | Roundabout at corner of Hastings River Drive and Park Street should be replaced with traffic signals to improve crossing safety for pedestrians | Design for upgrade of this section of Hastings River Drive has been completed and a roundabout will be retained at the intersection. Pedestrian facility improvements are planned as part of the overall Hastings River Drive upgrade project from Park Street to Aston Street. Investigations into upgraded pedestrian facilities will also be considered in the future investigations into the provision of traffic lights at Hastings River Drive / Aston Street intersection. |
| | | Support additional crossings of Gordon Street | Noted |
| | | The term "kerb ramps" should be added to key objectives | Report has been amended to include the term "kerb ramps" |
| | | Maps should have been prepared for all urban areas of the Port Macquarie-Hastings LGA. | The current PAMP is focused on the selected high pedestrian activity areas. In future years, as resources permit, pedestrian infrastructure maps may be prepared for other villages and pedestrian activity precincts. However, footpath and pedestrian facilities works are not restricted to areas shown in the 10 pedestrian infrastructure maps. |

All submissions have been responded to by Council staff.

Planning and Providing Our Infrastructure

Planning & Policy Implications

There are no planning or policy implications as a result of this report. However, it is anticipated that future planning of infrastructure projects, such as road reconstruction works or upgrades, will need to consider the adopted plan.

Development of works to be included within future Operational Plans will consider the priorities included in the PAMP.

Additionally, a PAMP is required by the RMS in support of any grant applications through that Agency.

The continuation of the current footpath program will also be guided by priorities identified in the PAMP.

Financial & Economic Implications

There are no financial and economic implications at this stage. However, it is anticipated that once the PAMP has been adopted, works will be considered for more detailed investigations and inclusion in future Delivery Programs and Operational Plans.

Attachments

1 [View](#). Port Macquarie-Hastings Pedestrian Access and Mobility Plan - May 2015

2 [View](#). Combined Submissions (Jan/Feb 2015)

Planning and Providing Our Infrastructure

Item: 13.07

Subject: DEVELOPMENT CONTRIBUTIONS FOR NON RESIDENTIAL DEVELOPMENT

Presented by: Development & Environment Services, Matt Rogers

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

1. Undertake a trial, until 30 June 2016, to allow the payment of development contributions/headworks charges by instalment without security, subject to:
 - a) The development being in any Business Zone, Mixed Use Zone or Industrial Zone (not being development for residential accommodation or tourist and visitor accommodation).
 - b) The total contributions permitted to be paid by instalment without security being limited to \$50,000.
 - c) The maximum amount of s94/s94A development contributions that can be paid by instalment without security being limited to \$5,000.
 - d) Payment of an interest charge based on the Council's investment portfolio performance plus 1% to be added to the contribution instalments.
 - e) The contributions and interest to be paid in 24 equal monthly instalments by a direct debit arrangement.
 - f) Any default in the payment of the contribution instalments will result in the full amount of the contributions becoming due and payable.
 - g) The interest charge on default payments being in accordance with the interest rate on overdue rates & charges as per the rate determined by the Division of Local Government.
2. Undertake a trial, until 30 June 2016, to allow an exemption from the payment water and sewerage headworks charges for development involving a change of use or extension of an existing premises, where the combined total of water and sewer headworks charges do not exceed \$2,000, in any Business Zone, Mixed Use Zone or Industrial Zone (not being development for residential accommodation or tourist and visitor accommodation).
3. Request the General Manager report to the July 2016 meeting providing details on the outcome of the trials.

Planning and Providing Our Infrastructure

Executive Summary

On 18 February 2015, Council considered a report on a trial to allow payment of development contributions for non residential development by instalment. Council resolved to refer the report recommendations to the Economic Development Steering Group (EDSG) for review. The matter was considered by the EDSG on 1 April 2015 and there was consensus to support the trial initiative.

Discussion

In relation to a report on Development Contributions for Non Residential Development, Council resolved at the meeting held on 18 February 2015 (Item 13.06) as follows:

RESOLVED: Turner/Hawkins

That Council:

- 1. Refer the report and the recommendations to the Economic Development Steering Group for review.*
- 2. Request the matter be brought back to the Ordinary Council Meeting in May 2015.*

CARRIED: 9/0

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

AGAINST: Nil

At a meeting of the EDSG on 1 April 2015 there was consensus: *'That Economic Development Steering Group members note matters considered at the 18 March 'out of session' meeting and support the trial initiative'.*

At the 'out of session' EDSG meeting, it was noted that consideration should be given to a lower than proposed interest rate and that the trial should capture information on the nature of applicants (new business, existing local, relocation of expansion). Committee members present agreed the value in providing an unsecured development contributions payment option as an 'incentive' for business investment and supported the proposed trial.

The following amendments are proposed for the trial following consideration by EDSG and subsequent deliberation by staff:

- Interest rate: it is proposed that the interest charge be based on Council's investment portfolio performance plus a 1% administrative amount. This interest rate will better align with the loss of income to Council due to the deferral. This interest component will be calculated based on equal instalments and added to the contribution instalments. Council's investment portfolio performance for April 2015 was 3.85%. This rate will be used for applications received up to 30 June 2015. It is proposed that the investment portfolio performance figure for June 2015 be used for calculation of the interest for applications for payment by instalment received during the following 12 month period - from 1 July 2015 to 30 June 2016.

Planning and Providing Our Infrastructure

- Nature of Applicants. To enable a better understanding of Council's risk profile it is proposed to collect data on the type of business as part of the application for deferral.
- Payment Default. It is proposed that if there is a payment default then the remaining debt will become payable.

Options

Council could support the trial as proposed or consider one of the other contribution deferral options provided in the report to Council of 18 February 2015.

Community Engagement & Internal Consultation

Implementation of a trial period will allow for feedback prior to adopting any changes to Council's policy.

The Director Infrastructure and Asset Management, Group Manager Water & Sewer, Group Manager Economic Development, Group Manager Financial Services have been consulted.

NSW Council's were surveyed through the Local Government Development Contributions Group. There were no instances identified where contributions were allowed to be deferred without the lodgement of security. There are a number of Council's that allow deferral of contributions. Tweed Council, under a Business Investment Policy, allows development that provides for "significant economic gain" the option of periodic payment of contributions for a period of up to six years without the payment of an interest component

Planning & Policy Implications

Council's Development Contribution Assessment Policy should be formally amended as required following the trial period.

Financial & Economic Implications

A trial of exemption from contributions/payment by instalment will allow for any significant impacts on contribution income and staff resources to be determined.

The deferral provisions in relation to residential subdivision have impacted staff time.

The proposed trial of deferral mechanisms and exemption from water supply and sewerage services contributions for smaller change of use type development aligns with the following actions in the Economic Development Strategy:

- 1. Ensure a whole-of-organisation / solutions-focused culture & approach to supporting business - countering red tape with solutions focused outcomes and ensuring this approach is reflected in Council policies.*
- 2. Economic development considerations are central to the activities of Council.*

Planning and Providing Our Infrastructure

5. Analyse existing policies of Council to ensure alignment with economic development objectives.

11. Ensure local regulatory fees and charges relating to development remain competitive with other NSW regions.

Attachments

Nil

Planning and Providing Our Infrastructure

Item: 13.08

**Subject: DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM
PERFORMANCE**

Presented by: Development & Environment Services, Matt Rogers

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 note the Development Activity and Assessment System Performance Report for the third quarter of 2014-2015.

Executive Summary

This report provides a summary of development assessment, building certification and subdivision certification activities for the January to March 2015 quarter. Data on the number of applications and processing times, together with a commentary on development trends is provided for the information of Council.

Discussion

The following table provides data on the volume of applications received and determined over the quarter relative to the year-to-date average and monthly average of the preceding three years. The number of applications and inspections continues to track at a higher level than for the previous financial years. March was a particularly busy month with a total of 97 DAs received (the most ever lodged with PMHC in one month), 55 Building Construction Certificates, 19 DA Modification applications, 15 Subdivision Certificates. The number of applications in each category is higher for March than the monthly averages for the year to-date.

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| Applications Received and Determined | | | | | | | | |
|---|-------------------------------|--------------------------------|-------------------------------|-------------------------------|------------------|--------|--------|--------|
| Applications Type | 2011-12 Monthly Average | 2012- 13 Monthly Average | 2013-14 Monthly Average | 2014-15 Monthly Average | 2014-15 Total | Jan-15 | Feb-15 | Mar-15 |
| DAs Received | 55 | 52 | 70 | 77 | 692 | 42 | 85 | 97 |
| DAs Determined | 52 | 53 | 65 | 71 | 637 | 61 | 69 | 65 |
| DA Modifications Received | 10 | 11 | 11 | 13 | 121 | 2 | 14 | 19 |
| DA Modifications Determined | 11 | 11 | 11 | 12 | 109 | 8 | 10 | 13 |
| Complying Development Certificates Received by Council | 9 | 11 | 13 | 10 | 90 | 7 | 15 | 12 |
| Complying Development Certificates Determined | 9 | 9 | 12 | 10 | 90 | 6 | 14 | 10 |
| Complying Development Certificates Determined (Private Certifier) | 16 | 11 | 14 | 14 | 127 | 15 | 15 | 16 |
| Construction Certificates (Building Work) Received by Council | 28 | 35 | 42 | 47 | 422 | 23 | 41 | 55 |
| Construction Certificates (Building Work) Determined by Council | 27 | 33 | 38 | 42 | 381 | 35 | 36 | 33 |
| Construction Certificates Building Work Determined (Private Certifier) | 19 | 12 | 17 | 20 | 179 | 13 | 15 | 25 |
| Infrastructure Construction Certificates Received | 3 | 2 | 5 | 7 | 67 | 6 | 6 | 8 |
| Infrastructure Construction Certificates Determined | 3 | 2 | 4 | 6 | 55 | 4 | 5 | 4 |
| Subdivision Certificates Received | 6 | 3 | 8 | 9 | 81 | 2 | 9 | 15 |
| Subdivision Certificates Determined | 6 | 7 | 7 | 8 | 74 | 9 | 9 | 9 |
| Roads Act Applications Determined | 25 | 30 | 30 | 37 | 333 | 31 | 45 | 42 |
| Plumbing & Drainage Applications Determined | 48 | 42 | 52 | 62 | 558 | 44 | 68 | 47 |
| Building Construction Inspections Undertaken | 321 | 286 | 371 | 378 | 3402 | 254 | 344 | 445 |

Applications of interest determined during the quarter include:

1. DA2014/801 - 378 lot residential subdivision - 'South Oxley', Thrumster.
2. DA2014/553 - 30 lot industrial subdivision - 'Fernbank Park', Thrumster.
3. DA2014/879 - 36 lot integrated housing development, Kendall.
4. DA2014/967 - Restaurant - 'Hungry Jacks', Port Macquarie.

The following table outlines the estimated value of works per development type approved for the quarter. The total value for the first 3 quarters of 2014/15 is close to matching the total yearly value for 2013/14. Residential development continues to dominate the develop types:

Planning and Providing Our Infrastructure

| Estimated Value of Work | Jan-15 | Feb-15 | Mar-15 | Total to Date 2014 - 2015 | Total 2013-2014 | Total 2012-2013 |
|-------------------------|---------------------|---------------------|---------------------|------------------------------|----------------------|----------------------|
| Ancillary | \$118,546 | \$264,250 | \$237,627 | \$5,629,696 | \$7,144,054 | \$3,732,090 |
| Commercial | \$3,000 | \$72,890 | \$1,609,100 | \$4,516,540 | \$26,482,821 | \$16,377,463 |
| Community | \$345,600 | \$19,612 | \$0 | \$34,958,430 | \$29,328,620 | \$7,800,750 |
| Industrial | \$0 | \$0 | \$330,000 | \$4,685,264 | \$6,617,002 | \$6,692,245 |
| Residential | \$15,532,551 | \$11,794,476 | \$16,218,572 | \$106,689,827 | \$112,608,913 | \$58,959,874 |
| Rural | \$0 | \$338,000 | \$425,000 | \$5,698,917 | \$8,965,554 | \$11,962,472 |
| Subdivision | \$28,000 | \$20,562,000 | \$20,000 | \$21,175,300 | \$5,232,000 | \$25,802,630 |
| Tourist | \$0 | \$2,941,800 | \$0 | \$3,769,740 | \$966,066 | \$2,310,001 |
| Total | \$16,027,697 | \$35,993,028 | \$18,840,299 | \$187,123,714 | \$197,345,030 | \$133,637,525 |

During the quarter, the Department of Planning and Infrastructure released the 2013/14 local development performance monitoring report, link below:

<http://datareporting.planning.nsw.gov.au/>

The report provides data on application volumes and processing times for all Councils across NSW. A summary of key volume and processing time data for PMHC compared to state average, DLG Code 5 Councils, North Coast Councils and Coffs Harbour City Council is provided below. Combining the DA and CDC data gives the complete picture for determining overall activity given these are the two streams of applications for development. The data shows that for the 2013/14 year, Port Macquarie-Hastings Council preformed strongly in development applications processing:

| 2013/14 | No. DAs | No. CDCs | Value DAs (\$Million) | Value CDCs (\$Million) | DA Mean Gross (Days) | DA Mean Nett (Days) |
|--------------------------|---------|----------|--------------------------|------------------------------|----------------------------|---------------------------|
| PMHC | 796 | 308 | \$193 | \$31 | 55 | 28 |
| Coffs | 982 | 52 | \$188 | \$5.5 | 67 | 39 |
| NSW (Avg.) | 400 | 163 | \$169 | \$29 | 61 | 40 |
| North Coast (Avg.) | 449 | 77 | \$91 | \$6.5 | 64 | 35 |
| DLG Code 5 (Avg.) | 1257 | 348 | \$297 | \$42 | 62 | 31 |

Quarterly application processing data and longer term trends for the various application types is provided in the table and graph below. Whilst PMHC is still tracking ahead of state averages, it is noted that the overall NSW monthly average DA processing times has decreased from 71 days in 12/13 to 61 days in 13/14. Current 2014/15 data for PMHC is 58 gross average processing days. The increased volume of applications received over the year to date is beginning to show its effects on processing times with small increases in processing times across the majority application types.

Planning and Providing Our Infrastructure

A significant spike in processing times associated with infrastructure construction certificate processing resulted from the activation of a number of dormant applications by the proponent. The processing times from these applications significantly skews the monthly averages for infrastructure construction certificate processing and is not an accurate reflection of system performance. Council's development engineers will now take a more proactive approach to managing applications relying on action from the proponent.

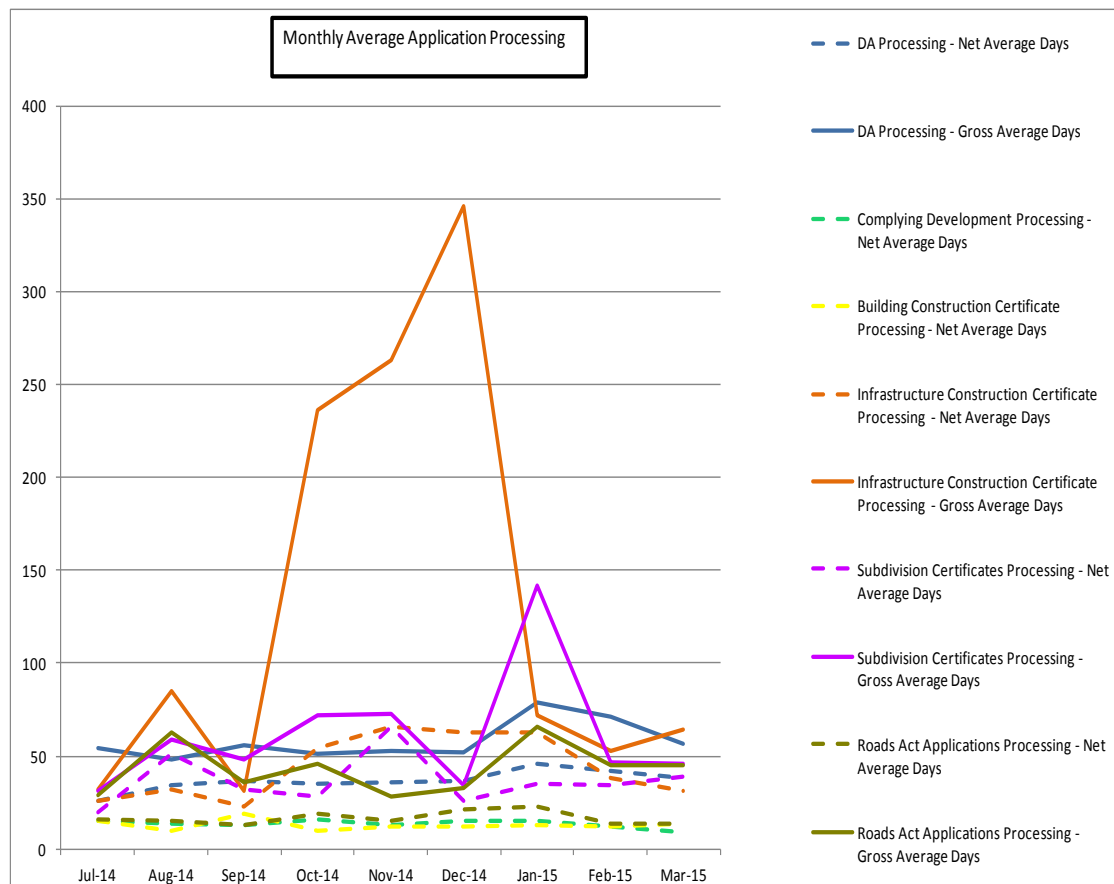
Continuous improvement initiatives are ongoing including:

- 90% of applications now being received electronically
- Additional improvements to assessment templates and registration checklists
- Improved screening of infrastructure application at lodgements stage
- Streamlined infrastructure application quoting processes.

These initiatives will assist in maximising efficiencies in processing times within current resources.

| PMHC Application Processing Performance | | | | | | | | | | |
|--|-------------------------------|-------------------------------|--------------------------------------|--------------------------------------|-------------------------------|-------------------------------|-------------------------------|--------|--------|--------|
| | 2010-11 Monthly Average | 2011-12 Monthly Average | NSW 2012-13 Monthly Average | NSW 2012-13 Monthly Average | 2013-14 Monthly Average | 2013-14 Monthly Average | 2014-15 Average to date | Jan-15 | Feb-15 | Mar-15 |
| DA Processing - Net Average Days | 39 | 38 | 46 | 35 | 39 | 31 | 37 | 46 | 42 | 38 |
| DA Processing - Gross Average Days | 75 | 60 | 71 | 67 | 61 | 55 | 58 | 79 | 71 | 57 |
| Complying Development Processing - Net Average Days | 5 | 6 | 18 | 5 | | 7 | 14 | 15 | 12 | 9 |
| Complying Development Processing - Gross Average Days | 6 | 7 | | 5 | 19 | 8 | 14 | 18 | 12 | 10 |
| Building Construction Certificate Processing - Net Average Days | 27 | 16 | 16 | 11 | | 7 | 13 | 13 | 12 | 14 |
| Building Construction Certificate Processing - Gross Average Days | 68 | 64 | | 60 | | 41 | 50 | 56 | 57 | 43 |
| Plumbing & Drainage Applications Processing - Net Average Days | 32 | 30 | | 30 | | 19 | 19 | 56 | 8 | 17 |
| Plumbing & Drainage Applications Gross Average Days | 37 | 42 | | 45 | | 57 | 67 | 107 | 47 | 56 |
| Infrastructure Construction Certificate Processing - Net Average Days | 33 | 33 | 33 | 35 | | 41 | 44 | 63 | 38 | 31 |
| Infrastructure Construction Certificate Processing - Gross Average Days | 39 | 39 | 39 | 48 | | 52 | 131 | 72 | 53 | 64 |
| Subdivision Certificates Processing - Net Average Days | 48 | 43 | | 78 | | 32 | 37 | 35 | 34 | 39 |
| Subdivision Certificates Processing - Gross Average Days | 51 | 44 | | 78 | | 39 | 61 | 142 | 47 | 46 |
| Roads Act Applications Processing - Net Average Days | 28 | 63 | | 36 | | 26 | 17 | 23 | 14 | 14 |
| Roads Act Applications Processing - Gross Average Days | 28 | 63 | | 36 | | 36 | 43 | 66 | 45 | 45 |

Planning and Providing Our Infrastructure



Options

This is an information report.

Community Engagement & Internal Consultation

Development assessment statistics are discussed internally as the key indicator of system performance.

Feedback on the customer experience has continued to sought, through monthly meetings with specific applicants, to build upon the information obtained from the recent customer survey as previously reported to Council.

Planning & Policy Implications

Nil

Financial & Economic Implications

This report does not have direct financial or economic implications. However, monitoring the performance of the development assessment system is an important undertaking given the role of development regulation in the broader economy and the need to minimise costs to business and the community in managing development.

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Attachments

Nil

Planning and Providing Our Infrastructure

Item: 13.09

Subject: QUESTION ON NOTICE - WAUCHOPE SWIMMING POOL FACILITY

Presented by: Community & Economic Growth, Tricia Bulic

RECOMMENDATION

That Council note the information included in the report.

Question from Councillor

Could the General Manager advise:

1. Is Council completing work on the Wauchope swimming pool facility which is contrary to the GNFP structural report dated 17 February 2010?
2. When should Council consult prior to proposed works approval and what legislation is Council to follow?
3. What issue or other creates the urgency to make the decision to refurbish the existing 50 metre pool?
4. When a funding allocation is made for the Wauchope swimming pool project in a particular year, what occurs to the allocation in years following?

Comments by Councillor (if provided)

Nil.

Response

Is Council completing work on the Wauchope swimming pool facility which is contrary to the GNFP structural report dated 17 February 2010?

The recommendations of this report are as follows:

Wauchope Olympic Pool Centre

Recommendations

1. The 50m pool, balance tank, joints and tiling system are in very poor structural and functional condition in terms of adequacy to resist applied loads and in terms of water loss prevention, having cracked and undergone deformations and settlements, generally due to the poor founding materials, the high water levels experienced and the softening effect of the saturation of the bearing subgrade by the leaked water. The overall condition of the pool is considered unacceptable in terms of the pool's retention and upgrading, and GNFP recommends that the pool be removed and replaced with a new pool that would have a future life expectation of at least fifty years.

2. Both pools turnover periods and rates fall significantly short of the recommendations of the Guidelines and the performance of the pools is considered unacceptable and in significant non-compliance with the Guidelines.

Planning and Providing Our Infrastructure

3. Council should not undertake a total upgrade of the 50m pool and plant at the centre. GNFP advises that in its view the existing pool has reached the end of its functional life, give or take a couple of years, and should investigate the provision of alternatives.

4. If Council believes that a 50m pool should be retained in the Wauchope centre, then construction of a new 50m pool could be located on the site adjacent to the water slide area. A more economical option would be to consider construction of an indoor allseason 25m pool with further consideration given to inclusion of a small indoor leisure/warm water pool, perhaps monolithic with the 25m pool. Another external feature worthy of consideration would be an outdoor splash pad, a feature providing major attraction and benefit for very little additional supervision requirements.

5. The only work to be carried out on the existing 50m pool structure should be regarded as interim work prior to establishment of new facilities, and should be the minimum work necessary to minimize water loss and to ensure rectification of foot and other personal injury hazards.

6. For the 50m pool plant, the electrical control board should be checked and upgraded to compliance with AS/NZ 3000.

7. The children's pool's structure should be upgraded to incorporate an efficient wet deck, and a new commercial standard filtration and water treatment system should be provided for this pool.

Recommendation 1 outlines the significant structural issues with the 50 metre pool and recommends that *'the pool be removed and replaced with a new pool that would have a future life expectation of at least fifty years'*. This option will be available to tenderers when a budget for the upgrade of the 50 metre pool is adopted by council.

However, there are other technologies within the aquatics industry that could be applied in achieving the same outcome that do not necessarily require the removal of the existing pool structure in its entirety.

Tenderers will be provided with the GNFP report for this facility and they will be required to prove to the assessment panel that the proposed project methodology adequately addresses the identified structural concerns should it be proposed to retain components of the existing structure.

The issues identified in recommendation 2 will be addressed when the 50 metre pool is upgraded.

Recommendations 3 & 4 suggest that Council should not retain the 50 metre pool and that a 25 metre indoor pool should be provided. These recommendations were provided by the consultant without reference to community or council thoughts on such an approach.

In light of these recommendations Council has undertaken a community engagement process which highlighted that there was not community support for the deletion of the 50 metre pool. As a result, concept and master plans were developed for the

Planning and Providing Our Infrastructure

facility which included the retention of the 50 metre pool. These plans were subsequently adopted by council.

As per the adopted facility plans, the 50 metre pool will remain in its current location.

The issues identified in recommendation 6 will be addressed when the 50 metre pool is upgraded.

The issues identified in recommendation 7 will be not be addressed as part of the 50 metre pool upgrade scope of works.

On this basis, it is accurate that Council plans to undertake works that are contrary to the GNFP report. However, the current approach to the project is the result of:

- engagement with the community in development of the concept and master plans for the upgrade of the facility
- engagement with consultants and sub-consultants experienced in design and delivery of projects of this nature, and with experience in addressing issues as outlined in the GNFP report
- engagement with council staff and facility managers who have managed upgrade of similar facilities that had identified structural issues like those included within the GNFP report.

When should Council consult prior to proposed works approval and what legislation is Council to follow?

There has been significant community engagement undertaken to date in determining how the facility should be developed in future. This engagement resulted in the adopted concept and long term master plan for the site.

There was further opportunity for input into the project during the exhibition of the Development Application associated with the facility upgrade.

The project forms part of the draft Operational Plan 2015/16 which was exhibited from 23 March to 1 May 2015 with submissions regarding plan inclusions or omissions being invited.

In accordance with council policy, there will be some engagement with the community prior to commencement of works. Councils Community Engagement policy is based on the IAP2 spectrum, with the likely level of engagement for this project being Inform & Consult:

3. Inform - Keeping the community up to date about the project.
4. Consult - Seeking feedback from the pool lessee and other key stakeholders about the proposed delivery timeline for the project.

There are a range of legislative requirements that will be considered and addressed in relation to delivery of this project. This legislation includes, but is not limited to:

- Local Government Act 1993
- Environmental Planning and Assessment Act 1979
- Industrial Relations Act 1996
- Work Health & Safety Act 2011

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What issue or other creates the urgency to make the decision to refurbish the existing 50 metre pool?

The inclusions within the GNFP report that outline the structural and functional issues associated with the facility create the urgency behind the decision to upgrade the 50 metre pool.

When a funding allocation is made for the Wauchope swimming pool project in a particular year, what occurs to the allocation in years following?

Council adopts budgets for a particular project as part of the Operational Plan. There are options for consideration where an allocation is not fully expended within that particular financial year. Some of these may include:

- A request for the carry-over of the balance or part of remaining funds into another financial year
- The retention of the funds in a specific financial reserve or return to a specific funding source; or
- Where the funds are untied, the return of funds into general revenue.

Attachments

Nil

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Item: 13.10

Subject: MCINHERNEY PARK

Presented by: Community & Economic Growth, Tricia Bulic

Alignment with Delivery Program

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

RECOMMENDATION

That Council:

- 1. Note the information included within this report.**
- 2. Agree to support further exploration of additional sites along the Hastings River for access and use by motorised vessels.**
- 3. Support the motorised vessel exclusion zone at McInherney Park beaches.**

Executive Summary

The purpose of this report is to provide further information regarding the status of the western man-made beach at McInherney Park and requests for access for use by motorised vessels.

The findings of the Mid North Coast Regional Boating plan report that recreational boating infrastructure and facilities are adequate in the Camden Haven however improvements are required for the quality of facilities on the Hastings River for all recreational boating.

This Council report identifies those recreational boating priority projects to be undertaken by PMHC and RMS.

Discussion

This report is prepared in response to the following Council resolution of 18 June 2014:

10.01 NOTICE OF MOTION - MCINHERNEY PARK

RESOLVED: Cusato/Roberts

That Council:

- 1. Through the General Manager, investigate findings of the Recreational Study carried out by the Ross Group in 2013/2014 regarding the lack of infrastructure and facilities on waterways in and around the local government area.*
- 2. Include in that investigation the Roads and Maritime Service (RMS) advice in relation to the use of McInherney Park for motorised watercraft.*
- 3. Request the General Manager provide a report to the October 2014 Council Meeting as to the outcomes of these investigations.*

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CARRIED: 8/0

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

AGAINST: Nil

This report is provided as requested following the adoption of the Recreation Plan. The plan was adopted at the April 2015 Ordinary Council Meeting.

Lack of infrastructure and facilities on waterways in LGA

The Recreational Needs Study prepared by ROSS Planning on behalf of Council identified that:

- The use and demand for boat access to the water is greater than the provision of ramps. Boating use (and demand) is exceeding the infrastructure in Port Macquarie, however, southern towns feel they have enough
- There is a gap in (land-based) infrastructure supporting boat ramps
- Conflict exists among motorised and non-motorised watercrafts due to the lack of access points into the Waterways
- 29.9% of community survey respondents were satisfied with the provision of boat ramps/wharves/ jetties in the LGA
- Canoes/kayaks have little formal infrastructure available, with three floating pontoons installed recently for recreation boating - two in Port Macquarie and one in Camden Haven. Further access points are desired in Port Macquarie
- Storage and basic club facilities are needed in Wauchope to allow the development of the Wauchope Rowing Club and other aquatic activity groups
- Of the two beach access areas in McInherney Park, the larger has been closed to motor boats. This has resulted in conflicts of use between motor boats, the sailing club and the public at the smaller beach entry point.
- Water access and boating - a need for more water access points across the LGA in general was identified, including land-based supporting infrastructure.

Further, the draft plan included the following recommendations:

- 1.8 - Assist the Wauchope Rowing Club establish facilities at a suitable site in the Wauchope area. Facility should be developed as a community facility, able to provide for a range of water-based activities.
- 1.9 - Restore use by motorised vessels of the larger beach entry at McInherney Park, and develop appropriate controls for use (between certain hours, etc)'.
- 2.8 - Advocate for further access to the water through additional and upgraded boat ramps in Port Macquarie. Monitor demand in other localities.

The Recreation Action Plan adopted by council in April 2015 includes a number of recreational boating actions that will address the lack of infrastructure and facilities on waterways in and around the local government area including:

- Westport Park Boat Ramp Upgrade (2015/16)
- Site selection - new recreational boating facility, Hastings River Port Macquarie (2016/17)
- Recreational Boating Needs Study - Camden Haven River (2016/17)
- Installation of a floating pontoon, Rocks Ferry Reserve, Wauchope (2015/16)

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- Installation of pontoon, McInherney Park, Port Macquarie (Sailability Project) (2015/16)

The Mid North Coast Regional Boating Plan

Transport for NSW commenced development of a Mid North Coast Regional Boating Plan after work on the Recreation Plan had commenced. Council staff was engaged during the process and a consultation draft was released in July 2014 with the final plan being adopted in February 2015.

The Mid North Coast Regional Boating Plan identifies the above priority projects with funding commitments in collaboration with PMHC and most notably, there is partnership funding between Sailability and the RMS for the installation of the pontoon.

RMS advice in relation to the use of McInherney Park for motorised watercraft

Council staff met with RMS staff on 19 February 2015 to discuss the management of boating users at McInherney Park.

The option of reducing the on-water speed to 4 knots in the vicinity of McInherney Park was discussed at this meeting. The RMS advised that such restrictions in small pockets of the river are very hard to police and are therefore generally ineffective. On this basis, they did support opening the western man made beach with a localised 4 knot zone.

RMS staff advised they have received complaints from McInherney Park residents pertaining to jet skis in the waterway outside their residence. RMS staff explained that vessels/jet skis cannot 'free ride' within 200 metres of residences and that they are considering installation of signage along the river bank to improve recreational boating user knowledge of this requirement.

RMS staff clarified that councils role in enforcing non-compliance with current and potential future prohibitions includes beach management and use of boat ramps, pontoons, wharves and jetties. With existing prohibitions on the McInherney Park beaches, council staff responsibilities include the beaches and pontoon after it has been installed.

RMS suggested the creation of a designated 'swimming area' off the man made western beach. This will improve the ability of Boating Safety Officers to enforce prohibitions from the water. The swimming area would measure 60 metres out from shore. This area would prohibit any powered vessels from entering the space and create clarity for vessel users as to exactly where they are prohibited from.

The Sailability Port Macquarie Pontoon, McInherney Park

As mentioned above, the Sailability Pontoon at McInherney Park was identified as a regional priority project within the Mid North Coast Regional Boating Plan. As a priority project, a funding contribution will be made by the Maritime Management Centre towards its delivery.

Council has approved a Development Application (DA) allowing for the installation of this pontoon next to the eastern man made beach in McInherney Park. This DA was

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contentious with a number of submissions being lodged against the proposal. The key issue for those persons objecting to the proposal was that it may encourage use by motorised vessels post installation, impacting on the amenity of nearby residents.

Options

- Note the information contained in this report as it relates to current supply of recreational boating infrastructure and facilities, and that short term plans exist to improve the quality of facilities on the Hastings River.
- Remove the motorised vessel exclusion zone currently imposed on the western man made beach. This option will not be supported by a majority of nearby residents. This option will impact on the amenity for some residents with noise impacts being the primary concern. Should this option be supported by Council, there will be a need to undertake a noise assessment prior to the exclusion being removed so that the implications of noise impacts as they relate to the Protection of the Environment Operations Act 1997 can be better understood.

Further, this option will have an impact on current uses of this beach which include swimming, stand-up paddle boarding, sailing and kayaking/canoeing.

- Impose a 4-knot zone in the area of the western man made beach. As mentioned above, the RMS does not support this option. This option will also have an impact on current uses of this beach, although with lower vessel speeds there is a reduced risk of injury to other users.
- Maintain the existing management approach in excluding motorised vessels from the McInherney Park beaches. This option will appease a majority of nearby residents but will not satisfy those motorised boating users seeking access to beach areas within the Port Macquarie area of the Hastings River.

Community Engagement & Internal Consultation

There has been internal consultation with the following staff:

- Group Manager Recreation & Buildings - asset owner
- Parks Management Officer - park management
- Group Manager Regulatory Services - enforcement
- Development & Environment staff - noise considerations

There has also been consultation with the following groups:

- RMS Boating Operations Branch
- RMS Boating Safety Officers
- Maritime Management Centre

Planning & Policy Implications

Relevant legislation including Protection of the Environment Operations Act 1997 particularly regarding noise impacts would need to be addressed in any potential change of use.

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Financial & Economic Implications

There will be costs associated with undertaking a noise assessment should Council adopt this option. It is estimated that this assessment will cost \$5,000.

Attachments

Nil

Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE

RECOMMENDATION

1. That Council move into Confidential Committee of the Whole to receive and consider the following items:
 - Item 15.01 Tender T-15-16 2014 - 2015 Port Macquarie CBD Footpath Cleaning
 - This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. That pursuant to Section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole on the basis that the items to be considered are of a confidential nature.
3. That the recommendations made in Confidential Committee of the Whole be made public as soon as practicable.

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

RECOMMENDATION

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

**Item 15.01 Tender T-15-16 2014 - 2015 Port Macquarie CBD Footpath
Cleaning**

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

RECOMMENDATION