



# Ordinary Council

## Business Paper

**date of meeting:** Wednesday, 18 May 2016

**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.



**PORT MACQUARIE  
HASTINGS**

**Council's Vision**

A sustainable high quality of life for all

**Council's Mission**

Building the future together  
People Place Health Education Technology

**Council's Corporate Values**

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

**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).



# Ordinary Council Meeting

Wednesday 18 May 2016

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**PORT MACQUARIE  
HASTINGS**

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

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

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

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

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

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**RECOMMENDATION**

That the apologies received be accepted.

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

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**RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held on 20 April 2016 be confirmed.

**PRESENT**

**Members:**

Councillor Peter Besseling (Mayor)  
Councillor Lisa Intemann (Deputy Mayor)  
Councillor Rob Turner  
Councillor Adam Roberts  
Councillor Justin Levido  
Councillor Geoff Hawkins  
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 (Blair Hancock)  
Governance Support Officer (Bronwyn Lyon)  
Communication Engagement and Marketing Team Leader (Andy Roberts)

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The meeting opened at 5:31pm.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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

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**02 LOCAL GOVERNMENT PRAYER**

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Pastor Alan Soden from the Port Macquarie Baptist Church delivered the Local Government Prayer.

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**03 APOLOGIES**

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Nil.

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**04 CONFIRMATION OF MINUTES**

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*RESOLVED: Hawkins/Levido*

1. That the Minutes of the Ordinary Council Meeting held on 16 March 2016 be confirmed subject to the following amendment:

Item 5 - Disclosures of Interest:

“Councillor Hawkins declared a Pecuniary Interest in Item 13.06 - Friends of Mrs York’s Garden Future Projects, the reason being that Councillor Hawkins owns property directly opposite the proposed works.”

2. That the Minutes of the Extra-Ordinary Council Meeting held on 4 April 2016 be confirmed.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**05 DISCLOSURES OF INTEREST**

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Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 09.02 - Request for Leave of Absence - Councillor Levido, the reason being that Councillor Levido is the subject of the report.

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**06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS**

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*RESOLVED: Besseling*

That the Mayoral Discretionary Fund allocations for the period 3 March to 4 April 2016 inclusive be noted.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

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*RESOLVED: Levido/Griffiths*

That Council determine that the attachments to Item Number 09.09 be considered as confidential, in accordance with section 11(3) of the Local Government Act.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**08 PUBLIC FORUM**

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Nil.

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**09.01 STATUS OF OUTSTANDING REPORTS TO COUNCIL**

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*RESOLVED: Levido/Cusato*

That Council note the information in the March 2016 Status of Outstanding Reports to Council report.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**09.02 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR LEVIDO**

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Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 5:36pm.

*RESOLVED: Intemann/Turner*

That Council grant leave of absence for Councillor Levido for the period 1 July to 30 July 2016, which includes the Ordinary Meeting of Council scheduled for 20 July 2016.

*CARRIED: 8/0*

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

*AGAINST: Nil*

Councillor Levido returned to the meeting, the time being 5:37pm.

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**09.03 DISCLOSURE OF INTEREST RETURN**

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*RESOLVED: Sargeant/Griffiths*

That the following Disclosure of Interest returns be noted:

1. Transport and Stormwater Network Operations Engineer (x2).
2. Chief Financial Officer.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**09.04 DESIGNATED PERSONS**

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*RESOLVED: Griffiths/Hawkins*

That Council determine that the following position become a Designated Person pursuant to the provisions of section 441 of the Local Government Act 1993:

- Bridges and Structures Engineer.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**09.05 COMMITTEE REVIEW**

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*RESOLVED: Intemann/Cusato*

That Council:

Remove Councillor representation from the following committee:

North Coast Regional Weeds Committee.

Remove from the Committee Register the following committees:

Road Safety Steering Committee.

Sewerage Steering Committee.

Water Supply Steering Committee.

Request the twenty six (26) charters that have been identified as needing to be updated are submitted to the August 2016 Council meeting for approval.

Adopt the charter template provided as the attachment of this report, including additional sections:

- a) Appointment of members.
- b) Obligations of members.
- c) Secretariat.

Request a following report to be provided to articulate recommendations to ensure ongoing effectiveness of Committees.

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

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**09.06 MONTHLY FINANCIAL REVIEW FOR MARCH 2016**

*RESOLVED: Hawkins/Griffiths*

That Council adopt the adjustments in the “Financial and Economic Implications” section of the Monthly Financial Review for March 2016 report.

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

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**09.07 GLASSHOUSE QUARTERLY REPORT**

*RESOLVED: Roberts/Levido*

That Council note the information provided in the Glasshouse Quarterly Report.

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

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**09.08 INVESTMENTS - MARCH 2016**

*RESOLVED: Levido/Hawkins*

That Council note the Investment Report for the month of March 2016.

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

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**09.09 AUSTRALIA POST**

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*RESOLVED: Griffiths/Intemann*

That Council:

1. Note the information contained within this report.
2. Adopt Option 5 being removal of Australia Post as a payment option from rates and water notices issued from October 2016 following a community engagement campaign.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**09.10 ZERO BASED BUDGETING**

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*RESOLVED: Hawkins/Griffiths*

That Council note the Zero Based Budgeting approach proposed to be undertaken as part of the Service Review Process as outlined in the Zero Based Budgeting report.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**09.11 AMENDMENT OF STINGRAY CREEK BRIDGE REPLACEMENT PROJECT STEERING GROUP CHARTER**

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*RESOLVED: Levido/Turner*

That Council adopt the revised Stingray Creek Bridge Replacement Steering Group Charter.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**09.12 UPDATES TO THE DEVELOPMENT ASSESSMENT PANEL CHARTER**

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*RESOLVED: Turner/Griffiths*

That Council adopt the revised Development Assessment Panel Charter.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**09.13 DRAFT ONE YEAR OPERATIONAL PLAN FOR 2016 - 2017, DRAFT FEES AND CHARGES 2016 - 2017 AND DRAFT REVENUE POLICY**

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*RESOLVED: Sargeant/Turner*

That Council:

Approve the following documents to be placed on public exhibition for the period 21 April - 19 May 2016 (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 2016 - 2017;

Draft Fees and Charges 2016 - 2017;

Draft Revenue Policy 2016 - 2017;

Rating Maps 2016 - 2017.

Endorse the community engagement plan for the development of the One Year Operational Plan for 2016 - 2017 and associated documents, to enable the community to provide its input into the decision making of Council.

*CARRIED: 8/1*

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

*AGAINST: Roberts*

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**10.01 ABORIGINAL VOLUNTEERING PROJECT**

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*RESOLVED: Sargeant/Turner*

1. That Council actively support the Aboriginal Volunteering Project initiative through the involvement of the Aboriginal Development Officer and Volunteer Coordinator for up to 30 hours per year to provide support for the Burraydjarr Aboriginal Youth group.
2. That a review into the benefits of this project, including Council staff contribution and associated costs be undertaken in twelve (12) months.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**10.02 RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - MARCH 2016 MEETING**

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*RESOLVED: Besseling/Cusato*

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. Melinda Burke in the amount of \$500.00 to assist with the expenses she will incur competing at the Australian Athletics Championships (Seniors, Multiple and Combined Events) to be held in Sydney from 31 March to 3 April 2016 inclusive.
2. Nathan Graham in the amount of \$750.00 to assist with the expenses he would have incurred competing at the Australian Athletics Championships (Junior Event) held in Perth, Western Australia from 8 March to 13 March 2016 inclusive.
3. Saraeyah Dumas in the amount of \$250.00, at the discretion of the Mayor's Sporting Fund Sub-Committee, to assist with the expenses she will incur travelling to and competing as part of the Australian Indigenous Netball Team to compete at the International Schoolgirls Netball Challenge to be held in Auckland, New Zealand from 1 May to 6 May 2016 inclusive.
4. Tegan Holland in the amount of \$250.00, at the discretion of the Mayor's Sporting Fund Sub-Committee, to assist with the expenses she will incur travelling to and competing as part of the Australian Indigenous Netball Team to compete at the International Schoolgirls Netball Challenge to be held in Auckland, New Zealand from 1 May to 6 May 2016 inclusive.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**11.01 QUEENS GRANT ESTATE**

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*RESOLVED: Sargeant/Hawkins*

That Council:

1. Request the General Manager to provide a report by July 2016 on the legal and other implications associated with withdrawing from the voluntary acquisition program of lots in the Queens Grant Estate.
2. Defer this matter until after Council consideration of the General Manager's report referred to in Point 1 above.

*CARRIED: 6/3*

*FOR: Besseling, Cusato, Hawkins, Intemann, Sargeant and Turner*

*AGAINST: Griffiths, Levido and Roberts*

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### 11.02 QUESTION ON NOTICE - STUDENT ACCOMMODATION DEVELOPMENTS

*RESOLVED: Turner/Hawkins*

That Council review the level of student accommodation development contributions and provide a report back to the May 2016 Council Meeting.

*CARRIED: 9/0*

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

*AGAINST: Nil*

### 11.03 2015-2016 COMMUNITY GRANTS PROJECTS FOR ENDORSEMENT

*RESOLVED: Sargeant/Hawkins*

That Council:

- Pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Community Grants 2015-2016 Round 2 to:

Organisation Name	Project	Funding
<b>General:</b>		
Wauchope Tennis Club	New synthetic grass	\$10,000
Port Macquarie Hastings U3A Inc.	Automated External Defibrillator	\$1,100
Hastings Autism (HAARG Inc.)	Autism Awareness Expo	\$4,750
Port Macquarie Historical Society	New Fire Alarm System	\$2,000
Riding for the Disabled Assoc (NSW) - The Kendall Centre	New Fencing/Relocation costs	\$9,750
Port Macquarie Boxing Club Inc	First/Boxing Aid Training x 12	\$3,050
Kendall Community Boatshed Inc.	Gutter Guards	\$1,166
Wauchope Bonny Hills Surf Life Saving Club Inc.	New rescue boat	\$6,000
Hastings Child Protection Network	Teddy Bears Picnic	\$4,250
iKew Centre / Camden Haven Chamber of Commerce	Renovating the Big Axe	\$3,950
Camden Haven Surf Lifesaving Club	Rescue boards	\$2,477
	<b>Sub Total</b>	<b>\$48,493</b>
<b>Non Council Owned Halls:</b>		
Pappinbarra Progress Assoc.	Extending Outdoor Area	\$9,439
Rollands Plains Recreational Reserves Trust	Restumping / Reguttering Hall	\$9,100
	<b>Sub Total</b>	<b>\$18,539</b>
<b>Place Making:</b>		
Friends of Mrs Yorks Garden	Seating / signage	\$3,590
Port Macquarie Neighbourhood Centre	Volunteer Expo	\$1,800
	<b>Sub Total</b>	<b>\$5,390</b>

<b>TOTAL ALLOCATED</b>	<b>\$72,422</b>
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2. The following application has been tentatively approved and is awaiting confirmation on receipt of a Development Assessment approval for the Pappinbarra Progress Association to install an awning to the existing outdoor entertainment area.
3. Approve the support of community projects with the unallocated funds.

*CARRIED:* 9/0

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

*AGAINST:* Nil

## 12.01 SALE OF AUSTRALIAN CARBON CREDITS

*RESOLVED:* Griffiths/Turner

That Council:

Delegate authority to the General Manager to undertake the sale of Carbon Credits and participate in auctions under Federal emissions trading schemes and programs.

Put the proceeds from the sale of carbon credits to renewable energy initiatives with a positive return on investment.

Request the General Manager report to Council on any such renewable energy initiatives prior to investment.

*CARRIED:* 6/3

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

*AGAINST:* Cusato, Levido and Roberts

## 12.02 LAKE CATHIE COASTAL ZONE MANAGEMENT PLAN

*RESOLVED:* Intemann/Griffiths

That Council adopt the revised Lake Cathie Coastal Zone Management Plan and submit the Plan to the NSW Minister for the Environment for certification.

*CARRIED:* 9/0

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

*AGAINST:* Nil

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**12.03 DA2014 - 421.2 MODIFICATION TO PONTOON (SAILABILITY) - LOT 2 DP 535212 MCINHERNEY CLOSE, PORT MACQUARIE**

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*RESOLVED: Cusato/Turner*

That modification to DA2014 - 421.2 for a pontoon at Lot 2, DP 535212, McInherney Close, Port Macquarie, be determined by granting consent subject to the recommended conditions.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**13.01 LAND ACQUISITION AS PART OF THE PROVISION OF SEWER TO THE VILLAGE OF COMBOYNE**

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*RESOLVED: Levido/Cusato*

That Council:

1. Pay compensation in the amount of \$60,000 (GST Exclusive) to the Comboyne Ex-Serviceman's & Citizens Club for the acquisition of an area of land comprising 366.5m<sup>2</sup> from Lot 2 Section 2 Deposited Plan 8802.
2. At nil cost to the Comboyne Ex-Serviceman's & Citizens Club, provide connections to the sewer for the residence situated at 42 Main Street, Comboyne and to the Club premises at 3-5 Comboyne Street, Comboyne.
3. Delegate to the General Manager authority to sign:
  - a) Contract for Sale/Deed of Acquisition.
  - b) Land Titles Office Transfer Form.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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**13.02 TRANSFER OF LAND TO COUNCIL CONTAINING SEWER INFRASTRUCTURE**

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*RESOLVED: Levido/Cusato*

That Council:

1. Accept the transfer of land being Lot 226 Deposited Plan 1212069.
  2. Pursuant to section 34 of the Local Government Act, place on public exhibition the proposed resolution "It is intended to classify Lot 226 Deposited Plan 1212069 (land situated on The Point Drive at Usher Street, Port Macquarie) as operational land", from 27 April 2016 for a minimum of 28 days.
  3. Note that a further report will be tabled at the June 2016 meeting of Council, detailing the submissions received from the public during the exhibition period.
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CARRIED: 9/0

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

AGAINST: Nil

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### 13.03 RECOMMENDED ITEM FROM LOCAL TRAFFIC COMMITTEE - 2016 IRONMAN TRIATHLON AUSTRALIA

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RESOLVED: Sargeant/Turner

That Council approve the temporary road closures and support the associated transport management arrangements associated with the 2016 Ironman Triathlon Australia on Sunday 1 May 2016, subject to the following conditions:

That the event organiser advertise, at no cost to Council, the following details of all temporary road closures and temporary parking restrictions associated with this event in the local print media on separate days, at least twice (2) within 14 days prior to the event:

temporary road closure times

duration of the temporary road closures

temporary parking restrictions times and duration.

alternative routes and access arrangements.

That the event organiser advertise the event by undertaking a letter box drop to all residents and businesses directly affected by the temporary road closures and temporary parking restrictions at least 14 days prior to the event, advising the following:

event name

event times

contact details of at least two (2) people involved in the organisation of the Event, in case of an emergency

proposed actions to be undertaken to mitigate the impact of the temporary road closures and temporary parking restrictions.

That the Traffic Management Plan and associated Traffic Guidance Scheme dated 14 March 2016 be implemented. Any modifications to the plans must be agreed with Council prior to the running of the event.

That the event organiser abides by the written approval from the NSW Police.

That the event organiser notify the NSW Ambulance, NSW Fire & Rescue and the State Emergency Service of the proposed road closures at least 14 days in advance of the event.

That the event organiser notifies local Transport Services (Bus Companies, Taxis) of the proposed road closures at least 14 days in advance of the event and assists in developing alternatives for affected users.

An RMS accredited (Yellow card) person is to be used for the establishment and removal of the traffic control devices.

RMS accredited traffic controllers (Blue card) are to be used to control traffic.

That the event organiser abides by any other condition that Council and the Police may impose at any time.

That the event organiser submit to Council 14 days prior to the commencement of the event evidence of Public Liability Insurance for the amount of \$20 million, which is valid for the duration of the event, including placement and removal of traffic control devices.

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The event organiser must have this approval and the Traffic Management Plan and Traffic Guidance Scheme described above on site at all times for the duration of the event.

RMS Transport Management Centre (TMC) must be contacted prior to the implementation of TGS's involving traffic signals.

A portable Variable Message Sign (VMS) strategy is implemented with messages to inform the non-event community of proposed road closures, and that prior to the event RMS receive notice of these messages for approval.

CARRIED: 9/0

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

AGAINST: Nil

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#### 13.04 QUESTION ON NOTICE - ROAD NETWORK PLANNING

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RESOLVED: *Roberts/Levido*

That Council note the information in the Question on Notice - Road Network Planning report.

CARRIED: 9/0

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

AGAINST: Nil

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#### 13.05 CONCEPT DESIGN FORESHORE WALKWAY TOWN GREEN TO KOOLONBUNG CREEK FOOTBRIDGE

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RESOLVED: *Hawkins/Cusato*

That Council:

1. Note the submissions for the Concept Plan for the Foreshore Walkway Town Green to Kooloonbung Creek footbridge and the impact of them on the exhibited concept plan.
2. Adopt the Foreshore Walkway Town Green to Kooloonbung Creek footbridge plan.

CARRIED: 9/0

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

AGAINST: Nil

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#### 14 QUESTIONS FOR NEXT MEETING

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**14.01 PORT MACQUARIE-HASTINGS KOALA HABITAT AND  
POPULATION ASSESSMENT 2013**

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**Question from Councillor Griffiths:**

Could the General Manager advise:

1. What review has occurred of the Port Macquarie-Hastings Koala Habitat and Population Assessment 2013 report?
2. Where errors occurred what factors caused the error?
3. Has a sensitivity analysis been completed? If a variance occurred what would be the secondary impact?
4. Are further changes expected?

**Comments by Councillor (if provided):**

The data contained in the Port Macquarie-Hastings Koala Habitat and Population Assessment 2013 report was to be used as the basis to build a comprehensive document. As a baseline document this would need to be accurate to ensure that historically the view of particular detail is not distorted. Council should be aware and assured that any document used for reference is reliable.

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**CONFIDENTIAL COMMITTEE OF THE WHOLE**

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*RESOLVED: Cusato/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 (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 Goods and Services Tax Class Action

This item is considered confidential under Section 10A(2)(d(iii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

Item 15.02 T-16-17 Stormwater Line Replacement

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

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
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Minutes of the Council Meeting.

CARRIED: 9/0

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

AGAINST: Nil

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## ADJOURN MEETING

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The Ordinary Council Meeting adjourned at 7:04pm.

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## RESUME MEETING

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The Ordinary Council Meeting resumed at 7:06pm.

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## ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

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*RESOLVED: Griffiths/Hawkins*

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

Item 15.01 Goods and Services Tax Class Action

This item is considered confidential under Section 10A(2)(d(iii)) of the Local Government Act 1993, as it contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

### RECOMMENDATION

That Council not participate as part of the proposed Goods and Services Tax class action.

Item 15.02 T-16-17 Stormwater Line Replacement

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

### RECOMMENDATION

That Council:

1. Accept the tender for Stormwater Line Replacement (Part A) from Eire Constructions Pty Ltd for \$94,183.97 (exclusive of GST) for specified works.
  2. Accept the tenders for Stormwater Line Replacement (Part B) from the following suppliers to be appointed to a panel of suppliers for Stormwater Line Replacement as listed below for a one (1) year period commencing 1 May 2016 to 30 April 2017 with a further two (2) x twelve (12) month options available (at
-

- Council's sole discretion):
- a) Ditchfield Contracting Pty Ltd.
  - b) Eire Constructions Pty Ltd.
- 3. Accept the Schedule of Rates from Ditchfield Contracting Pty Ltd and Eire Constructions Pty Ltd for Stormwater Line Replacement (Part B).
  - 4. Affix the seal of Council to the necessary documents.
  - 5. Maintain the confidentiality of the documents and considerations in respect of Tender T-16-17.

*CARRIED: 9/0*

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

*AGAINST: Nil*

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The meeting closed at 7:06pm.

.....  
Peter Besseling  
Mayor

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Item: 05  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

Name of Meeting: .....

Meeting Date: .....

Item Number: .....

Subject: .....  
.....

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

**Pecuniary:**

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

**Non-Pecuniary - Significant Interest:**

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

**Non-Pecuniary - Less than Significant Interest:**

May participate in consideration and voting.

For the reason that: .....

.....

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

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

**Further Explanation**

(Local Government Act and Code of Conduct)

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

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

**Pecuniary Interest**

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

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

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

**Non-Pecuniary**

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

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

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

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

*Non Pecuniary – Significant Interest*

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

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

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

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

*Non Pecuniary – Less than Significant Interest*

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

**SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION**

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

**Councillor's Signature:** ..... **Date:** .....

**Important Information**

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

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

- 
- i. Section 443 (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative<sup>iv</sup> or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
  - ii. Section 442 of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
  - iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section 443 (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—see section 448 (g) (ii) of the *Local Government Act 1993*.
  - iv. **Relative** is defined by the *Local Government Act 1993* as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

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Item: 06.01

Subject: MAYORAL MINUTE - MAYORAL DISCRETIONARY FUND  
ALLOCATIONS

Mayor, Peter Besseling

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**RECOMMENDATION**

**That the Mayoral Discretionary Fund allocations for the period 5 April 2016 to 3 May 2016 inclusive be noted.**

**Discussion**

Mayoral Discretionary Fund Allocations

The total commitment from the Mayoral Discretionary Fund from 5 April to 3 May 2016 inclusive was \$390.00.

This included the following:

ANZAC Day Wreaths	\$390.00
	<hr/>
	<b>\$390.00</b>

**Attachments**

Nil

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**Item: 07**

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

**Presented by: General Manager, Craig Swift-McNair**

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**Alignment with Delivery Program**

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

**RECOMMENDATION**

**That Council determine that the attachments to Item Numbers 09.08 and 11.01 be considered as confidential, in accordance with Section 11(3) of the Local Government Act.**

**Discussion**

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

**Item No: 09.08**  
**Subject: Loan Review**  
**Attachment Description:** Confidential Loan Review information  
**Confidential Reason:** Provides information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c).

**Item No: 11.01**  
**Subject: Tastings on Hastings Preliminary Planning and Budget for 2016 Event Update**  
**Attachment Description:** Tastings on Hastings 2016 Draft Plan and Budget  
**Confidential Reason:** Provides information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c).

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**Item: 08****Subject: PUBLIC FORUM**

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

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

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

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

## Ensuring Good Governance

### What are we trying to achieve?

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

### What will the result be?

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

### How do we get there?

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

## Ensuring Good Governance

**Item: 09.01**

**Subject: STATUS OF OUTSTANDING REPORTS TO COUNCIL**

**Presented by: Corporate and 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 information in the Status of Outstanding Reports to Council report.**

### Discussion

Reports requested by Council

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Tastings on Hastings 2016 Preliminary event plan and budget (Item 11.01 - OC 16/03/16)		DCEG		May 2016
QON - Reporting Requirements for Paragliders (Item 14.01 - OC 16/03/16)		DCEG		May 2016
Student Accommodation Developments - review the level of student accommodation development contributions (Item 11.02 - OC 20/04/16)		DDES		May 2016
QON - PMH Koala Habitat and Population Assessment 2013 (Item 14.01 - OC 20/04/16)		DDES		May 2016
Tastings on Hastings 2015 Update report (Item 11.01 - OC 16/03/16)		DCEG		Jun 2016

## Ensuring Good Governance

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
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	Jun 2016
Council Policy Template Review (Item 09.07 - OC 15/07/15)		DCOS	Dec 2015	Jul 2016
Development Contributions for Student Accommodation - results of trial (Item 13.06 - OC 19/11/14)	Delayed to align with timing of report on Development Contributions for Non Residential Development - outcome of trials. (Item 13.07 - OC 20/05/15)	DDES	Jun 2016	Jul 2016
Water Fluoridation - request for detailed information on studies and programs. (Item 10.01 - OC 15/07/15)	Awaiting further information from NSW Health	DIAM		Jul 2016
Three Villages Sewerage Scheme Construction - options to deliver fit-for-purpose and value-for-money. (Item 09.02 - EX-OC 29/07/15)	Awaiting funding determination.	DIAM	Nov 2015	Jul 2016
Development Contributions for Non Residential Development - outcome of trials. (Item 13.07 - OC 20/05/15)		DDES		Jul 2016
Queens Grant Estate - legal and other implications associated with withdrawing from the voluntary acquisition program of lots in the Queens Grant Estate. (Item 11.01 - OC 20/04/16)		DCOS		Jul 2016
Progress on Recreational Boating & RMS investigations for Hastings & Camden Haven Rivers (Item 13.10 - OC 19/08/15)	Studies have commenced but nothing further to report at this point in time.	DCEG		Aug 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
Planning Controls for Short Term Rental Accommodation Report on findings and recommendations arising from the Inquiry 'Adequacy of the regulation of short-term holiday letting in NSW'. (Item 13.07 - OC 16/03/16)		DDES		Mar 2017
Committee Review - articulate recommendations to ensure ongoing effectiveness of Committees. (Item 09.05 - OC 20/04/16)		DCOS		

### 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)
Glasshouse Strategic Business Plan - Progress Report	DCOS	Quarterly (Aug, Nov, Feb, May)
Delivery Program - Progress Report	DCEG	Biannual (Mar, Sept)

## Ensuring Good Governance

Report	Reporting Officer	Reporting Cycle
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)
Council Policy - Status Report	DCOS	Annually (July)
Annual Report of the Activities of the Mayor's Sporting Fund	DCEG	Annually (Aug)
Compliments and Complaints Annual Report	DCEG	Annually (Sep)
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 Report of Disability Discrimination Act Action Plan	DCEG	Annually (Sep)
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)
Update Report - Impact of cost shifting for the previous financial year including any additional categories of cost-shifting that have been identified (Item 09.04 - OC 21/10/15)	DCOS	Annually (Nov)

### Attachments

Nil

## Ensuring Good Governance

**Item:** 09.02

**Subject:** DISCLOSURE OF INTEREST RETURN

**Presented by:** Corporate and 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 return for the Bridges and Structures Engineer be noted.**

### 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 position of Bridges and Structures Engineer is a designated person under the Local Government Act.

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 Return for the position of Bridges and Structures Engineer will be tabled at this meeting.

### Options

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

### Community Engagement & Internal Consultation

#### Internal Consultation

- General Manager.

## Ensuring Good Governance

- Group Manager Governance & Executive Services.
- Bridges and Structures Engineer

### Planning & Policy Implications

Nil.

### Financial & Economic Implications

Nil.

### Attachments

Nil

## Ensuring Good Governance

**Item: 09.03**

**Subject: REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR ROBERTS**

**Presented by: Corporate and Organisational Services, Rebecca Olsen**

### Alignment with Delivery Program

1.4.4 Promote the visibility and profile of Councillors through improved access by the community.

### RECOMMENDATION

**That Council grant leave of absence for Councillor Roberts for the period 23 May to 22 June, which includes the Ordinary Meeting of Council scheduled for 15 June 2016.**

### Executive Summary

Council has received a request for leave of absence from Councillor Roberts for the period 23 May to 22 June 2016. During this period, one (1) Ordinary Meeting of Council is scheduled.

### Discussion

Council has received a request for leave of absence from Councillor Roberts. The Councillor's request conforms with clause 235A of *Local Government (General) Regulation 2005*.

Councillor Roberts has requested leave of absence for the period 23 May to 22 June 2016. The reason for the Councillor's request is that he will be outside of the Local Government Area and unable to attend to official Council duties during this time.

During the requested leave of absence period, one (1) Ordinary Meeting of Council is scheduled for Wednesday, 15 June 2016.

### Options

Council can:

1. Adopt the recommendation.
2. Refuse the leave of absence.

### Community Engagement & Internal Consultation

#### Internal Consultation

- General Manager.

## Ensuring Good Governance

- Group Manager Governance & Executive Services.

### Planning & Policy Implications

The Councillor's request conforms with clause 235A of *Local Government (General) Regulation 2005*.

### Financial & Economic Implications

Nil.

### Attachments

Nil

## Ensuring Good Governance

**Item: 09.04**

**Subject: COUNCIL MEETINGS DATES FOR 2016**

**Presented by: Corporate and Organisational Services, Rebecca Olsen**

### Alignment with Delivery Program

1.4.4 Promote the visibility and profile of Councillors through improved access by the community.

### RECOMMENDATION

**That Council adopt:**

- 1. An amended date for the August Ordinary Council Meeting from 17 August 2016 to 10 August 2016.**
- 2. An amended date for the September Ordinary Council Meeting from 21 September 2016 to 28 September 2016.**

### Executive Summary

It is proposed that the Council Meeting Schedule for 2016 be amended for:

- the month of August - revising the scheduled Ordinary Council meeting date from 17 August 2016 to 10 August 2016; and
- the month of September - revising the scheduled Ordinary Council meeting date from 21 September 2016 to 28 September 2016.

### Discussion

At Ordinary Council Meeting held on 16 September 2015, Council resolved a meeting schedule for the 2016 calendar year, as follows:

*09.04 Council Meetings Dates for 2016*

*RESOLVED: (Sargeant/Cusato)*

*That Council set the Ordinary Council Meeting dates for 2016 as the third Wednesday of each month (with the exception being no meeting scheduled in January, and an earlier meeting in December due to the proximity of Christmas) being 17 February, 16 March (Taking the Council to the Community - Wauchope), 20 April, 18 May, 15 June, 20 July, 17 August, 21 September, 19 October (Taking the Council to the Community - Laurieton), 16 November, and 14 December.*

*CARRIED: 8/0*

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

*AGAINST: Nil*

## Ensuring Good Governance

### August

It is proposed that the Council Meeting Schedule for 2016 be amended for the month of August, revising the scheduled Ordinary Council meeting date from 17 August 2016 to 10 August 2016. The change of date is proposed to enable Council to transact business in an efficient and effective manner, prior to the “caretaker” period being enacted prior to the Local Government Election on 10 September 2016.

### September

It is proposed that the Council Meeting Schedule for 2016 be amended for the month of September, revising the scheduled Ordinary Council meeting date from 21 September 2016 to 28 September 2016. The change of date is proposed to provide an opportunity to effectively onboard the elected Councillors, post the Local Government Election on 10 September 2016.

### **Options**

Alternative meeting dates may be adopted.

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

- General Manager.
- Group Manager Governance and Executive Services.

### **Planning & Policy Implications**

Nil.

### **Financial & Economic Implications**

Nil.

### **Attachments**

Nil

## Ensuring Good Governance

**Item: 09.05**

**Subject: INVESTMENTS - APRIL 2016**

**Presented by: Corporate and 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 2016.**

### Executive Summary

- Total funds invested as at 30 April 2016 equals \$206,964,308.
- Year-to-date investment income of \$6,148,458 is 146.65% of the total annual investment income budget of \$4,192,650.
- In line with Council's Investment Policy, the total portfolio has performed above benchmark levels.
- As at the end April there was a minor breach of the investment policy. Investments in BBB range rated institutions totalled 15.01% of the total portfolio compared to the maximum allowable of 15.0%. In dollars, this represents an over investment in this category of less than \$15,000. This position was rectified by 3 May 2016.

### Discussion

This report provides details of and certifies that all funds that Council has invested as of 30 April 2016, comply with Section 625 of the Local Government Act 1993. All investments have been made in accordance with the Act and Regulations, with one minor breach of Council's Investment Policy.

As at 30 April 2016, the investments held by Council totalled \$206,964,308 and attributed to the following funds:

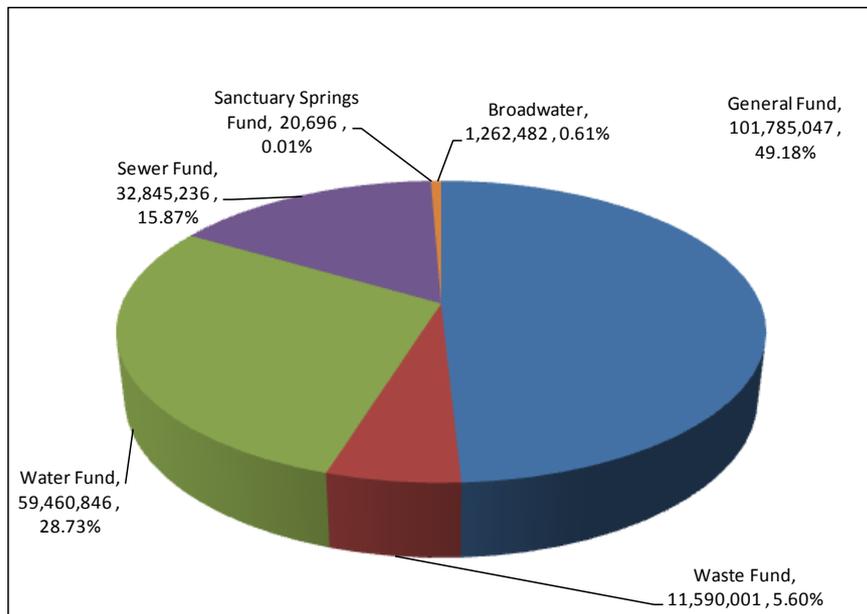
General Fund	101,785,047
Waste Fund	11,590,001
Water Fund	59,460,846
Sewer Fund	32,845,236
Sanctuary Springs Fund	20,696
Broadwater	1,262,482
	<b>206,964,308</b>

**Ensuring Good Governance**

These monies are predominantly 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.

The total amount of unrestricted funds available is calculated only at financial year end (30 June). These unrestricted funds are required to fund timing differences between receipts and payments. As at financial year end (30 June 2015) the amount was \$3.654m.

Investments by Fund - as at 30 April 2016

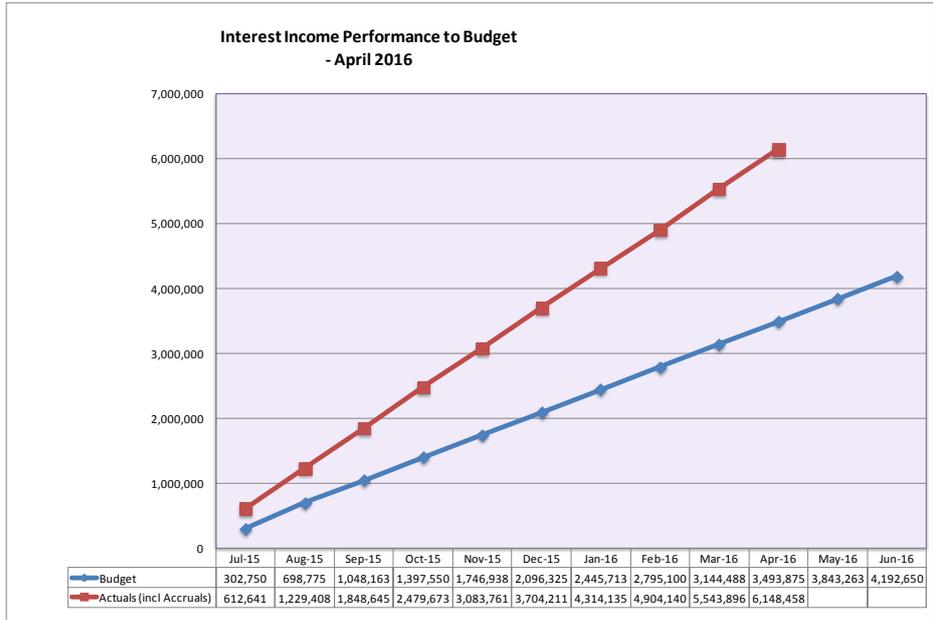


Portfolio Performance

- Council’s total investment portfolio performance for April 2016 was 1.38% above the benchmark (3.54% against 2.16%). Benchmark being the Bank Bill reference rate as at 27 April 2016 in the Australian Financial Review published 29 April 2016.
- The total year-to-date investment income of \$6,148,458 is 146.65% of the total annual budget of \$4,192,650.



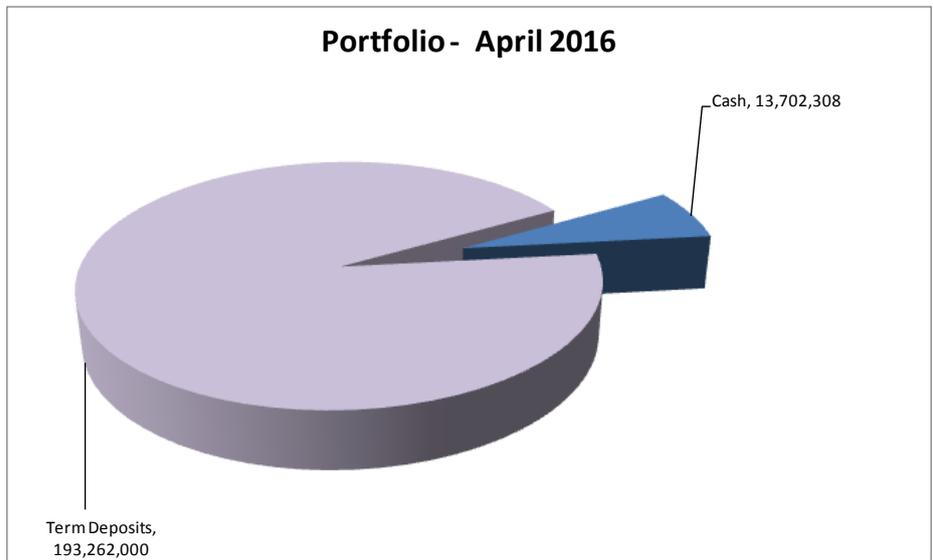
**Ensuring Good Governance**



The year-to-date actual reflects total earning including both cash and accruals.

Investment Portfolio Mix

Council’s current portfolio is represented by cash and term deposits. The total term deposits represent 93.38% of the total investment portfolio. As at 30 April 2016, the total investment portfolio was \$206,964,308 down from \$209,904,945 as at the end of March 2016. This consists of term deposits of \$193,262,000 and cash \$13,702,308.



## Ensuring Good Governance

Term Deposits - Current month \$193,262,000 - Prior month \$199,262,000

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	\$115,362,000	59.69%	40.00%	100.00%
1 - 3 years	\$72,900,000	37.72%	0.00%	60.00%
3 - 5 years	\$5,000,000	2.59%	0.00%	30.00%
5+ years				
<b>Grand Total</b>	<b>\$193,262,000</b>	<b>100.00%</b>		

*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	72,362,000	37.44%	60.00%	22.56%
AA	87,900,000	45.48%	100.00%	54.52%
BBB	29,000,000	15.01%	15.00%	-0.01%
ADI/Unrated	4,000,000	2.07%	10.00%	7.93%
<b>Grand Total</b>	<b>193,262,000</b>	<b>100.00%</b>		

These tables show the total amount held for Council's term deposits.

As at the end April there was a minor breach of the investment policy. Investments in BBB range rated institutions totalled 15.01% of the total portfolio compared to the maximum allowable of 15.0%. In dollars this represents an over investment in this category of less than \$15,000. This position was rectified by 3 May 2016.

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.

## Ensuring Good Governance

Cash - Westpac Business Cash Reserve Account -  
*Current month \$13,702,308 - Prior month \$10,642,945*

*This is not available unrestricted cash.*

This is a maxi account which the Council uses as a cash management 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.

Throughout the month of April \$14 million in funds matured with \$8 million invested into term deposits.

It should be noted that funds currently within the Westpac Business Cash Reserve Account are attracting an interest rate of 2.7% being the current cash rate plus 0.7% (based on the cash rate drop on 5 May 2015), which performs favourably to the benchmark (2.16% April).

The largest sector of the portfolio is the term deposit allocation of \$193,262,000 (last month \$199,262,000) or 93.38% of the total.

## Ensuring Good Governance

### Investment Portfolio by Maturity Date - as at 30 April 2016

Inv Name	Type	Purchase Date	Maturity Date	Yield	Face Value
Commonwealth Bank	TD	10-May-13	9-May-16	4.50%	1,000,000
Newcastle Permanent	TD	13-May-15	12-May-16	3.00%	4,000,000
Commonwealth Bank	TD	13-May-13	13-May-16	4.50%	1,000,000
Commonwealth Bank	TD	27-May-13	27-May-16	4.55%	1,000,000
Bank of Queensland	TD	16-Sep-14	16-Jun-16	3.70%	3,000,000
National Australia Bank	TD	18-Jun-15	20-Jun-16	2.98%	2,000,000
Westpac Banking Corporation	TD	20-Jun-13	20-Jun-16	4.51%	3,000,000
National Australia Bank	TD	9-Mar-15	11-Jul-16	3.15%	6,000,000
Bendigo Bank	TD	22-Jul-15	22-Jul-16	3.00%	362,000
Bendigo Bank	TD	22-Jul-15	22-Jul-16	3.00%	2,000,000
National Australia Bank	TD	23-Feb-16	25-Jul-16	3.06%	2,000,000
Bendigo Bank	TD	8-Oct-15	8-Aug-16	2.95%	4,000,000
St George Bank	TD	21-Aug-15	21-Aug-16	2.98%	5,000,000
National Australia Bank	TD	10-Mar-16	8-Sep-16	3.12%	2,000,000
Bank of Queensland	TD	13-Sep-13	13-Sep-16	4.55%	3,000,000
Westpac Banking Corporation	TD	14-Sep-11	14-Sep-16	6.05%	7,000,000
National Australia Bank	TD	10-Mar-16	6-Oct-16	3.11%	4,000,000
Bank of Queensland	TD	23-Feb-16	24-Oct-16	3.10%	3,000,000
Newcastle Permanent	TD	23-Oct-14	24-Oct-16	3.75%	5,000,000
Rabobank	TD	11-Nov-11	11-Nov-16	6.30%	2,000,000
Westpac Banking Corporation	TD	11-Nov-11	11-Nov-16	6.22%	3,000,000
Bendigo Bank	TD	13-Nov-15	13-Nov-16	2.85%	2,000,000
National Australia Bank	TD	26-Nov-14	28-Nov-16	3.65%	2,000,000
Bendigo Bank	TD	14-Dec-15	14-Dec-16	3.05%	2,000,000
National Australia Bank	TD	17-Dec-14	19-Dec-16	3.65%	2,000,000
National Australia Bank	TD	17-Dec-14	19-Dec-16	3.65%	3,000,000
ING Bank (Australia) Limited	TD	20-Dec-11	20-Dec-16	6.16%	3,000,000
National Australia Bank	TD	14-Jan-16	16-Jan-17	3.05%	5,000,000
National Australia Bank	TD	22-Mar-16	23-Jan-17	3.14%	4,000,000
ME Bank	TD	12-Feb-16	13-Feb-17	3.05%	2,000,000
ME Bank	TD	23-Feb-16	23-Feb-17	3.12%	2,000,000
National Australia Bank	TD	23-Feb-15	23-Feb-17	3.18%	4,000,000
ING Bank (Australia) Limited	TD	8-Mar-16	8-Mar-17	3.05%	4,000,000
Bank of Queensland	TD	9-Mar-15	9-Mar-17	3.15%	6,000,000
Westpac Banking Corporation	TD	12-Mar-14	12-Mar-17	4.38%	3,000,000
National Australia Bank	TD	14-Jan-16	13-Apr-17	3.04%	2,000,000
Bank of Queensland	TD	17-Apr-15	17-Apr-17	3.10%	2,000,000
Westpac Banking Corporation	TD	27-Apr-16	27-Apr-17	3.23%	4,000,000
National Australia Bank	TD	12-May-15	12-May-17	3.08%	4,000,000
Newcastle Permanent	TD	13-May-15	12-May-17	3.10%	4,000,000
Bank of Queensland	TD	18-Jun-15	18-Jun-17	3.05%	2,000,000
National Australia Bank	TD	18-Jun-15	19-Jun-17	2.99%	1,900,000
Bendigo Bank	TD	22-Jul-15	24-Jul-17	3.10%	4,000,000
Bendigo Bank	TD	8-Mar-16	8-Aug-17	3.15%	3,000,000
Police Credit Union SA	TD	12-Feb-16	14-Aug-17	3.10%	2,000,000
AMP Bank	TD	4-Sep-15	4-Sep-17	2.90%	5,000,000

## Ensuring Good Governance

Inv Name	Type	Purchase Date	Maturity Date	Yield	Face Value
Westpac Banking Corporation	TD	4-Sep-14	4-Sep-17	4.07%	2,000,000
Bendigo Bank	TD	8-Oct-15	8-Oct-17	2.98%	5,000,000
ANZ Bank	TD	13-Nov-12	13-Nov-17	4.87%	2,000,000
Bank of Queensland	TD	13-Nov-15	13-Nov-17	3.00%	2,000,000
Newcastle Permanent	TD	14-Dec-15	14-Dec-17	3.20%	2,000,000
Bendigo Bank	TD	14-Jan-16	15-Jan-18	3.10%	2,000,000
Police Credit Union SA	TD	12-Feb-16	12-Feb-18	3.15%	2,000,000
Bendigo Bank	TD	8-Mar-16	8-Mar-18	3.20%	3,000,000
Defence Bank	TD	22-Mar-16	22-Mar-18	3.25%	4,000,000
Westpac Banking Corporation	TD	27-Apr-16	27-Apr-18	3.29%	4,000,000
Bank of Queensland	TD	20-Jun-13	20-Jun-18	5.00%	4,000,000
Westpac Banking Corporation	TD	4-Sep-14	4-Sep-18	4.22%	4,000,000
Bendigo Bank	TD	7-Sep-15	7-Sep-18	3.00%	5,000,000
ME Bank	TD	14-Dec-15	14-Dec-18	3.33%	2,000,000
Rabobank	TD	20-Jan-15	20-Jan-19	3.90%	2,000,000
Newcastle Permanent	TD	8-Mar-16	8-Mar-19	3.60%	2,000,000
Newcastle Permanent	TD	10-Mar-16	10-Mar-20	3.70%	2,000,000
Bank of Queensland	TD	10-Mar-16	10-Mar-21	3.80%	3,000,000
<b>Total TD's</b>					<b>193,262,000</b>
Westpac Business Cash Reserve Account	CASH			2.70%	13,702,308
<b>Total Portfolio</b>					<b>\$206,964,308</b>

### 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. The investments placed this month were term deposits, 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.

## Ensuring Good Governance

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 2016 is 1.38% above the benchmark (3.54% against 2.16% and year to date income at 146.65% of the total annual budget).

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

The overall investment income will be adjusted at financial year end by the total interest refunded on repayment of bonds. As Council constantly receives and refunds bonds, it is difficult to accurately determine the quantum of these refunds. This financial year Council has refunded bonds with an associated interest component of \$31,142.94 which will be monitored and advised monthly.

### Certification

I hereby certify that, other than the minor breach of Council's Investment Policy detailed above (and copied below), 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.

*As at the end April there was a minor breach of the investment policy. Investments in BBB range rated institutions totalled 15.01% of the total portfolio compared to the maximum allowable of 15.0%. In dollars this represents an over investment in this category of less than \$15,000. This position was rectified by 3 May 2016.*

*Robyn Wilson  
Responsible Accounting Officer*

### **Attachments**

Nil

## Ensuring Good Governance

**Item: 09.06**

**Subject: QUARTERLY BUDGET REVIEW STATEMENT**

**Presented by: Corporate and 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 2016 quarter.**

### Executive Summary

This report will detail the Quarterly Budget Review Statement (QBRs) for the period to the end of the third quarter of the 2015-16 financial year (July 2015 to March 2016).

### 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 2016 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; and

## Ensuring Good Governance

- TCorp Ratios in line with the Local Government Code of Accounting Practice.

Also attached is a confidential attachment on Consultancy engagements as resolved by Council under Item 09.09 Supply of Services to Council on 21 October 2015. This resolution resolved:

2. To Adopt Option 2 to expand the existing reporting format of the Quarterly Budget Review Statement to include additional categories of consultancy engagements including accounting, audit, legal, planning, architectural, surveying, environmental, IT and HR with individual consultant data to be provided in a confidential attachment.
3. Commence the reporting regime from the next Quarterly Budget Review Statement.

CARRIED: 8/0

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

AGAINST: Nil

*This attachment titled "2015 2016 March Quarterly Budget Review Statement - Consultancy Engagements" provides information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c).*

With the introduction of phased budgeting to capital works in 2015/16, this QBRS further improves the reporting with comparisons to Council's yearly and quarterly budgets.

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

### 1. Income

Income of \$150.3m for the year to date (YTD) to the end of the third quarter is 110.8% of the YTD budget, representing 87.0% of the \$171.8m annual income budget.

Key points to note are as follows:

- Rates & annual charges of \$83.2m continues to be largely in line with the budget, being 101.9% of the YTD budget and 99.6% of the annual budget.

The total YTD variance of \$1.54m (favourable) mainly comprises of:

- \$0.63m (favourable) for annual domestic waste charges;
- \$0.4m (favourable) for annual water charges; and
- \$0.21m (favourable) for annual sewer charges.

These all relate to population growth in the area.

- User fees & charges improved this quarter from 96.6% to 100.5% of the YTD budget, representing 79.6% of annual budget.

The key points to note in the total YTD variance of \$0.106m (favourable) are largely made up of:

## Ensuring Good Governance

- \$0.44m (favourable) Waste management income from tip fees, primarily relating to the Cairncross Tip;
  - \$0.351m (favourable) fees for planning & building certification; \$0.157m and \$0.194m respectively due to increased building and subdivision activity in the area;
  - \$0.208m (favourable) Water charges due in part to the number of customers moving onto the tier two tariff; and
  - \$0.504m (adverse) Aerodrome user fees mainly due to the timing of the receipt of the fees.
- Interest & investment revenue against the YTD budget is 178%, and at 124% of the annual budget. This comprises the Interest on Investments at \$5.543m and Interest on Overdue Rates \$0.254m. Further information on investments can be found in the Investment report.
- Other Revenues of \$4.3m are 117% of the YTD budget, and are 87% of the annual budget. The total YTD variance of \$0.623m (favourable) is principally made up of:
- \$0.134m (favourable) fees for private water testing;
  - \$0.116m (favourable) ferry fees following restructure of the fees earlier in the year; and
  - \$0.113m (favourable) Glasshouse income from the theatre & bar/café.

Note further that income for the quarter from Ordinance Services (Fines) was \$0.67m representing the outcome from follow-up action by council to the Office of State Revenue on lower than expected fines revenue. The total YTD income of \$0.795m is now generally in line with the YTD budget of \$0.741m.

- Operating Grants & Contributions are 79% of the YTD budget, and 67% of the annual budget. The YTD variance of \$3.39m (adverse) is largely due to the Federal Roads to Recovery grant, \$3.4m (adverse). This grant is paid in arrears as costs are incurred and is used to partially fund projects that at present are in their infancy. The projects being the Houston Mitchell Drive upgrade stage 2&3 (due to start mid May 16) and the High Traffic Road Resurfacing projects, currently underway.
- Capital Grants and Contributions

For the YTD, income from these items is \$20.75m against the YTD budget of \$7.46m, and represents 68.7% of the annual budget. The YTD variance of \$13.29m (favourable) is further dissected and discussed below.

- \$3.83m (favourable) Capital Grants received total \$6.27m being 256% of the YTD budget, against the YTD budget of \$2.44m. The YTD variance of \$3.83m (favourable) relates to:
  - \$4.028m (favourable) Stingray Creek Bridge funding received earlier than expected.
  - \$0.635m (adverse) Port Macquarie Indoor Stadium timing.
  - \$0.488m (favourable) North Shore Small Towns Sewerage Scheme.

## Ensuring Good Governance

- \$9.46m (favourable) Capital Contributions comprise Section 64 & 94 developer contributions which are up significantly for the YTD to \$14.4m, against the YTD budget of \$5.0m. This equates to 108% of the annual budget of \$13.3m. The YTD variance of \$9.46m (favourable) is due to the significant subdivision developments in the area. There are other non-cash contributions, such as developer provided assets. These will not be known until after the end of the financial year.

### 2. Employee costs

YTD employee costs are \$27.86m versus a YTD budget of \$30.02m, creating a favourable variance of \$2.16m. As at the end of this quarter, this equates to 92.8% of the YTD budget, and 60.6% of the annual budget.

Any variances are due to unfilled positions, and timing differences that are contingent upon when employees take their leave and the duration of that leave.

In the case of workers compensation, this varies depending on the number of injury claims. The workers' compensation premium remains below the budget. It is deemed prudent to keep the budget at this level, as injury claims determine the actual premium. PMHC actively works to keep claims as low as possible and this is represented by a low claims history.

Budgets will not be adjusted until the end-of-financial year, when asset capitalisation is complete, and leave balances reconciled.

### 3. Borrowing costs

Borrowing costs of \$4.1m are generally in line with estimate expectations, being 103% of the YTD budget and 72% of the annual budget. YTD variance is \$0.124m (adverse). Note that these costs are subject to the timing of payments, receipts of interest payment information and accrual entries.

### 4. Materials & Contracts

Expenditure to the end of the third quarter is \$23.47m, that is 76% of the YTD budget of \$30.79m, and 61% of the annual budget of \$38m. The YTD variance of \$7.32m (favourable) is mainly due to:

- \$1.4m (favourable) in Transport & Traffic where resealing & resurfacing works are currently under way 'en-masse' in the Camden Haven area, with the receipt of invoices pending;
- \$1.124m (favourable) Water section: across various ledger numbers;
- \$1.125m (favourable) Sewer section: across various ledger numbers; and
- \$1.34m (favourable) Waste section: \$0.466m (favourable) Domestic Waste Management contract paid in arrears; \$0.33m (favourable) PMHC Organics Collection Service timing; \$0.2m Port Macquarie Waste Depot expenses less than expected.

## Ensuring Good Governance

It is expected that budgets will be spent by the end of the year and therefore it is not appropriate to make any adjustments at this time. These variances can be largely attributed to timing of events.

### 5. Other Expenses

The amount expended of \$8.4m for Other Expenses totals 81.5% of the YTD budget of \$10.3m, representing 65% of the annual budget of \$12.8m. The YTD variance of \$1.9m (favourable) is mainly comprised of Electricity & Street Lighting expenses being under spent by \$1.6m. Noting that the payment for these services is made a month in arrears.

### 6. Net loss from disposal of assets

This section relates to the net profit or loss, which occurs from either the sale of assets, such as plant or land, or following capitalisation when an asset is renewed and the old asset disposed. The majority of this processing occurs at the end of the financial year. The net losses from the disposal of assets is \$0.18m.

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

### **Capital Expenditure**

This section includes a comparison of the actual result against the phased capital expenditure budget.

To the end of the third quarter, \$40.8m was expended being 51% of the YTD budget of \$79.8m, and 33.4% of the annual budget of \$122.4m. The figures exclude commitments.

There is currently \$78.5m in capital works either completed (since July 2015) or currently under construction/contract to be delivered (including designs).

### General Fund

General Fund has expended \$25.5m of the \$53.7m YTD budget, being 47% and is 31% of the annual budget of \$81m. The YTD under-spend is \$28.2m with chief 'under-spends' noted below:

- \$4.7m Houston Mitchell Drive Stage 2 & 3 - this was previously delayed to the third quarter pending a funding announcement for 'shovel ready' projects. The funding application was not successful, with the project now commencing mid May 2016;
- \$3.6m Stingray Ck Bridge - a change of head contractor on the project;
- \$1.6m Port Macquarie Indoor Stadium - a delay in the delivery of steel;
- \$1.5m Port Macquarie new Works Depot - design consultants engaged;
- \$1.3m Hastings River Drive - Gordon to Aston - completion due June 16;
- \$1.3m Wayne Richards Park Development Stage 3 - the project is in the design phase;
- \$1.3m Plant Purchases - plant items are acquired subject to business needs;

## Ensuring Good Governance

- \$1.0m High Traffic Road Resurfacing - relating to Lord Street, currently underway; and
- \$0.9m Blackbutt Roundabout at Lake Road - construction tender let.

### Waste

The YTD under-spend of \$1.2m primarily relates to the Kew Transfer Station with under-spend of \$0.9m. The commencement of this project is delayed pending construction certificate approval, with tender advertisement to occur following resolution.

### Water

The YTD under-spend against the YTD budget totals \$3.2m, with key 'under-spends' noted here:

- \$0.8m North Haven to Laurieton Trunkmain at Stingray Creek Bridge - change of head contractor on the project;
- \$0.6m Southern Arm Trunk Main - delayed due to discovery of naturally occurring asbestos;
- \$0.43m Renewals & Minor Works - works ongoing 'as needed basis'; and
- Renewal of Koree WPS #1 \$0.37m that is not going to proceed.

### Sewer

The Sewer section has a YTD budget under-spend of \$6.2m being 56% of the YTD budget. The main 'under-spends' being:

- \$2.73m Small Towns Sewerage Scheme (STSSs) made up of- \$1.58m Telegraph Point, \$0.591m STSS Long Flat and \$0.558m STSS Comboyne. These are currently behind schedule until the outcome of a funding application is known. Note that the budgets on these projects were reduced in the March 16 monthly review, that was adopted by council on 20 April, meeting item 13.03;
- \$1.09m Thrumster Reclaimed Water Interim Supply - construction commenced but some delays due to wet weather;
- \$0.62m Area 15 Sewerage Upgrade - project is awaiting the design by the developer; and
- \$0.58m Sewer Rehabilitation - works ongoing on an 'as needed basis'.

### TCorp Ratios

This quarter, the presentation methodology of all ratios was reviewed to ensure that the reported ratio is a projected year end result. This projection is based on approved full year budget wherever possible, or where this is not possible, it is based on an estimated year end position. The methodology is indicated in the table attached. Year to Date ratios are not presented as they are generally not meaningful.

### Operating Performance Ratio

The Operating Performance ratio is often considered the most important ratio for Council to meet. The result projection as at March 2016 includes all approved adjustments to budgets up to and including the March Council meeting.

## Ensuring Good Governance

There has been an improvement since the original approved budget and Council is closely monitoring budgets to include any savings in future monthly budget reviews.

This ratio may be impacted by year end accruals.

### Rates and Annual Charges Outstanding Ratio

Considerable work has been, and continues to be undertaken to enhance this ratio and the ratio achieved for the 2014/15 financial year was the best Council has produced since 2006. Further improvement is forecast to the end of 2015/16. It should be noted that with reduced outstanding rates comes reduced income from interest charged on outstanding rates and annual charges which then negatively affects other ratios such as Operating performance and Own source revenue.

### Building and Infrastructure Renewals Ratio

The building and infrastructure renewals ratio is a difficult ratio for Council to meet as the definition of a renewal is "Works to replace existing assets or facilities with assets or facilities of equivalent capacity or performance capability".

Council often increases the capacity of an asset whilst undergoing a renewal but this portion of the cost is not considered a renewal.

The ratio does not consider the need for Council to spend on new infrastructure, and is also adversely impacted by gifted assets due to the increase in depreciation as a consequence of these assets.

Council is working towards increasing its renewal spend which may mean a reduction in expenditure on other new assets.

The Office of Local Government has released a draft "Special Schedule 7 Appendix B - Examples of Renewal and Rehabilitation Costs and Activities" which specifies that costs previously regarded as new assets can be classified as renewals where they relate to the modern engineering equivalent.

### Infrastructure Backlog

This ratio has been estimated based on historical percentages applied to budget spend. A large quantity of reseals have been undertaken in this financial year and it is expected that this expenditure will address a portion of Council's infrastructure backlog.

### Assets Maintenance Ratio

This ratio is difficult for Council to meet. It is adversely impacted by gifted assets due to maintenance required on gifted assets. Significant work was done in the 2014/15 financial year to calculate the actual amount of "required" maintenance for purposes of calculating this ratio. This figure will be updated for yearend taking into account new assets that were brought on in the 2015/16 financial year.

## Ensuring Good Governance

The Office of Local Government has released a draft “Special Schedule 7 Appendix A - Examples of Maintenance and Operating Activities” which will assist Council in ensuring the correct types of expenditure are included in this 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](#). 2015 - 2016 March Quarterly Budget Review Statement - Consultancy Engagements (Confidential)

2 [View](#). 2015 - 2016 March Quarterly Budget Review Statement

## Ensuring Good Governance

**Item:** 09.07

**Subject:** MONTHLY FINANCIAL REVIEW FOR APRIL 2016

**Presented by:** Corporate and 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 and Economic Implications" section of the Monthly Financial Review for April 2016 report.**

### Executive Summary

This report will detail the monthly budget adjustments to 30 April 2016.

The Council adopted budget position as at 1 July 2015 was a shortfall of \$850,000. This improved during the year to a shortfall position of \$146,075 at the end of March 2016.

During the month of April 2016, there have been budget adjustments that if adopted will improve the budget shortfall position by \$89,432 to a budget shortfall of \$56,643.

### Discussion

#### Monthly Budget Adjustments for April 2016

Each month, Council's budgets are reviewed by Managers and Directors with any required adjustments 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 original adopted 2015-2016 budget along with the proposed movement of funds to accommodate any changes.

## Ensuring Good Governance

### Monthly Budget Review Summary

<b>Original Budget as at 1 July 2015</b>	<b>Shortfall</b>	<b>(\$850,000)</b>
Plus adjustments:		
July Review	Balanced	\$0
August Review	Balanced	\$0
September Review	Balanced	\$0
October Review	Surplus	\$135,497
November Review	Balanced	\$0
January Review	Surplus	\$187,154
February Review	Surplus	\$151,665
March Review	Surplus	\$229,609
April Review	Surplus	\$89,432
<b>Forecast budget position for 30 June 2016</b>	<b>Shortfall</b>	<b>(\$56,643)</b>

### April 2016 Adjustments

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

<b>Item</b>	<b>Surplus/ Deficit</b>	<b>Amount \$</b>	<b>Comment</b>
Ferries Income	Surplus	\$85,000	Ferry revenue under the new fee structure is higher than originally budgeted for.
Grants Operating - Community Place	Surplus	\$4,432	The grants received for the Aged and Disability worker and the Youth Worker were slightly higher than expected.
<b>Total</b>	<b>Surplus</b>	<b>\$89,432</b>	

The following adjustments reflect budget movements as a result of over-expenditure reviews, transfers between accounts, grant funding, transfer from reserves and additional receipts etc that have no impact on the budget position (for example additional income has an associated expenditure budget):

<b>Description</b>	<b>Notes</b>	<b>Funding Source</b>	<b>Amount</b>
Over-expenditure review	1	Reserve	\$60,373
Grant projects	2	Grant	\$67,767
Contribution projects	3	Contributions	\$17,368
Land Sales	4	Reserves	\$1,105,644
Transfers from reserves	5	Reserves	\$334,621
<b>Total</b>			<b>\$1,585,773</b>

## Ensuring Good Governance

Within the April 2016 adjustments, the following are included:

1. Executive approved an over-expenditure review for the Wauchope Cemetery expansion works - \$60,373.

Tenders were called for quotations for the works. The lowest priced tender has been accepted, however, there are not sufficient funds allocated in the current financial year budget to cover the costs of those works. The works commenced as soon as possible after the tender was awarded as there will be an approximate five year settling period after clearing before the land can be used for burials.

2. Council has received three additional grants in April totalling \$67,767.
  - Noxious Plants Inspections - \$4,167. This is to cover the cost of buying computer equipment.
  - Redbank Road Speed Zone Review - \$3,600.
  - Hastings Flood Study Climate Change Model & Update - \$60,000.
  -
3. Council has received contributions for two projects totalling \$17,368.
  - Compensatory Koala Food Tree Planting - \$2,774.
  - Mayors Sporting Fund - \$14,594.
4. Council has sold two parcels of land at a combined value of \$1,105,644. This income needs to be transferred to reserves within the owner funds.
  - General Fund - \$885,644, this has been transferred to the property reserve to fund the future purchase/development of income producing assets.
  - Water Fund - \$220,000, this has been transferred to the water fund reserves to fund future expenditure within the water fund.
5. There have been three projects that have had new or additional reserve funding totalling \$334,621.
  - Minor expenditure was incurred in preparing the Flynn's Beach site for sale, this expenditure has been funded from the property reserve - \$4,621.
  - Through the process of developing the Bridge Management Strategy (BMS) a short list of key risk bridges were identified as requiring specific structural investigations. Given the age, design and construction type of Kindee Bridge highly specialised non destructive testing (NDT) is required to assess both visible and non visible metal components of the bridge - \$30,000.
  - Council has a final commitment to Roads and Maritime Services for the construction of the Houston Mitchell Drive/Ocean Drive roundabout for works constructed by them - \$300,000.

It should also be noted that:

## Ensuring Good Governance

- Any overspends greater than \$50,000 and 2% of the project budget are reviewed and approved by the Executive Group, being their function to oversee operational activities and approve operational actions.
- Any potential 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 movement of \$89,432 for April 2016 improves the current budget position to a shortfall position of \$56,643.

### Responsible Accounting Officer Statement

The approved budget shortfall for 2015-2016 at the end of March 2016 was a shortfall of \$146,075. The adjustments included in this report will improve this position to a budget shortfall of \$56,643. The shortfall position is considered an unsatisfactory result for the year and as such budgets will need to be closely monitored during the remainder of the year with a view to reducing this shortfall.

### Attachments

1 [View](#). April 2016 Budget Review

## Ensuring Good Governance

**Item: 09.08**

**Subject: LOAN REVIEW**

**Presented by: Corporate and 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:

1. **Note the information included in the Loan Review report.**
2. **Delegate authority to the General Manager to seek best offers and to execute loan documents as required.**

#### Executive Summary

At the end of April 2016, Council held a loan portfolio (balance outstanding) in the order of \$84m. As at June 2015, the loan portfolio was \$91m, and as at June 2014 it was \$85m. Annual interest expense is approximately \$2m in all funds in the 2015-16 budget.

As part of a continued drive to enhance financial sustainability, a review of the loan portfolio and associated costs has been undertaken by Finance in order to determine whether savings can be made from refinancing in light of the current low interest environment.

Based on indicative results there is potential for Council to achieve savings in the order of \$2.26m over the life of the loans (up to 13 years), but with an adverse profit impact of \$3.5m in the year of refinancing due to break costs.

It is important to note that the following analysis is based on indicative rates provided by banks during April 2016. These rates will change prior to being locked in which will change the final result. Final rates will be obtained prior to the final decision.

Attached is a "Confidential attachment - Loan review" which provides further break downs of loans. This attachment is confidential as it *"provides information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c)."*

## Ensuring Good Governance

### Discussion

#### Scope

This analysis focuses on the impact of refinancing non variable loans. When final rates are obtained from banks, we will also seek rates for variable loans, with a view to determining whether any of these should be locked in at fixed rates at the current time.

When final rates are received, consideration will also be given to the effectiveness of paying out in full any of the loans if cash permits. However, early analysis suggests that the cash required to do this is prohibitive compared to the interest savings, and alternative application.

The total loan portfolio (balance outstanding) as at 30 April 2016 is \$83.9m. This consists of:

Fund	Amount Outstanding \$m
General	\$55.1
Sewerage	\$22.4
Water	\$6.4
Total	<b>\$83.9</b>

#### Key Assumptions

The primary assumptions utilised were as follows:

1. Loans would be consolidated and kept within funds/functions. That is, no cross funding.
2. Cash required each year to fund loan repayments would not increase significantly (either in total or within relevant fund/ function) except for 2015-16.

#### Approach - Initial Cull Based on Loan Conditions

Each loan in the portfolio was reviewed to determine which were suitable to be considered as part of the analysis. As a consequence of this analysis it was determined that \$23.4m should be excluded from the analysis for reasons such as tenure nearly expired, already on a low interest rate, interest free etc.

As a consequence of the initial cull a total of \$60.4m in outstanding loans was further considered as part of this analysis.

For each of these loans, quotes for break costs were obtained from the applicable institution, and a range of quotes for interest rates over varying terms was obtained from various banks. Rates were provided to PMHC on various days and were indicative only.

TCorp were approached about their lending facility but advised that they do not lend for refinancing activities.

## Ensuring Good Governance

### Approach - Secondary Cull Based on Potential Benefit from Individual Loans

A further analysis of each individual loan was undertaken based on varying terms considering impact on cash flow and profit, to determine whether there was any potential saving from refinancing.

This piece of analysis resulted in a further \$25.2m being excluded as the loans were found to have unfavourable outcomes when break costs were considered. The total remaining for consideration in the final analysis was \$35.2m as shown in the table.

	\$m
Total Loan Portfolio Outstanding	83.9
Excluded on the basis of initial cull	(23.4)
Excluded on basis of further analysis	(25.2)
<b>Balance remaining for Consideration</b>	<b>35.2</b>

Those loans with a potential net benefit were grouped by category/fund. The underlying premise being that if Council was to refinance, loans would be grouped and refinanced as one in order to simplify, keep within funds and possibly get better rates. Two main groupings were identified as indicated below, with the premise being that there would be no cross funding between these groups.

Total potential break costs are \$3.5m. These break costs are required by Australian Accounting Standards to be treated as an expense in the year refinanced.

These costs will impact the operating performance result negatively in the refinancing year (currently assumed to be 2015-2016), but the reduction in interest will improve the result from 2016/17 onwards.

\$m	Amount Borrowed	Amount Outstanding	Break costs
<b>Total General</b>	<b>\$24.5</b>	<b>\$17.8</b>	<b>\$1.8</b>
<b>Total Sewer</b>	<b>\$24.8</b>	<b>\$17.5</b>	<b>\$1.6</b>
<b>Total Loans Refinanced</b>	<b>\$49.3</b>	<b>\$35.2</b>	<b>\$3.5</b>

### Options

The analysis was undertaken over a range of terms and considered both impact on cash plus potential cost savings.

A number of options were considered around terms of loans, and whether to pay the break costs up front or add them to the principal of the loan. A review of funds available in this financial year is currently being undertaken, and it is hoped that there may be sufficient funds in interest on investments and reserves (working capital/ airport) to fund general fund break costs.

The options modelled were:

1. Replace loans with a term close to the remaining term of the original loans
  - a. Include break costs in the new amount to be financed
  - b. Fund break costs from reserves/revenues

## Ensuring Good Governance

2. Replace loans with shorter terms than that remaining on the original loans
  - a. Include break costs in the new amount to be financed
  - b. Fund break costs from reserves/revenues

Each of the favourable loans within each grouping above were analysed under each option. Where break costs were significant a Net Present Value Analysis (NPV) analysis was undertaken in order to determine whether the required upfront cash outlay outweighed the difference in potential profit savings. There were no scenarios where the NPV differential was material.

Interest savings were assessed against the impact on yearly cash.

In all cases Option 2b was the most favourable, with the shorter terms being limited by available cash.

### Summary:

There are potential sizeable savings to be achieved from refinancing. Once rates are received from banks, they only remain valid for a short period.

Council plans to seek best and final offers from institutions in May/ June.

A full analysis will be undertaken again based on these offers, and available cash, however at this stage self funding break costs is likely to be the best option which would result in nil increase to current loan balances.

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

Internal consultation has occurred with the General Manager, Directors and relevant Managers.

### **Planning & Policy Implications**

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

### **Financial & Economic Implications**

Based on the indicative rates, if all of the suggested options were implemented before the end of June 2016, the resulting impact on profit and loss and cash is shown below.

#### Profit and Loss - '000 fav/(unfav)

Fund	2015/16			2016/17	2017/18	Remaining years	Total ex Break Costs	Total Savings Inc Break Costs
	Break Costs	Interest Saving	Total P&L Impact					
General	(1,845)	0	(1,845)	441	419	2,123	2,983	1,138
Sewer	(1,606)	0	(1,606)	554	506	1,668	2,728	1,123
<b>TOTAL</b>	<b>(3,451)</b>	<b>0</b>	<b>(3,451)</b>	<b>995</b>	<b>925</b>	<b>3,791</b>	<b>5,711</b>	<b>2,260</b>

In total in 2015-16 there is an adverse impact on profit and loss of \$3.5m due to break costs. Thereafter interest savings per annum are between \$995k in 2016-17 and \$17k in 2028-29. Total profit impact over the life is \$2.26m.

## Ensuring Good Governance

### Cash - '000 fav/(unfav)

Fund	2015/16			2016/17	2017/18	Remaining years	Total ex Break Costs	Total Savings Inc Break Costs
	Break Costs	Repay Savings	Total					
General	(1,845)	621	(1,224)	11	12	2,339	2,983	1,138
Sewer	(1,606)	223	(1,383)	132	132	2,241	2,728	1,123
<b>TOTAL</b>	<b>(3,451)</b>	<b>843</b>	<b>(2,607)</b>	<b>143</b>	<b>144</b>	<b>4,581</b>	<b>5,711</b>	<b>2,260</b>

*Assumes that the final repayment other than interest in 2015/16 is not made.*

In total in 2015-16 there is an adverse impact on cash of \$2.6m due to break costs of \$3.5m. It is hoped that the break costs for general fund will be able to be funded from surplus interest on investment revenues and reserves (airport/working capital). The break costs for sewer fund will be funded from the sewerage reserves. In total there will be a net cash saving in the order of \$140k per annum up until 2021-22.

### Attachments

1 [View](#). Confidential Attachment - Loan review (Confidential)

## Ensuring Good Governance

**Item: 09.09**

**Subject: 2015 - 2016 OPERATIONAL PLAN QUARTERLY PROGRESS REPORT AS AT 31 MARCH 2016.**

**Presented by: Community and 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 2015 - 2016 Operational Plan Quarterly Progress Report as at 31 March 2016.**
- 2. Approve the Operational Plan modification contained in this report.**

### Executive Summary

This quarterly report covers progress on implementing actions in the 2015 - 2016 Operational Plan up to 31 March 2016. The report assesses Council's delivery against the actions and performance measures adopted in the 2015 - 2016 Operational Plan. It seeks to provide concise and accurate information about what Council has delivered up until the end of the third quarter of the current financial year.

As at 31 March 2016, **81%** of the Operational Plan performance measures are on target or achieved, with the remaining portion recorded as behind target/behind schedule. A number are identified to continue into the 2016 - 2017 Operational Plan.

The 2015 - 2016 Operational Plan has a total of 468 performance measures with a summary of overall performance outlined below:

## Ensuring Good Governance

2015 - 2016 Operational Plan Summary of performance measures by Focus Area					
Focus Area	Total performance measures	Measures behind	Measures on target	Measures achieved	Overall % of delivery
Governance	86	11	61	14	87
People	86	6	70	10	93
Prosper	45	7	34	4	84
Environment	30	7	19	4	76
Infrastructure	221	56	136	29	75
<b>Totals</b>	<b>468</b>	<b>87</b>	<b>320</b>	<b>61</b>	<b>81%</b>

81% achievement after three quarters of the financial year is at a comparative position of delivery, relative to the last two years (85% 2014 - 2015, 77% 2013 - 2014).

Completion and advancement of major short and long term infrastructure projects such as Town Beach Marine Rescue building upgrade, Beechwood Road, Stingray Creek Bridge, Port Macquarie Indoor Stadium, numerous park upgrades and sewerage infrastructure will have a significant positive impact on a broad cross section of the community across the Local Government Area.

### Discussion

#### Overview: Quarterly Progress Report as at 31 March 2016

Meeting the targets and performance measures in the annual Operational Plan contributes to the achievement of the overall objectives outlined in the 2013 - 2017 four year Delivery Program. The Delivery Program is reported to Council on a six monthly basis with the last report presented to the Ordinary Meeting in March 2016.

In addition to the overview in the Executive Summary, the detailed analysis outlines achievements and also details measures that are behind target according to each Focus Area.

The attachment provides the full 2015 - 2016 quarterly progress report, which includes a comprehensive listing of each individual Operational Plan action, performance measure, target and commentary on progress.

Major capital projects are incorporated into the body of the Operational Plan and as such are reported on as individual actions with performance measured against the adopted project plan.

## Ensuring Good Governance

### Detailed Analysis by Focus Area

Achievement highlights and details of those actions behind target is summarised below according to each Focus Area within the Operational Plan.

### Guiding Principle - Ensuring good governance

Focus Area	Performance Measures	Behind target	On target/ achieved
Ensuring good governance	86	11	75

### Highlights

- Over 330 media releases, media statements, media alerts and community announcements were distributed during June 2015 to March 2016.
- Community interaction achieved through digital channels has improved with over 2,740 registered users on the PMHC listening online engagement tool and more than 4,480 likes on Council's Facebook page.
- 60 community engagement activities were conducted across the region including a range of discussion topics such as park and playground upgrades, Hastings River Drive duplication and amendments to Local Environment Plans. The Ocean Drive duplication upgrade project also had 100 - 120 residents attending each session. Community sessions with business users about commercial activities on public land were run and sessions on improvements to Lake Road Port Macquarie were also held.
- Investment returns continue to exceed the Office of Local Government benchmarks.
- Preparation of the 2014 - 2015 financial statements were complete on time in line with legislation.
- Accessibility to Council was reinforced through off site Council meetings held in Laurieton and Wauchope and "Listening and Engaging with the Community" meetings were held in Pappinbarra, the North Shore and Long Flat.
- 40 Mayoral messages have been published during the reporting period
- Over 75,000 calls and 64,000 counter transactions were processed by the customer service branches across the region with over 90% of initial interactions dealt with at first point of contact.
- Combined, over 960 Development Applications, Construction Certificates and Complying Development Applications were determined from July 2015 - March 2016 within the agreed processing times.
- The 2014 - 2015 Annual Report was adopted in line with legislation, complimented by distribution of the reader friendly Community Report Card to community groups and through Council Offices and Libraries.

### Operational Plan Actions Behind Target

- Review of the current Community Reference Group membership, consultation processes used to engage with this group is pending an external review of Community Engagement processes and practices.
- Distribution of the monthly e-newsletter was combined into the community connect newsletter distributed in the first quarter.
- Implementation of the Councillor training plan is currently under review

## Ensuring Good Governance

- Identifying and implementing key reporting requirements for corporate reporting systems is in the information gathering phase.
- The review of best practice approaches to council business intelligence and reporting is currently behind schedule, however initial planning work has begun
- The Plant replacement program is currently pending a large number of plant items going to tender.
- Design options are being considered for the extension of the Council office space at the Port Macquarie building.

### Focus Area - Looking after our people

Focus Area	Performance Measures	Behind target	On target / achieved
Looking after our people	86	6	80

### Highlights

- Over 2,500 students participated in lifeguard education programs.
- Over 180 risk based audit inspections carried out in relation to public health standards.
- Implementation of strategies from the Disability Action Plan included delivery of a well attended International Day for People with Disability event.
- Community-led projects across the region were stimulated by \$89,000 distributed to 20 community groups in Round 1 of the Community Grants Program. Round 2 of the Community Grants Program closed in February 2016 with 28 applications received.
- Coordination of civic events included a successful countdown to Christmas event held in November with over 4,000 people attending, Annual Australia Day celebrations were held and the annual Handa Sister City cultural exchange was delivered.
- The Wayne Richards Sporting Talent Grant presentation was held recognising and celebrating excellence in the community.
- Fundraising activities supporting the Mayors Sporting Fund raised over \$9,000
- 13 Performing Art events have been presented at the Glasshouse and 19 visual arts exhibitions opened.
- The first annual sports forum was held in December with 55 Sporting Club representatives in attendance.

### Operational Plan Actions Behind Target

- Fire safety inspections are behind the planned annual target.
- Due to competing priorities the aboriginal interagency meetings were not attended.
- Inspection of public health issues are slightly behind the set service standard
- Development of the User Pays Policy for sports fields has commenced with a review of other council policy and practices underway.
- Implementation of the quarterly audit process for Council's sporting facility is underway.
- The Library Local Priority Grant is currently behind schedule, however coordination of spending is underway.

## Ensuring Good Governance

### Focus Area - Helping our community prosper

Focus Area	Performance measures	Behind target/schedule	On target / achieved
Helping our community prosper	45	7	38

#### Highlights

- Implementation of actions within the Construction, Manufacturing, Transport and Warehouse Industry Action Plans continue.
- The Glasshouse new ticketing system and website redevelopment is complete
- Improvements at Comboyne cemetery have been completed.
- Implementation of actions from the Major Events Strategic Action Plan continues
- Several major events have been staged and supported during July 2015 to March 2016 which included the NSW Junior State Surfing Titles, Three Rivers Mini Marathon, Ekam Yoga Festival, King of the Mountain Fun Run, Ironman 70.3 and the NSW Senior Touch State Cup. Two new events were secured, Round 3 NSW Motocross Junior State Championships and the 2016 Trans-Tasman Indoor Cricket Championships.
- Hanger 5 facility improvements completed at the airport.
- Over 166,000 passengers passed through Port Macquarie Airport and over 4,000 aircraft movements were recorded.
- A successful Tastings on Hastings event was staged.

#### Operational Plan Actions Behind Target

- Operating revenue of Council business units including the Airport, Crematorium and the Glasshouse has increased by 1% to the same period for last year, however is below the 3% target.
- Glasshouse visitation is slightly below the planned annual target.
- Port Macquarie Historic Cemetery Stage 1 is behind schedule pending revised cemetery signage requiring approval from the NSW Heritage office.
- Planning amendments in relation to the Port Macquarie business park is pending resolution of traffic modelling issues, work to continue into 2016 - 2017.
- Planning amendments to facilitate light industrial development at Houston Mitchell Drive Lake Cathie is behind pending initial reports and draft proposal by proponent.
- The business proposal for establishment of a Property Business Unit is behind, with work continuing on development of a draft strategy.
- Planning amendments to facilitate development at Major Innes Rd/Charles Sturt University precinct, Innes Peninsula and the Port Macquarie Hospital Precinct is delayed due to the need to monitor landfill gas migration and is also dependent on progress of related road planning projects including John Oxley Drive designs and the outer link road study.

## Ensuring Good Governance

### Focus Area - Looking after our environment

Focus Area	Performance measures	Behind target/schedule	On target / achieved
Looking after our environment	30	7	23

#### Highlights

- 20% of plant nurseries have been inspected for invasive weeds.
- Over 740 hectares of land has been treated for invasive weeds and over 880 kms of weed dispersal routes have been treated on roads across the region, including Pappinbarra Road, Thone River Road, Comboyne Road and Wingham Road.
- Over 640 hectares of bush regeneration has been undertaken on Lighthouse Beach Gully, Pelican Point, Googleys Lagoon, Lake Cathie, Nobbys Beach, Shelly Beach, Pelican Point and Middle Rock.
- Installation of the Solar Photovoltaic System at Council's Port Macquarie Office is complete with a expected cost savings of \$3,000 per month.
- Completion of the expansion of the Cairncross Waste precinct facility.
- Works complete on construction of Stages 1(b) and 1(c) of the Dunbogan Flood Access Road.

#### Operational Plan Actions Behind Target

- Inspection of properties for invasive weeds under the Weed Management program is behind target however are planned for April and May 2016.
- Construction of the Kew Transfer Station has confirmed detailed design and approvals and is currently pending tender documentation.
- Providing advice on Tree Management requirements in line with the service standard is slightly behind the set target with over 1,280 customer requests being received during the reporting period along with over 510 phone queries
- Investigating illegal tree works within the set service standard is slightly behind target due to increased workload volumes .
- The landfill gas capture trial project is underway with registration with the Clean Energy Regulator to ensure eligibility.
- The Hastings River Flood Study is on a revised program pending the late funding announcement received in March 2016.
- The Wrights and Yarranabee Creek flood studies are on a revised program pending the late funding announcement received in March 2016.

### Focus Area: Planning and providing our infrastructure

Focus Area	Performance measures	Behind target/schedule	On target / achieved
Planning and providing our infrastructure	221	56	165

#### Highlights

- Beechwood Road construction from Bains Bridge to Rosewood Road complete
- Clarence and Murray St intersection complete as part of the Town Centre Master Plan including improved parking, landscaping, kerb and guttering, footpath replacement, improved lighting and upgrade of underground services.

## Ensuring Good Governance

- The out of water dry dock slipping of the Settlement Point Ferry was complete
- Dunbogan to Laurieton cycleway project complete.
- Port Macquarie Pool heat pump replacement complete.
- Googik Track Stage 1 - shared walkway/cycleway complete.
- Town Beach amenities/kiosk/marine rescue building complete.
- Relocation of picnic shelters and BBQ's at Bartletts Beach Reserve as part of the Bonny Hill's Reserves Master Plan complete.
- Playground replacement at Endeavour Park complete.
- Replacement of infrastructure at Wauchope Skate Park complete.
- Park furnishing upgrades complete at Lasiandra Park, Shelly Beach, Wall Reserve North Haven and Westport Reserve.
- Playground replacement equipment at Timbertown estate complete .
- Blackbutt reserve - installation of sub-surface drainage, amenities upgrade and replacement of sport infrastructure complete.
- Lake Cathie Sporting Complex replacement of sports field light fittings complete
- Pathway replacement at Glebe Park complete.
- Planning amendments for Gordon St (east) Lord St/Town Beach precinct complete.
- Replacement of the timber steps at Lake Cathie Foreshore Reserve complete.
- Construction of the rising main along Ocean Drive from North Haven, North Haven to Laurieton and Stingray Creek bridge crossing complete.
- Sancrox 20ML Reservoir complete in order to service Sancrox and Area 13 industrial and residential development areas.
- Bonny Hills high level booster works including pipe and fitting replacements at Grants Head complete.
- Upgrade of sewer mains - Stingray Creek Bridge complete.
- Port Macquarie Sewerage Treatment Plant - upgrades to comply with the Environmental Protection Authority commitments complete.
- Investigations and condition ratings for Short Street drainage complete
- Port Macquarie Regional Indoor Stadium construction continuing.
- Stage 2 works associated with the upgrade to Hastings River Drive from single lane to dual lanes continuing and on target.
- Port Macquarie-Hastings Local Area Traffic Study is continuing.
- Completion of the 'under bore' as part of the provision of the centralised sewerage system for the North Shore for the Small Towns Sewerage Program, project is target.
- Construction is ongoing on new Stingray Creek Bridge.

### Operational Plan Actions Behind Target

- Design and preconstruction works associated with TCMP for the Kooloonbung Foreshore is pending Essential Energy public lighting requirements.
- Design and preconstruction TCMP works for lighting and banner poles is behind pending ongoing discussion with TCMP to determine priorities.
- Preconstruction works relating to segments 20,40 and 50 of Beechwood Road are behind pending consideration of flood levels and pedestrian traffic/bridge.
- Preconstruction works associated with TCMP for pedestrian access on Horton St - Clarence St to William St is pending negotiations with adjoining land owners.
- Lake Road detailed designs for dual lanes has the preliminary scope of work provided and initial concepts for Stage 1(Ocean Dr to Chestnut) underway.

## Ensuring Good Governance

- Signage audit complete in order to inform recommendations for upgrades and changes to Town Centre Master Plan signage.
- Construction of Town Square is yet to commence pending completion of detailed designs.
- Town Centre Master Plan implementation of cyclist friendly actions have now been endorsed by the Town Centre Master plan sub-committee.
- Houston Mitchell Drive/Ocean Drive - Stages 2 and 3 delayed, however works are expected to due to commence in April 2016.
- Kooloonbung Creek pedestrian paths associated with TCMP works is pending detailed designs being finalised following changes to the scope of works.
- Lake Road intersection with Blackbutt Road is behind and expected to commence in May 2016. Service relocations for water, reclaimed water, optic fibre and stormwater are complete.
- Flynns Beach Seawall upgrade now has coastal grant funding announced however, this project will continue into 2016 - 2017.
- Wauchope Swimming Pool upgrade tender awarded at the Ordinary Council Meeting 16 March 2016. Works commenced 30 March 2016.
- Dunbogan Reserve tidal baths upgrade - initial investigations have showed there are significant environmental constraints.
- Amethyst Way playground replacement is pending construction.
- Development of the leash free dog area at Henry Kendall reserve is pending quotes relating to geotechnical investigations.
- Lighthouse Beach Reserve upgrade is behind schedule.
- Construction of the new toilet block at Bonny Hills is behind pending options being considered in regards to possible grant funding being sourced to delivery full renewal of amenities, project may continue into 2016 - 2017.
- Construction of Town Beach (north) amenities are yet to commence pending tender, project will continue into 2016 - 2017.
- Replacement of revetment wall and boat ramp at Dunbogan Reserve is delayed pending additional funding applications to cover full scope of works, project will continue into 2016 - 2017.
- Implementation of the Town Green Master Plan is behind due to other project demands.
- Bain Park furniture replacement is pending sourcing of quotes.
- Kooloonbung Creek Nature Park replacement of interpretive signage is pending replacement plan completion.
- Port Macquarie Rowing Club currently has furnishings being sourced.
- Playground equipment replacements at Allen Road Reserve, Dunbogan Reserve, Ferry Reserve and Wade Park has construction planned to be complete by 30 June 2016 weather permitting.
- Improvements and renewals at Landrigan Park, Stuart Park and Woods Street sporting fields are planned to be completed in April 2016.
- Tuffins Lane power supply upgrade is on hold pending consideration of future facility management .
- Vince Inmon Sport Complex floodlighting replacements are planned for completion in April 2016.
- LEP and DCP amendments for Precinct C of Lake Cathie/Bonny Hills is awaiting the applicant. Exhibition may not take place by 30 June.
- The review of the DCP and LEP for neighbourhood planning at Thrumster (Area 13) is pending priority being given to the comprehensive KPoM project.

## Ensuring Good Governance

- The staged review of the 2011 Port Macquarie-Hastings Local Environmental Plan is behind however is progressing toward exhibition.
- The ongoing review of the 2013 Port Macquarie-Hastings Development Control Plan is behind due to the proposed draft North Coast Regional Plan released by the state government in March 2016.
- Kew/Kendall - feasibility study gas chlorine system is behind schedule pending quotes being sought.
- Construction of the Southern Arm Truck Main at Houston Mitchell Drive is behind and will continue into 2016 - 2017 Operational Plan.
- Sancrox Reservoir trunkmain construction is pending brief for survey, geotechnical testing and design finalisation.
- The rolling program for water quality monitoring has had water quality monitoring undertaken with alternate instruments being investigated.
- Long Flat/Comboyne membrane replacement program is scheduled to have membranes installed in May 2016.
- Camden Haven Sewerage Pump Station 22 power supply upgrade is behind schedule pending ongoing land acquisition.
- Small Town Sewerage Programs at Telegraph Point, Comboyne and Long Flat are behind schedule due to Council resolving in July 2015 to rewrite contract specifications. Further investigation being undertaken into an acceptable final effluent quality for discharge to the environment. Application for funding under the Small Towns Sewerage program are underway.
- Area 15 Sewerage upgrade has detailed designs, and geotechnical testing underway by developer's consultants, construction delivery will continue into 2016 - 2017.
- Camden Haven upgrade of mains is ongoing with the sewer pump station upgrade complete.
- Lake Innes area sewerage reticulation upgrade at John Oxley Drive has survey, geotechnical testings and designs finalised and is ready for procurement and will continue into 2016 - 2017.
- Port Macquarie sewer treatment plant aerator is behind schedule, quotes from suppliers received with installation planned for June 2016.
- Operation of the sewerage network has had three reportable incidents logged
- Investigation and stormwater designs for East Port, Gordon/Owen Streets has designs underway with the project to continue into 2016 - 2017.
- Stage 2 stormwater remediation at Batar Creek Road Kendall is behind pending external detailed design, with construction expected mid 2016.
- Stormwater remediation at Skyline Terrace Bonny Hills is behind, detailed design is complete, however property matters are delaying commencement.
- Stormwater remediation at Blackbutt Creek Wauchope is behind, detailed design complete, however properties matters are delaying commencement.
- Stormwater remediation at Calwalla Cres is behind pending external detailed design, construction expected in mid 2016.

## Ensuring Good Governance

### 3. Operational Plan 2015 - 2016 - Modification

OP Ref	Action description	Lead responsibility	Success measure	Target
5.5.1.1 (c)	Koree Water Pump Station No.1 Renewal (Carry Over 2014/2015)	Water and Sewer	Project delivered according to approved project plan	100%

#### **Reason for this modification request**

Operational Plan item will not be pursued. Investigation showed that refurbishment of the pump station is not feasible due to Work, Health and Safety constraints. Budget allocation will be transferred back into water fund reserves.

#### **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 and review with the Executive, Senior Leadership Team, Integrated Planning and Reporting Officer and Staff.

#### **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**

The Quarterly Budget Review Statement is tabled under separate cover and reflects the financial implications of these actions.

#### **Attachments**

1 [View](#). 2015 - 2016 Operational Plan Quarterly Progress Report as at 31 March 2016

## 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: CELEBRATE CREATIVE AGEING FESTIVAL (SENIORS WEEK) 2016  
POST EVENT REPORT**

**Presented by: Community and Economic Growth, Tricia Bulic**

### Alignment with Delivery Program

2.7.1 Encourage and build capacity for community groups to be active, successful and sustainable and support growth of volunteer base.

### RECOMMENDATION

**That Council note the information included in the Celebrate Creative Ageing Festival (Seniors Week) 2016 Post Event Report.**

### Executive Summary

The second Celebrate Creative Ageing Festival (Seniors Week) event was held from 1 to 10 April 2016 with 10 events delivered over 10 days. The Festival was funded by a joint partnership between Port Macquarie-Hastings Council and the Australian Centre for Arts and Health (ACAH). The partnership received a \$44,200 Creating Liveable Communities Competition Grant from Local Government NSW (LGNSW) and the Department of Family & Community Services (DFCS) to support an annual program budget of \$2,500 for Seniors Week. This funding was to deliver a mix of workshops in retirement villages, programmes for seniors and industry education over a two year period.

The Festival design is based on the hugely popular Ageing Festivals in Bealtaine (Ireland) and Gwanywn (Wales), and is the first of its kind in Australia. The success of the local programme can be evidenced by the fact that the local project partners were approached by the organisers of the Sydney Creative Ageing Festival who have subsequently based their festival on our Festival.

### Discussion

This is the second year of the funding to support the Festival which was planned, managed and co-ordinated by Council staff.

The programme highlights of the Festival include:

- The Big Chat - One Day Symposium for industry workers in aged care. This year speakers included Polly Wright (UK) and Rowena Clayton (UK, sponsored by Melbourne University), Adriane Boag, National Gallery of Australia (Canberra), Denis Mamo Advertiser Health Campaigns (Sydney), Karn Nelson Whiddon Group (Sydney).

## Looking After Our People

- Adriane Boag also conducted a “train the trainer” workshop for Glasshouse staff and industry workers based on the popular National Gallery Seniors iPad and art workshops.
- High Tea with I.T at the Wauchope, Laurieton and Port Macquarie Libraries;
- Art ‘n iPad Workshop with digital artist Mic Rees at Library.
- Young at Heart Short Film Festival at Ross family Studio.
- Art after Hours Art Lecture at Ross Family Studio with David de Guistino.
- Pimp My Ukulele Launch and Exhibition - 20 ‘artists’ from Laurieton Men’s Shed, Dhoongang Aboriginal Men’s Group and Port Macquarie Ukestra, very popular exhibition, co-production with Wales Creative Ageing Festival.
- Plein Air Painting - very popular to pilot this Parisian style programme with Hastings Valley Fine Arts.
- 2 x Come ‘n Try Ukulele Beginners Class at Library.
- One Book, One Community Library giant book club evening, with an engaging panel including Cr Lisa Intemann - hugely popular.
- Split seconds from the Sound of Music - funding for arts and health program at Uniting Mingaletta, documentary short film and CSU Masters Student studied the well being outcomes of this project.
- Time Slips Workshops at Bethany Salvation Army Retirement Village and planned for Port Macquarie Base Hospital Dementia Ward.

The success of the Festival was measured in a number of ways including:

- Number of attendees at each event.
- Council of Ageing Group establishment.
- Number of industry workers at The Big Chat.
- Charles Sturt University project to measure the wellbeing on staff and residents with dementia for the two months creative ageing project at UnitingCare Ageing, Mingaletta.

Measure of success:

- 250: Number of seniors attending programs and workshops at the Libraries.
- 270: Number of seniors attending programs at the Glasshouse.
- 1000+: Number of seniors attending exhibitions at the Glasshouse.
- 12 seniors: Council of the Ageing Reference Group established - seniors have advocacy in public policy.
- 45: Number of industry workers attending The Big Chat One Day Symposium;
- Cultural Companions launched - to encourage newly retired, arrived or single seniors to volunteer and participate in the cultural life of our community with eight registrations received, three ambassadors and a lot of anecdotal accounts of what a smashing idea this is. This program is a legacy program and will continue on for a 12 month pilot funded by the grant.
- Promotional material included a 24 page Festival Programme Booklet, a 22 page Symposium Booklet, and advertising in Focus and newspapers.
- Generated eight positive newspaper articles, five ABC radio interviews (including with speakers Denis Mamo and Polly Wright), one academic article being submitted to Royal Society of Arts and Health Journal UK and one evidence based research article being submitted by Charles Sturt University student.

## Looking After Our People

The 2016 Festival completes the two year program associated with the funding support of the Creating Liveable Communities Competition Grant from LGNSW of \$44,200. In 2017 Seniors Week will return to a modest programme such as the Sensational Seniors Expo unless alternative funding is sourced to allow for delivery of a third Celebrate Creative Ageing Festival.

### Options

That the information in this report is noted.

### Community Engagement & Internal Consultation

There was internal engagement with the following sections of council in planning for and delivery of the Festival:

- Community Place Team
- Library Manager
- Glasshouse Team

Community Partners included:

- Australian Centre for Arts & Health
- Arts Mid North Coast
- LGNSW
- DFCS
- NSW Govt Seniors Week
- North Coast TAFE
- UnitingCare Ageing
- Charles Sturt University
- Catholic Care of the Aged
- Salvation Army Aged Care
- Alzheimer's Australia
- Hastings District Respite Care
- U3A
- ABC Mid North Coast
- The Whiddon Group
- Laurieton Men's Shed
- Port Macquarie Ukestra
- Dhoongang Aboriginal Men's Group
- Hastings Valley Fine Arts.

### Planning & Policy Implications

Delivery of the Festival is aligned with:

- Operational Plan action 2.5.1.1 Develop, implement and evaluate a Seniors' Week program.
- Aged & Disability Officers' State Government Service Requirements - to support Home and Community Care programs and services and facilitate inclusion of HACC target population (seniors) in local activities.

## Looking After Our People

### **Financial & Economic Implications**

The overall budget for the 2015 & 2016 Festivals is \$49,200, including the \$44,200 grant from LGNSW and DFCS and \$5,000 that Council budgeted for Seniors Week in the 2014/15 and 2015/16 Operational Plans.

There is approximately \$3,000 of the total budget remaining to allow for continued delivery of Cultural Companions project which was launched during this year's Festival. This remaining allocation will be fully expended this financial year.

### **Attachments**

Nil

## Looking After Our People

**Item:** 10.02

**Subject:** PORT MACQUARIE HASTINGS COUNCIL YOUTH WEEK 2016  
EVENT WRAP UP

**Presented by:** Community and Economic Growth, Tricia Bulic

### Alignment with Delivery Program

2.2.1 Build capacity in the community to support young people.

### RECOMMENDATION

**That Council note the information included in Port Macquarie-Hastings Council Youth Week 2016 Event Wrap Up report.**

### Executive Summary

National Youth Week is held annually to give youth the opportunity to share ideas and contribute to their local communities on youth related issues. It is also a chance to highlight and showcase talent, celebrate the role of our young people in designing the future and most importantly to have fun.

Whilst embracing the above, the Port Macquarie-Hastings Council Youth Week 2016 program was also used to facilitate a number of engagement opportunities with young people to help better understand our local youth's needs and challenges whilst supporting and identifying opportunities.

### Discussion

#### Youth Week 9-17 April 2016

The Port Macquarie-Hastings YAC (Youth Advisory Council) was the main organising body for the local 2016 Youth Week Program. The YAC met fortnightly throughout the year, increasing to weekly meetings from January onwards to plan events and activities for National Youth Week.

YAC team members were involved in the planning, coordination and running of all local Youth Week events, resulting in each of the 16 official YAC members providing more than 65 volunteering hours between January and Youth Week (9-17 April 2016).

Those volunteering hours were equal to approximately \$38,000 (based on Centre for Volunteering hourly rate of \$37.17) which demonstrated their commitment and passion in delivering the week's events.

The genesis for the Port Macquarie-Hastings Council Youth Week 2016 program arose from a YAC planning day in January 2016 to brainstorm ideas for the local

## Looking After Our People

events. These ideas were then explored through workshops attended by young people within the LGA to help ensure greater engagement and participation of young people in this region.

The results from a number of surveys were also analysed to determine the needs of local young people and to then develop ideas, events and activities to address those needs identified.

Individual YAC members took the lead on a number of projects including the recruitment of teams of young people to help create, research, plan and coordinate these events, with mentoring and support from Council's Youth Development Officer.

The YAC helped design local promotional material including the Port Macquarie - Hastings Council 2016 Youth Week program brochure. The YAC also spoke at community meetings and school assemblies. Updating event development through social media was a key channel for communication to assist in advertising all events.

Port Macquarie - Hastings Council Youth Week 2016 also saw for the first time events sponsored and supported by local businesses including:

- Laing & Simmons
- Anaconda
- Stormriders
- The Burger Rebellion
- Innervision
- Pretty Rad
- Port Mac Guitars
- Charles Sturt University (CSU)
- Port Macquarie Surf Life Saving Club (PMSLSC)
- Grumpy's Butchery
- Target
- Officeworks
- Green Triangle Skateboards
- Port Macquarie Golf Club

Their combined financial and in kind prizes were estimated at \$4,000 which is a real indication of how valuable young people are to business and local community.

This year's Youth Week Events program included:

- Pop-up Busking Stations throughout the CBD.
- YAC-Koda - A team race event, travelling up and down the North Brother Track.
- Street Art Mural Workshop on Town Green, highlighting the issues of Tagging in our area and exploring alternatives to combat this through creativity.
- Inflatable Toy Race at Settlement Point - partnering with CSU and PMSLSC - highlighting safety for young people around water.
- Busking Competition and BBQ to celebrate the amazing musical talents that exist in this region.
- Wave and Melodies festival - a celebration of youth and everyone's involvement and hard work throughout Youth Week.
- Cosplay- an Anime event organised by staff at the Port Macquarie Library.

## Looking After Our People

Most events requested a gold coin donation for entry with the money going to the YAC's selected charity for 2016, Beyond Blue.

To ensure that the main event, Waves and Melodies was accessible by all our young people across the region, YAC organised for Cavanagh's Buses to collect attendees from outside of Port Macquarie, from Kendall, Camden Haven and Wauchope, to bring them to the Waves and Melodies event and return them home afterwards.

What was achieved?

Measure	Outcome	Amount
Cost to Council	Council Budget - Community Place	\$4,000.00
Grant Funds	NSW State Govt Grant	\$1,850.00
Sponsorship achieved	14 Local Businesses provided support, cash, vouchers or prizes as well as time	\$4,000.00
In-kind Support	YAC, volunteers	\$38,400.00
Event Attendees	Seven events	950+ attendees

Youth are considered vital to support a vibrant future in our region. Through the work of Council and YAC we can develop better ways to retain young people in the Mid North Coast as well as connect with the influx of young people associated with CSU and other education institutes. This will enable new ways to engage and support the future of our place and ensure that we are continuously improving how we engage our young people.

### Options

That council note the information contained in this report.

That Council requests additional information of key projects, priorities and activities associated with our youth

## Looking After Our People

### Community Engagement & Internal Consultation

Council has undertaken extensive engagement with our youth to determine key strategies and actions that are important to the young people in our region, including:

External Engagement.

2016 - Youth Week Surveys.

2016 - Engagement with local businesses about supporting Young People;

2015 - Your Voice Our Community with YAC.

2014 - Youth Forum and development of a Working Group.

2013 - Major Youth Survey through all schools - 2100 respondents.

There was internal engagement with the following sections of council in planning for and delivering Youth Week 2016:

Recreation and Buildings

Waste

Economic Development

Communications Team

Electrical Trade Services

Compliance

Libraries

### Planning & Policy Implications

The programs, events and activities are in line with programmed State Government service agreements as well as Council's Operational Plan:

2.2.1 Building Capacity in the community to support Young People;

2.2.1.1 Provide opportunities for young people to learn and develop.

### Financial & Economic Implications

The Port Macquarie-Hastings Council Youth Week 2016 event had an overall cost to Council of \$5,000. In addition to Council costs we received a NSW State Government grant of \$1,850 as well as approximately \$4000 of sponsorship and in-kind support from local businesses and the community. The \$4000 of sponsorship and in-kind support from local business and community included non-cash contributions. (Refer to table on previous page).

The grant and partnering with sponsors to support this event has seen a 50% reduction in cash cost to Council for 2016 event in comparison to the 2015 event.

The YAC has also secured a twelve month sponsorship with the Employment Training Community (ETC) for \$2,500.00. ETC's financial support will help the YAC present one large youth event during the year, as well as a number of youth skills based training workshops. This is the first of potentially many partnership opportunities to support our youth.

### Attachments

1 [View](#). Youth Week Feature - Focus Magazine

2 [View](#). Youth Week Run Sheet

## Looking After Our People

**Item: 10.03**

**Subject: RECOMMENDED ITEM FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE MEETING - APRIL 2016 MEETING**

**Presented by: Community and Economic Growth, Tricia Bulic**

### 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. Paige Leonhardt in the amount of \$350.00 to assist with the expenses she would have incurred competing at the Georgia Hope Foundation National Age Swimming Championships and the National Age Swimming Championships held in Adelaide from 2 - 4 April and 7 - 14 April 2016 respectively.
2. Lleyton Wall in the amount of \$100.00 to assist with the expenses he would have incurred competing at the NSW Combined High Schools Triathlon Team to compete at the School Sport Association National Championships held in Queensland from 18 - 21 April 2016 inclusive.
3. Annika Toohey in the amount of \$500.00 to assist with the expenses she would have incurred competing as part of the Under 15's Girls State Hockey Team to compete at the 2016 Australian Under 15's Girls Hockey Championships held in Wollongong from 9 - 18 April 2016 inclusive.
4. Joe Begbie in the amount of \$100.00 to assist with the expenses he would have incurred competing at the NSW Combined High Schools Triathlon Team to compete at the School Sport Association National Championships held in Queensland from 18 - 21 April 2016 inclusive.
5. Julia Williams in the amount of \$500.00 to compete at the National Age Diving Championships held in Sydney from 12 - 17 April 2016 inclusive.
6. Jessica Messina be advised that her application for financial assistance has been unsuccessful as she does not meet the Criteria of the Mayor's Sporting Fund.
7. Ryan Payne be allocated the amount of \$500.00 to assist with the expenses he would have incurred competing as part of the Under 15's Boys State Hockey Team to compete at the 2016 Australian Under 15's Boys Hockey Championships held in Wollongong from 9 - 18 April 2016 inclusive.

### Executive Summary

The Mayor's Sporting Fund Sub-Committee met on 21 April 2016, reached consensus on Item 8 (attached) and submits the above recommendation for Council's consideration.

## Looking After Our People

### Attachments

1 [View](#). Extract Item 08 - MSF Sub-Committee Meeting held on 21 April 2016

## 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:** TASTINGS ON HASTINGS PRELIMINARY PLANNING AND DRAFT BUDGET FOR 2016 EVENT UPDATE

**Presented by:** Community and Economic Growth, Tricia Bulic

### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council note the information in the Tastings on Hastings preliminary planning and draft budget for 2016 event report.**

### Executive Summary

Planning for the 2016 Tastings on Hastings scheduled for 28-30 October 2016 is well underway. This year's approach is in line with the three year event strategy, adopted by Council in August 2014. This strategy focused on maintaining the foundation of an event that supports our farmers and producers, but adds unique elements that will help differentiate the event from the many other food and wine events held in NSW, and will attract more overnight visitors to our region.

Attached to this report is the 2016 Tastings Event Plan and budget, detailing event components that will be revealed at the event launch in June 2016. Note the attachment is a confidential attachment as it provides information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c).

### Discussion

At the Ordinary Council Meeting held on 16 March 2016, Council requested that the General Manager provide a preliminary event plan and budget for the 2016 Tastings on Hastings to the May 2016 Ordinary Council Meeting.

Tastings on Hastings started as a vehicle to promote local farmers and producers and has been a fixture on our annual calendar of events for the past 13 years. The event has experienced many changes over the past decade, growing and evolving to meet the needs of the exhibitors and patrons alike.

A detailed review was undertaken in 2013 which highlighted rising costs and the need to balance costs with community expectations and impact on the local economy. Recent analysis indicates that from June - December 2016, there are more than 20 food-related festivals planned for the New South Wales Central, Mid-

## Helping Our Community Prosper

North and North Coasts over the coming months. Consistent with the 2015 event, the 2016 draft event plan details the elements that will provide a point of difference for Tastings patrons.

The value of the event as a mechanism to bring our community together and engender a sense of pride in where we live has been demonstrated consistently through patron and stakeholder surveys. The cost for the Tastings on Hastings Event has been steadily increasing for the past few years. This has been subsidised by greater sponsorship and support from our local business community. A new process for capturing all costs associated with the event has been implemented for the 2016 event which will allow greater control and management of the event's expenses. Noting the event income is heavily dependent on exhibitors and entry fees, a key risk to achieving the estimated budget is the weather on the event weekend.

### Options

Council may note the event plan or may opt to request modifications to the draft event plan and budget.

Council may choose an alternative infrastructure option that will reduce the cost of the event, but will have a significant impact on event bump in and the overall event look and feel (refer notes to the confidential budget attachment).

### Community Engagement & Internal Consultation

This report has been prepared in consultation with Council's Economic Development, Community Place and Finance Teams and the Tastings on Hastings Events Contractor, Marketplace Events.

### Planning & Policy Implications

Nil

### Financial & Economic Implications

Refer to attached confidential event estimate which details a forecast cost to Council for the 2016 event of \$42,010. Note that the expenditure on events can be spread across financial years. Some of the 2016 event expenditure will be incurred in the 2015-16 financial year. The budget currently included in the draft 2016-17 financial year budget for the Tastings event is \$38,500.

### Attachments

1 [View](#). Tastings on Hastings preliminary planning and draft budget 2016 event  
(Confidential)

## Looking After Our Environment

### What are we trying to achieve?

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

### What will the result be?

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

### How do we get there?

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

## Looking After Our Environment

**Item:** 12.01

**Subject:** DA2015 - 945.1 DEMOLITION OF DWELLING AND CONSTRUCTION OF DUAL OCCUPANCY WITH TORRENS TITLE SUBDIVISION, INCLUDING CLAUSE 4.6 OBJECTION TO CLAUSE 4.4 (FLOOR SPACE RATIO) OF THE PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT 66, DP 246284, NO. 10 CORNWALLIS CLOSE, PORT MACQUARIE

**Report Author:** Matt Rogers

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**Property:** Lot 66, DP 246284, No. 10 Cornwallis Close  
**Applicant:** King & Campbell Pty Ltd  
**Owner:** G R & J M Bell  
**Application Date:** 17 December 2015  
**Estimated Cost:** \$900,000  
**Location:** Port Macquarie  
**File no:** DA2015 - 945.1  
**Parcel no:** 5178

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### Alignment with Delivery Program

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

### RECOMMENDATION

That the determination of DA 2015 - 945.1 for Demolition of Dwelling and Construction of Dual Occupancy with Torrens Title Subdivision, Including Clause 4.6 Objection to Clause 4.4 (Floor Space Ratio) of the Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 66, DP 246284, No. 10 Cornwallis Close, 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 4.4 (Floor Space Ratio) by not more than 10%.

The proposal was approved under delegated authority of Council's Group Manager Development Assessment on 12 April 2016.

The proposed development resulted in a 1.5% variation from the maximum 0.65:1 floor space ratio adopted for the site. The variation was considered to be minor and not to result in any significant adverse planning impacts.

## Looking After Our Environment

Compliance with the FSR standard was considered unnecessary in the circumstances of the case as the proposed development was compatible with the height, bulk and scale of existing and likely future development in the locality, did not result in any identifiable adverse impacts.

There was sufficient justification on environmental planning grounds for the development as follows:

- The proposed variation from the standard is minor (1.5%).
- The additional floor space would not result in any adverse impacts on adjoining properties or the environment.
- The development complies with relevant building height and setback controls.
- The non-compliance with the development standard is a result of the requirement to include part of the boat sheds that do not satisfy the definition of a basement in the calculation of gross floor area. This aspect of the development is located below ground level at the rear of the site and would not significantly contribute to the perceived bulk and scale of the development.

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

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. This report is to ensure compliance with the subject circular.

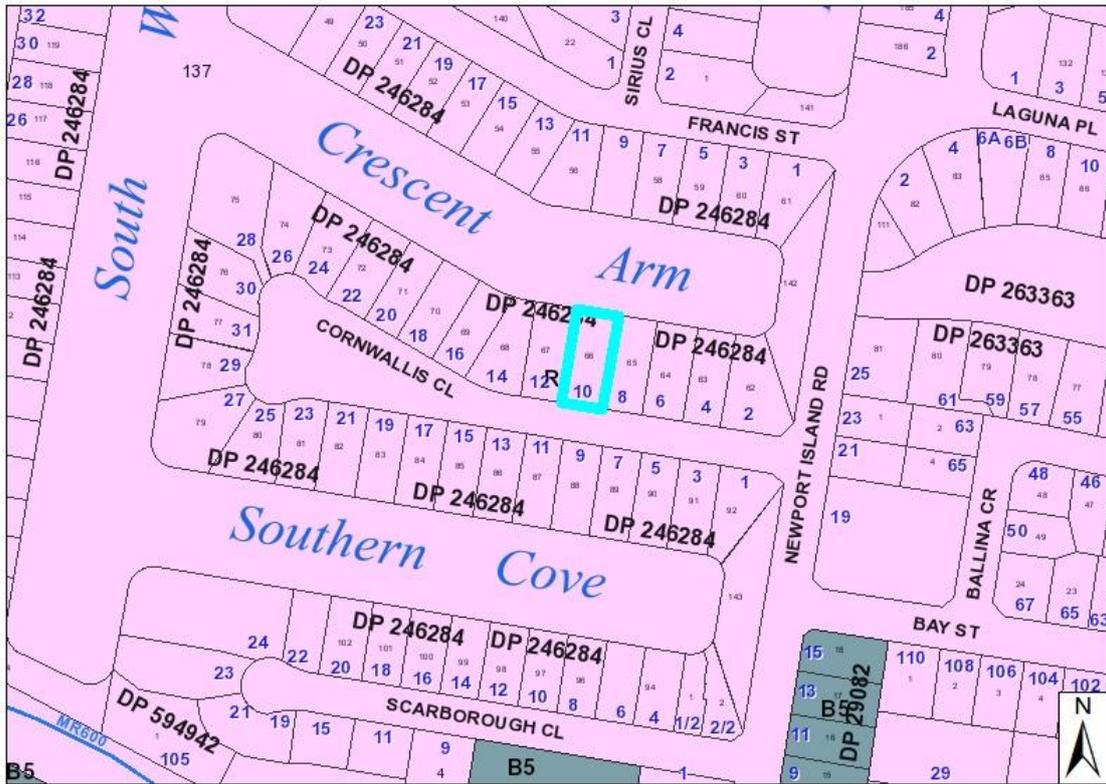
### 1. BACKGROUND

#### Existing sites features and Surrounding development

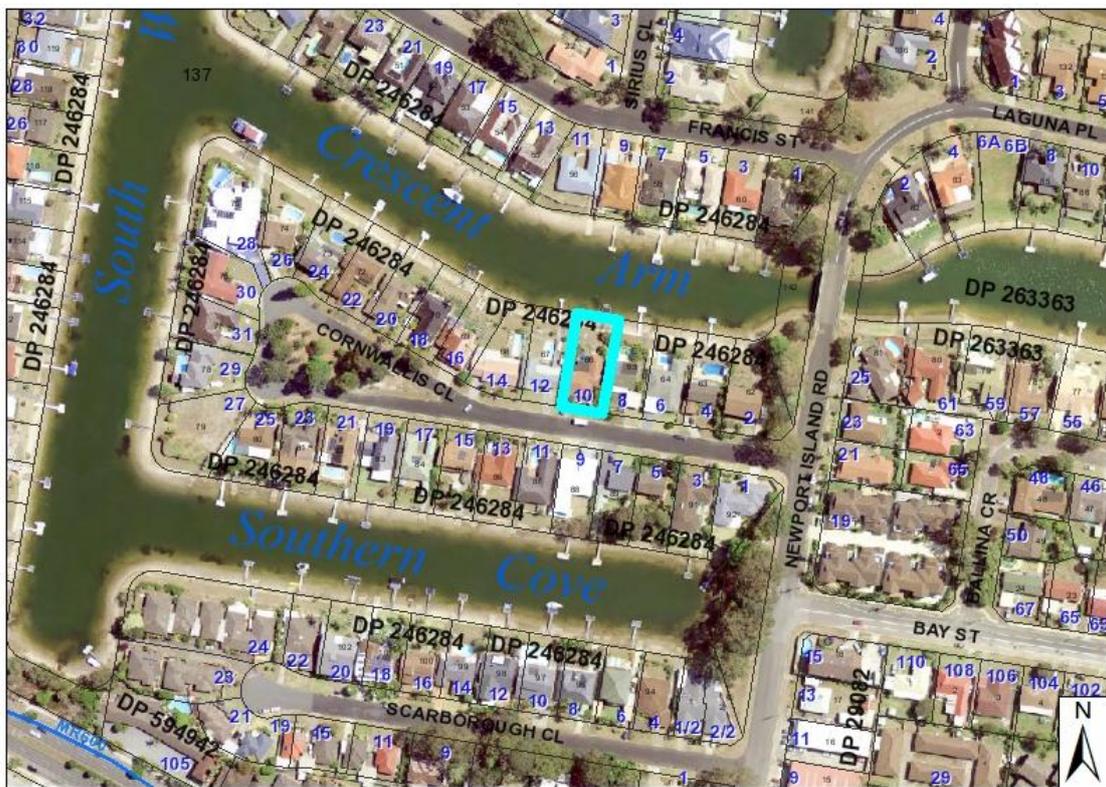
The site has an area of 779m<sup>2</sup>.

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:

- Demolition of the existing dwelling and associated structures.
- Construction of a two storey attached dual occupancy and associated waterway structures.
- Two lot Torrens title subdivision.
- Variation of the floor space ratio standard under Clause 4.4 of the Port Macquarie-Hastings Local Environmental Plan 2011.

Refer to attachments at the end of this report.

#### Attachments

1 [View](#). DA2015 - 945.1 DA Consent

2 [View](#). DA2015 - 945.1 Stamped Approved Plans

## Looking After Our Environment

**Item: 12.02**

**Subject: QUESTION ON NOTICE - PORT MACQUARIE-HASTINGS KOALA HABITAT AND POPULATION ASSESSMENT 2013**

**Presented by: Development and Environment Services, Matt Rogers**

### RECOMMENDATION

**That Council note the information provided in response to the Question on Notice - Port Macquarie-Hastings Koala Habitat and Population Assessment 2013.**

#### Question from Councillor Griffiths:

Could the General Manager advise:

1. What review has occurred of the Port Macquarie-Hastings Koala Habitat and Population Assessment 2013 report?
2. Where errors occurred what factors caused the error?
3. Has a sensitivity analysis been completed? If a variance occurred what would be the secondary impact?
4. Are further changes expected?

#### Comments by Councillor Griffiths:

The data contained in the Port Macquarie-Hastings Koala Habitat and Population Assessment 2013 report was to be used as the basis to build a comprehensive document. As a baseline document this would need to be accurate to ensure that historically the view of particular detail is not distorted. Council should be aware and assured that any document used for reference is reliable.

#### Response

The following information is provided in response to the questions in relation to the Port Macquarie-Hastings Koala Habitat and Population Assessment 2013 and also covers the processes associated with the development of vegetation mapping for the local government area. This mapping is an inherent part of the koala habitat and population assessment process.

1. Council undertook Vegetation Mapping in 2013 in accordance with the NSW Native Vegetation Type Standard (Sivertsen, 2009; attached). The vegetation mapping was divided into two areas based on intensity of sampling and resultant accuracy as per tender brief. Areas identified for growth in the PMHC Urban Growth Management Strategy (UGMS area) were required to be mapped to an accuracy of 90%  $\pm$  5% confidence intervals. The remaining rural areas have been mapped to an accuracy of 75%  $\pm$  5% confidence

## Looking After Our Environment

intervals. Review was undertaken by Council's Ecologist and via an independent audit (Landmark, 2013; attached).

Koala Habitat Mapping was undertaken using the RgBSAT technique, and was informed by the 2013 Vegetation Mapping. The use of this technique and the resultant dataset was considered to be appropriate by Council staff and OEH (OEH, 2013a,b,c; attached).

Council resolved to place the Vegetation and Koala Habitat Mapping on exhibition for 6 weeks at the August 2013 meeting. Review of both datasets and consideration of submissions was subsequently undertaken.

The review identified the need to carry out additional analysis for the mapping of floodplain Endangered Ecological Communities (EECs). An independent ecological consultant was engaged to review and remap the extent of this EEC. This resulted in a standalone EEC map for the LGA as reported to Council at the March 2014 Ordinary Meeting (attached).

2. The review processes identified an error in the mapping of floodplain Endangered Ecological Communities (EECs), part of the vegetation mapping process.

Factors that caused the EEC mapping error were; the interpretation of legal definitions relating to the classification of a floodplain and floodplain soils, and the scale of the NSW Coastal Quaternary Geology Mapping used for this specific component of the mapping.

The review process dealt with this issue as noted in point 1 above.

3. A sensitivity analysis is a statistical technique used to test the importance of inputs when modelling scenarios and allows for an assessment the robustness of a model. The process for developing both the koala habitat and vegetation mapping was based on data derived from aerial interpretation and field validation i.e. it was not a modelled dataset. To this end sensitivity analysis was not appropriate as a method to verify these datasets. A quality assurance and review process was used to validate these data sets as described above.
4. The adopted Vegetation Mapping Review Methodology (**attached**), provides ongoing review refinement of the Vegetation Map. This process occurs where the vegetation classification and/or extent is challenged during fine scale mapping that may occur from time-to-time e.g. in the development approvals process.

Similarly, refinement of the Koala Habitat Mapping occurs at the site scale during the development approval process.

A cyclical review of the entire Koala Habitat Mapping is also an important part of the process for ensuring the ongoing validity of the mapping. It is proposed that Council consider ongoing reviews of this nature as part of the development of the Koala Strategy for the Port Macquarie-Hastings.

## Looking After Our Environment

### Attachments

- 1 [View](#). Sivertsen, 2009
- 2 [View](#). Landmark, 2013
- 3 [View](#). Office of Environment & Heritage Letter 2013 (a)
- 4 [View](#). Office of Environment & Heritage Letter 2013 (b)
- 5 [View](#). Office of Environment & Heritage Letter 2013 (c)
- 6 [View](#). Report to November 2013 Council Meeting
- 7 [View](#). Report to March 2014 Council Meeting
- 8 [View](#). Report to December 2014 Council Meeting
- 9 [View](#). Vegetation Mapping review methodology

## Looking After Our Environment

**Item:** 12.03

**Subject:** SALE OF AUSTRALIAN CARBON CREDITS

**Presented by:** Development and 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 note the successful bid in the April 2016 Emissions Reduction Fund auction.**

### Executive Summary

Council has been advised of a successful bid in the Emissions Reduction Fund auction held on 27-28 April 2016. Proceeds from the sale of carbon credits will provide Council with an income stream in excess of one million dollars over a seven year period.

### Discussion

At the Ordinary Council Meeting held on 20 April 2016, Council resolved as follows:

### 12.01 SALE OF AUSTRALIAN CARBON CREDITS

*RESOLVED: Griffiths/Turner*

That Council:

1. Delegate authority to the General Manager to undertake the sale of Carbon Credits and participate in auctions under Federal emissions trading schemes and programs.
2. Put the proceeds from the sale of carbon credits to renewable energy initiatives with a positive return on investment.
3. Request the General Manager report to Council on any such renewable energy initiatives prior to investment.

*CARRIED: 6/3*

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

*AGAINST: Cusato, Levido and Roberts*

A bid was subsequently lodged in the Emissions Reduction Fund (ERF) auction held on 27-28 April 2016. The bid utilised Carbon Credits generated through the operation

## Looking After Our Environment

of the former alternate waste treatment plant and through Council's Organics Resource Recovery Facility (ORRF) at the Cairncross Waste Management Facility.

Expert advice was sought in lodging the bid and consideration was given to the results of previous auctions, predictions on the market reaction to the current auction and the current uncertainty regarding the continuation of the ERF due to the forthcoming Federal election.

Council has now been advised that the auction bid was successful. Proceeds from the sale of carbon credits will provide an income stream in excess of one million dollars over a seven year period. The terms of the auction contract restrict Council from disclosing the actual unit price for the sale of the Carbon Credits.

Details on the Clean Energy Regulators web site show the following results from the auction:

- Regulator committed to purchase 50,471,310 tonnes of abatement on behalf of the Commonwealth.
- The average price per tonne of abatement was \$10.23.
- Contracts were awarded to 33 contractors covering 73 projects.
- The total value of contracts awarded at the auction was \$516,177,598.
- The largest single contract was for 15 million tonnes of abatement and the smallest for 5383 tonnes of abatement.

### Options

Information report only.

### Community Engagement & Internal Consultation

Internal consultation has occurred between the General Manager and Director Development and Environment

### Planning & Policy Implications

There are no Planning or Policy Implications associated with the sale.

### Financial & Economic Implications

As noted above Council has resolved to put the proceeds from the sale of carbon credits to renewable energy initiatives with a positive return on investment.

### Attachments

Nil

## Looking After Our Environment

Item: 12.04

Subject: QUESTION ON NOTICE - REPORTING REQUIREMENTS FOR PARAGLIDERS

Presented by: Community and Economic Growth, Tricia Bulic

### RECOMMENDATION

That Council note the information contained in the Reporting Requirements for Paragliders report.

#### Question from Councillor Cusato:

Could the General Manager provide details of the reporting requirements for paragliders (if any) to authorities such as Air Services and CASA before, during and after their flying activities.

#### Comments by Councillor (if provided):

Nil.

#### Response

On 31 March 2016, Council submitted correspondence (Annexure A) to the Hang Gliding Federation of Australia (HGFA) for a formal response and received an acknowledgment that a response would be supplied by the HGFA by 29 April 2016.

On 07 April 2016, Council requested a similar response from the Civil Aviation Safety Authority's (CASA) Sport Aviation Safety Assurance Officer. An acknowledgement response was received however no formal reply was forthcoming. Council again requested an update on 3 May 2016.

On 07 April 2016, Council received draft Site Guidelines from the Mid North Coast Flyers (MNCf) (Annexure B), the local paragliding club responsible for ensuring site responsibilities and management under the HGFA Operational Manual.

On 21 April 2016, Council received the following response from the MNCf, on behalf of the HGFA (Annexure C). In summary the key points are as follows:

- Pilots of foot-launched aircraft are **not** required to report to Air Services or CASA for normal flying activities.
- MNCf is responsible for the appointment of Safety Officers, management of site hazards to pilots and public and the production of site guides and liaising with site owners.

## Looking After Our Environment

- MNCF should always be the first point of contact for alleged breaches and reported incidents.
- MNCF is committed to meeting the requirements of Council and obtaining relevant Council approvals.

On 06 May 2016 Council received correspondence from CASA (Annexure D) regarding Council's earlier request for information. In summary the key points are as follows:

- The HGFA is a self-administrating organisation responsible for the day-to-day management and administration of its members, which also includes the investigation of occurrences and any resulting disciplinary action taken against their members.
- The HGFA are also responsible for the collection and retention of data pertaining to incidents and accidents that involve their members.
- Reporting of incidents and/or accidents is the responsibility of the pilot in command, the owner and the operator. The HGFA Operations Manager and the Australian Transport Safety Bureau (ATSB) are to be notified within 72 hours.
- ATSB have the responsibility of investigating reportable matters and subsequently report these matters to CASA in accordance with a Memorandum of Understanding.
- CASA is only involved in claims of alleged breaches to the regulations if perpetrated by a person who is identified as not operating under the auspices of a self-administrating organisation (i.e. HGFA).

To-date, no formal application for the use of Bartlett's Beach Reserve has been received from High Adventure Paragliding, Cloudbase Paragliding Australia (commercial operators) or the MNCF despite Council requesting this to occur in July 2015 and in a meeting with all parties on 16 February 2016.

If these paragliding parties conform to Council Reserve Use application requirements and can operate paragliding activities in conjunction with site specific guidelines and the HGFA Operations Manual, then risk potential could be managed accordingly. Should Council decide to approve the application, relevant risk management and reserve use conditions would be included in formal Conditions of Consent. This could include the requirement to set up a safety exclusion zone during operations and a six month trial to ensure compliance with council requirements.

Although the MNCF has not satisfied Council's application requirements to-date, they have attended public meetings with the Bonny Hills Progress Association and other concerned residents to discuss their concerns.

An invitation has been extended to representatives of MNCF to attend the Council Meeting and address the public forum at the Ordinary Council Meeting scheduled to consider this report.

## Looking After Our Environment

### Attachments

- 1 [View](#). Annexure A - Hang Gliding Federation of Australia - request for information
- 2 [View](#). Annexure B - Mid North Coast Flyers - Site Guidelines
- 3 [View](#). Annexure C - Mid North Coast Flyers response to Question on Notice from 16 March Council Meeting
- 4 [View](#). Annexure D - Civil Aviation Safety Authority response

## 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: WATER FLUORIDATION**

**Presented by: Infrastructure and Asset Management, Jeffery Sharp**

### Alignment with Delivery Program

5.5.5 Deliver water and sewerage supply services to ensure public health and safety and environmental protection.

### RECOMMENDATION

**That Council note the information provided in the water fluoridation report and continue to gather information on this matter.**

### Executive Summary

This report provides an update detailing the level of information received to-date on fluoridation and seeks to continue with the information gathering for future consideration of Council.

### Discussion

At the Ordinary Council Meeting held on 15 July 2015, it was resolved:

*RESOLVED: Intemann/Cusato*

*That Council request the General Manager:*

- 1. Write to the NSW Department of Health and the National Health and Medical Research Council (NHMRC) requesting detailed information on their studies and programs relating to water fluoridation.*
- 2. To provide Councillors with the responses once received, and report back formally to Council after further clarifying consideration and inquiry by the Roads and Infrastructure portfolio.*

*CARRIED: 8/0*

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

*AGAINST: Nil*

Following the above resolution, Council wrote to NHMRC and NSW Health on 16 July 2015 - copies of these letters are attached to this report. A response was received from NHMRC on 19 August 2015 and from NSW Health on 21 August 2015 and these letters are also attached.

Upon considering the response and following further internal discussions, Council sought further clarification on 19 October 2015 from Mr John Skinner of the NSW Ministry of Health regarding this matter. Council staff were subsequently involved in a

## Planning and Providing Our Infrastructure

teleconference with John Skinner and Professor Anthony Blinkhorn OBE - NSW Health Chair, Population Oral Health - Faculty of Dentistry Westmead Centre for Oral Health on 22 February 2016.

Professor Blinkhorn advised that research in Ballina / Byron Bay, Gosford and Wyong on the benefits of fluoridation had shown that those children who have fluoride in the water supply have less dental caries. In addition, the new fluoridation scheme in Gosford indicated that reductions in dental caries occurred within a very short time following the adjustment of the fluoride level in the public water supply.

Council wrote again to NHMRC on 18 March 2016 seeking further clarification on issues that arose from their original response to Council. A copy of the letter is attached to this report. A response was received from NHMRC on 29 April 2016 in response to Council's letter and this is also attached for information.

Further to the above, Council staff have drafted the attached letter to the Australian Institute of Health and Welfare requesting dental statistics and survey information.

### Options

Council can endorse to send the attached draft letter to the Australian Institute of Health and Welfare or resolve to take no further action on this matter.

### Community Engagement & Internal Consultation

There has been internal consultation on this report and correspondence between the Director Infrastructure and Asset Management, General Manager and the Roads and Infrastructure portfolio Councillors.

### Planning & Policy Implications

There are no planning or policy impacts associated with this report.

### Financial & Economic Implications

There are no financial or economic implications from this update report.

### Attachments

- 1 [View](#). Council correspondence to NSW Health and NHMRC July 2015
- 2 [View](#). Response from NSW Health and NHMRC August 2015
- 3 [View](#). Council correspondence to John Skinner NSW Health October 2015
- 4 [View](#). Council correspondence to NHMRC March 2016
- 5 [View](#). Response from NHMRC April 2016
- 6 [View](#). Draft letter to Australian Institute of Health and Welfare

## Planning and Providing Our Infrastructure

**Item:** 13.02

**Subject:** BROADWATER CANALS - CANAL MAINTENANCE PLAN

**Presented by:** Infrastructure and Asset Management, Jeffery Sharp

### Alignment with Delivery Program

5.5.7 Develop and implement the annual maintenance and preventative works program for stormwater assets.

### RECOMMENDATION

**That Council publicly exhibit the Draft Broadwater Canals - Canal Maintenance Plan from 27 May to 24 June 2016 and consider a further report following the exhibition period.**

### Executive Summary

The Final Draft Broadwater Canal - Canal Maintenance Plan (CMP) has been prepared for Council by GHD Pty Ltd. The CMP provides a snapshot of the current condition of the canals and defines maintenance requirements to be undertaken by Council and private landowners over the next five years.

The completion of the CMP meets Council's obligations as defined within the Broadwater Canal Waterway Maintenance Plan (WMP). The WMP is a maintenance planning document that is linked to the titles of all properties falling within the canal area.

This report outlines the findings of the Hydrographic Survey and Waterway Condition Assessment, and presents the Final Draft Broadwater Canal - Canal Maintenance Plan.

It is proposed that the Final Draft Broadwater Canal - Canal Maintenance Plan be placed on public exhibition from 27 May to 24 June 2016 for the purpose of receiving public comment. Following this exhibition period, a further report will be presented to Council detailing the outcomes of the public exhibition and providing any further recommendations in relation to the document and potential actions required.

### Discussion

The Broadwater Canals, as they are now commonly known, was the final stage of the Settlement Shores Canal Development. As part of this stage of development the developer, Port Shores Pty Limited, was required to put in place a Waterway Maintenance Plan (WMP).

The WMP defines requirements for both routine maintenance and flood damage maintenance for the waterways by both Council and the private landowners. The

## Planning and Providing Our Infrastructure

WMP generally covers the beaches, rock protection, revetment walls and structures such as the flow deflectors, flood control weir and Park Street Bridge.

At the time of the original land development and canal construction and in recognition of the high costs involved in maintaining Canal Infrastructure, it was considered appropriate and equitable that a special rate be introduced and applied to the benefiting landowners within the Broadwater Subdivision area.

The Broadwater Special Rate has been levied since the commencement of the subdivision during the 2002-2003 Rating Period. Funds raised by the special rate are retained within a Broadwater Reserve Fund specifically for works, investigations and maintenance activities as prescribed within the WMP. Specifically, the WMP specifies that "one half of the income raised each year shall be allocated to monitoring and routine maintenance, and one half shall be allocated to a reserve within the fund to meet the cost of restoration of Extreme Flood Event Damage, including the cost of insuring against such damage."

The WMP (attached) is linked to the titles of all properties falling within the canal area via a Memorandum and is the document which guides and manages the maintenance of the canals.

Under the terms of the WMP, Port Macquarie-Hastings Council (Council) is required to co-ordinate a hydrographic survey and condition assessment of the Broadwater Canal approximately every 5 years. These investigations aim to define the extent of canal siltation / erosion and to provide an assessment of the condition of the waterways and foreshore rock protection. This information is intended to then inform the preparation of a forward maintenance and dredging plan in accordance with the WMP.

Council has engaged specialist consultants, GHD Pty Ltd to undertake the abovementioned hydrographic survey and waterway condition assessment and to prepare a forward maintenance and dredging plan for the Broadwater Canal in accordance with Council's obligations under the WMP.

### **The Final Draft CMP**

This key project commenced during late 2014 with a hydrographic survey and site assessment by the consultants. Utilising the survey results and findings of the site assessments, a Draft Broadwater Canal - Canal Maintenance Plan was prepared in April 2015 in accordance with the requirements of the WMP.

The Draft CMP was reviewed by both key internal stakeholders and the landowner representative members of the Broadwater Canal Maintenance Plan Reference Group, with review comments collated and sent to GHD for inclusion in the Final Draft version of the plan.

At this time and in response to specific Reference Group feedback and uncertainties regarding the enforcement of the requirements of the WMP on non-compliant landowners, further advice was sought from Council's Compliance Department regarding the rectification of the following specific issues identified by both the Reference Group and the Draft CMP:

## Planning and Providing Our Infrastructure

- A number of residents were found to have placed sand to create sandy beach areas in lieu of the foreshore rock protection originally designed and constructed.
- There are a number of private stormwater outlets onto the foreshore area which are causing scour of the rock protection. These outlets are not permitted under the WMP.
- The construction of a number of approved boat ramps has left the surrounding foreshore areas in a state of disrepair with construction waste not being cleaned up and works disturbing the adjoining rock protection.
- Residents have planted vegetation within the waterway foreshore area that is not in accordance with the original WMP.

Following a lengthy review of the issues present and enforcement options available, the following advice was received:

*As a beneficiary of the positive covenant registered pursuant to s88B of the Conveyancing Act, 1919 on the title of all lots within the Broadwater Estate, Council has the power to enforce the terms of the covenant (namely the requirement that "The proprietors of the lots burdened will at all times comply with the provisions of Memorandum AA703324) in the Local Court in its civil jurisdiction.*

*Alternative enforcement avenues exist in instances where environmental damage or pollution is occurring or likely to occur (Protection of the Environment Operations Act 1997), or where the works undertaken contravene relevant planning laws applicable to the site (Environmental Planning & Assessment Act 1979).*

This information was subsequently provided to GHD for inclusion in the Final Draft Broadwater Canal - Canal Maintenance Plan.

The Final Draft Broadwater Canal - Canal Maintenance Plan is attached and an associated Review of Environmental Factors document undertaking an assessment of the environmental impacts of the proposed / required priority works.

The Key findings / outcomes of this Draft CMP include the following:

- Sedimentation and scour was identified throughout the canal waterway, though the quantities of sedimentation and resulting reductions in available draft do not warrant dredging. Consequently no sediment sampling and analysis was undertaken during the preparation of the CMP.
- There exists localised areas of damage and erosion to foreshore shingles and rock armour;
- Areas have been identified in which property owners have undertaken works for maintenance, aesthetic or practical purposes contradicting the conditions set out in the WMP; and
- Growth of vegetation along the canal foreshores is not in accordance with the design intent of the original WMP.

Utilising the issues identified, a listing of remedial maintenance works has been prepared, with the works being designated as either, "immediate priority actions", or as "recommendations for future monitoring and maintenance". The attached CMP contains the specific details in this regard.

## Planning and Providing Our Infrastructure

Below is a summary of the key priority recommendations identified in the Plan:

- Regular monitoring of the Broadwater Canal every five years as well as additional monitoring following extreme flood events. Undertake maintenance in accordance with observations from monitoring.
- Include the immediate priority actions recommended in Section 3 in Council's 2017/2018 maintenance works plan, with all work proposed to be completed by June 2018.
- Replenish foreshore areas identified as being subject to erosion with suitable shingles or rock armour.
- Undertake an additional hydrographic survey within five years to confirm rates and patterns of sedimentation and erosion, and associated need for dredging.
- Revisit the CMP following completion of future hydrographic survey(s) and ongoing monitoring and maintenance.
- Consult with foreshore property owners in the vicinity of riverbed areas above the original design levels (whether as a result of sedimentation of original construction discrepancies) and discuss implications for vessel access.
- If localised sediment build up impacts the functioning of the stormwater outlets or navigation within the canal, consideration could be given to localised dredging.
- Given that no immediate dredging activities are proposed, no sampling and analysis of sediments from the bed of the canal is required at this stage. However, it is recommended that consideration is given to analysis of the physical and chemical properties of the canal sediments in order to inform the planning of future maintenance dredging campaigns.
- Encourage property owners to be proactive in monitoring the condition of the canal and liaise with Council on issues as they arise.
- Liaise with property owners who have introduced material onto the foreshore of their property that contradicts the conditions set out in Memorandum AA703324B (Appendix I). Furthermore it is recommended that Council give consideration to the potential impacts associated with these materials and enforce their removal if deemed appropriate following consultation.
- Monitor natural foreshore vegetation and consider removal if it is deemed to be problematic with respect to aesthetics, collection of debris, damage to foreshore protection or providing habitat for pest species.
- Continue to monitor assets that are prone to accumulating small debris such as the flood control weir and entrance flow deflectors, and undertake necessary removal works.

Note that whereas the Final Draft CMP notes that the remedial works actions are proposed to be undertaken in the 2017-18 Financial Year, Council's Transport & Stormwater Network staff intend to commence remedial works within the 2016-17 Financial Year subject to the outcomes of the exhibition period and the future allocation of funding from the Broadwater Canals Reserve Fund. These dates will be amended in the final version of the plan.

It is proposed that the Final Draft Broadwater Canal - Canal Maintenance Plan be placed on public exhibition from 27 May to 24 June 2016 for the purpose of receiving public comment on the Draft Plan. Following this exhibition period, a further report will be presented to Council detailing the outcomes of the public exhibition and

## Planning and Providing Our Infrastructure

provide any further recommendations in relation to the document and potential actions required.

### Options

Council has the option of accepting or amending the recommendation presented within this report, or rejecting the recommendation and determining an alternate resolution.

### Community Engagement & Internal Consultation

As noted above, the Draft Broadwater Canal - Canal Maintenance Plan has been developed based on the requirements of Memorandum AA703324B and the Waterway Management Plan. The draft plan was provided to the Broadwater Canal Maintenance Plan Reference Group for comment as well as being reviewed by Council staff.

Comments from the Broadwater Canal Maintenance Plan Reference Group, Council Staff as well as issues previously raised through the Broadwater Canal Maintenance Plan Reference Group have been taken into consideration in preparing the Final Draft version of the CMP.

It is now proposed to place the Final Draft Broadwater Canal - Canal Maintenance Plan on public exhibition from 27 May to 24 June 2016 to allow the wider Broadwater Canal community to provide input into the final version of the plan. Broadwater Canal owners/residents will be directly informed of the exhibition by letter and it will also be placed on the PMHC Listening.

### Planning & Policy Implications

Placing the Draft Broadwater Canal - Canal Maintenance Plan on public exhibition will not have any specific Planning or Policy Implications.

However should the Plan be adopted by Council following the public exhibition it will establish the planning framework for maintenance within the Broadwater Canals for the next five years.

### Financial & Economic Implications

There are no specific financial or economic impacts associated with placing the Draft Broadwater Canal - Canal Maintenance Plan on public exhibition.

The current balance of the Broadwater Canal Special Rate Reserve is \$1.29M and whilst there are sufficient funds to complete the key priority remedial works identified in the draft plan, the exhibition will seek confirmation of the key items and allow identification of other remedial works currently not included. This is required prior to committing works and funds for the coming financial year.

Should the Plan be adopted by Council following the public exhibition, there are significant financial implications associated with the completion of the remedial works and maintenance activities identified within this plan.

## Planning and Providing Our Infrastructure

### Attachments

- 1 [View](#). Draft Final Broadwater Canal - Canal Maintenance Plan
- 2 [View](#). Waterway Maintenance Plan

## Planning and Providing Our Infrastructure

**Item:** 13.03

**Subject:** LAND ACQUISITION - TUFFINS LANE, PORT MACQUARIE

**Presented by:** Corporate and Organisational Services, Rebecca Olsen

### 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. Pay compensation in the amount of \$5,000 (GST Exclusive) to the Penrith Rugby League Club Limited for the acquisition of part Lot 135 Deposited Plan 754434 more particularly described in the registered plan of acquisition as Lot 101 Deposited Plan 1181696.
2. On the acquisition of Lot 101 Deposited Plan 1181696 in pursuance of Section 10 of the Roads Act 1993, dedicate Lot 101 Deposited Plan 1181696 as a public road.
3. Delegate to the General Manager authority to:
  - a) Sign the Deed of Acquisition/Contract For Sale.
  - b) Sign the Land Titles Office Transfer Form.
  - c) Sign the Land Titles Office Request Form.

### Executive Summary

A report to consider the acquisition of land in Tuffins Lane, Port Macquarie required for road purposes. This acquisition is being made retrospectively following the Port Macquarie Airport upgrade and associated works completed in 2013.

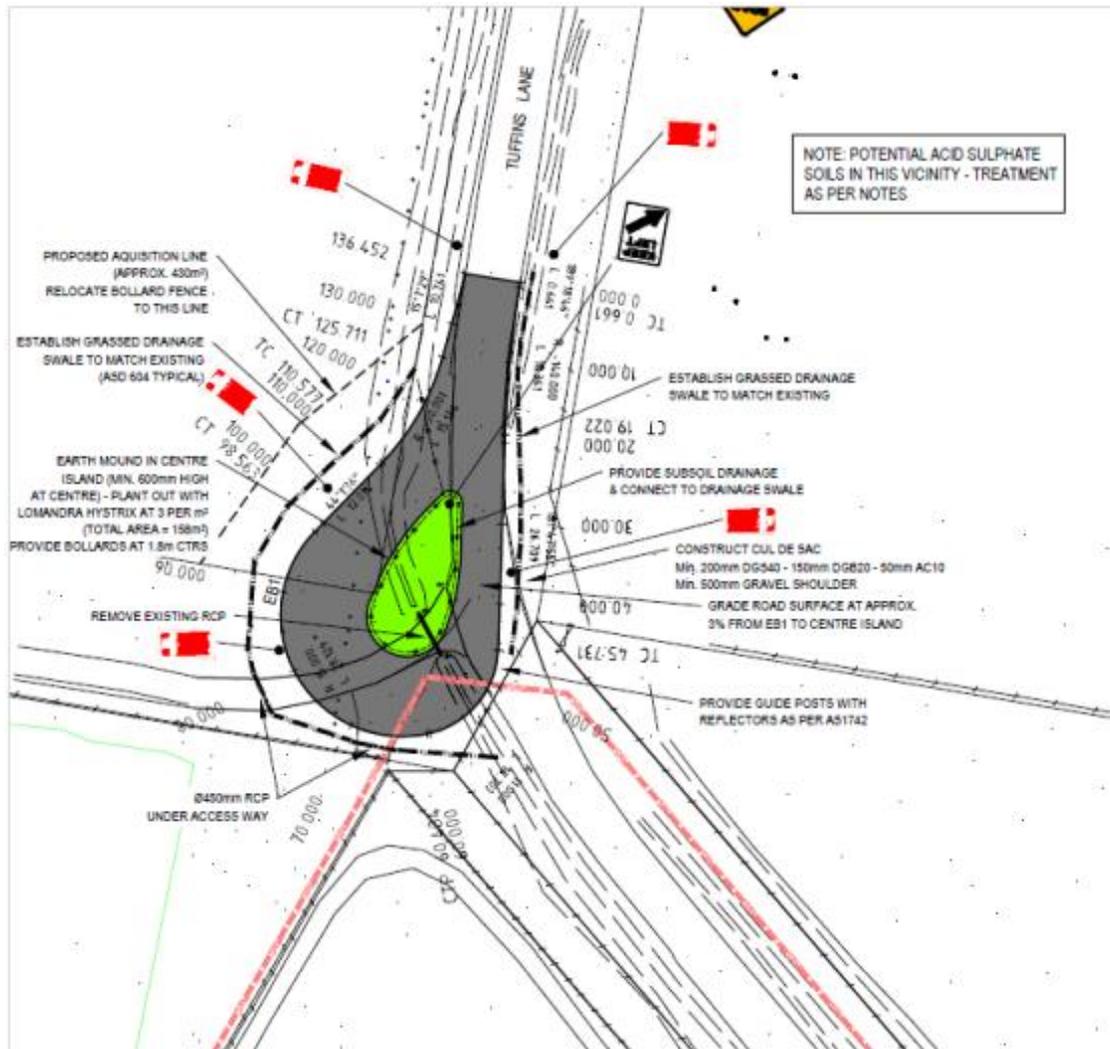
### Discussion

As part of the 2013 upgrade of the Port Macquarie Airport, it was identified that the majority of that part of Tuffins Lane situated along the northern boundary of the Airport would need to close to traffic to make way for the required runway end safety area (RESA). A road closing application was lodged with the then Department of Lands, the road was then subsequently closed. The land comprising the closed road is now incorporated within the airport operational land holding.

With the physical closure of the road to traffic in July 2013 it was necessary to provide a turning area for vehicles at either end of the closed road (as shown in the figure below). On the western side of the closed road, Tuffins Lane is of insufficient width to allow large vehicles such as buses and articulated trucks to turn around. The owners of the land on the western side of the closed road, the Penrith Rugby League Club, consented to the use of part of their land to enable the construction of the turning area in advance of the formal acquisition. The general location of the

Planning and Providing Our Infrastructure

turnaround on the western side of the closed section of Tuffins Lane is shown below and in the attached plans.



Plan of roadworks completed in 2013

The area of land to be acquired has been surveyed and comprises 427m<sup>2</sup>. The land is shown in the registered plan of acquisition as Lot 101 in Deposited Plan 1181696. A copy of Deposited Plan 1181696 is attached.

**Options**

Nil.

**Community Engagement & Internal Consultation**

Community consultation has previously occurred in regard to the expansion of the Airport and part closure of Tuffins Lane. In regards to the land acquisition, there has been consultation within the Corporate & Organisation Services Division.



## Planning and Providing Our Infrastructure

### Planning & Policy Implications

The land acquisition is being conducted in accord with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.

### Financial & Economic Implications

Council is required to pay compensation to the landowner, the Penrith Rugby League Club Limited, for the acquisition of the land. Following the registration of DP1181696 in 2013, Council's consulting valuer assessed fair compensation for the acquisition of Lot 101 Deposited Plan 1181696 at \$5,000 (GST Exclusive). An offer in this amount, and made subject to the formal approval of Council, was put to the owners who have recently provided their written agreement to the offer. Given the agreement as to monetary compensation, the land acquisition is now reported to Council.

In addition to the payment of the monetary compensation for the land, Council is also required to meet the costs reasonably incurred by the land owner arising from the acquisition. Legal costs incurred by the owner are estimated at \$1,500 (GST Exclusive). Whilst the acquisition of the land is retrospective and dating from 2013, there is funding available in the current Airport budget to meet the land acquisition costs.

### Attachments

- 1 [View](#). Tuffins Lane - Area of land acquisition.
- 2 [View](#). Deposited Plan 1181696

## Planning and Providing Our Infrastructure

**Item: 13.04**

**Subject: PACIFIC HIGHWAY UPGRADE - NAMING OF SERVICE ROADS**

**Presented by: Corporate and Organisational Services, Rebecca Olsen**

### 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. Pursuant to Section 7 of the Roads Regulation 2008, publicly notify the proposed naming of service roads as listed in recommendations 2, 3, 4, and 5 below for a period of 15 days in accordance with Section 7.1.4 of the GNB publication *NSW Addressing User Manual*.
2. Advertise the name "Winery Drive" for the service road (Road 1) situated between Fernbank Creek Road and Hastings River Drive.
3. Advertise the name "Hastings River Drive" for the service road (Road 2) situated between Hastings River Drive and the Blackmans Point Road interchange.
4. Advertise the name "Telegraph Point Road" for the service road (Road 3) situated between the Blackmans Point Road Interchange and Haydons Wharf Road.
5. Advertise the name "Hosking Road" for the road (Road 4) being the remnant section of Blackmans Point Road.

### Executive Summary

A report advising Council of names suggested for sections of the current Pacific Highway that will become service roads once the new Pacific Highway is opened to traffic.

### Discussion

In 2013, the Roads and Maritime Services (RMS) called for tenders for the design and construction for the upgrade of the Pacific Highway between the Oxley Highway and Kundabung. Construction is now well advanced.

Once the new Pacific Highway is opened to traffic, the present Pacific Highway will be handed over to Council with the current highway to become a series of service roads. With the exception of Service Road 2 as detailed below, the RMS has requested Council to now determine new road names for the service roads plus an ancillary road associated with the highway upgrade. The extent of the roads to be named is highlighted on the enclosed plan and comprise:

## Planning and Providing Our Infrastructure

- Service Road between Fernbank Creek Road and Hastings River Drive (Road 1).
- Service Road between Hastings River Drive and the Blackmans Point Interchange (Road 2). Note: To be named Hastings River Drive.
- Service Road between Blackmans Point Interchange and Haydons Wharf Road Interchange (Road 3).
- The remnant section of Blackmans Point Road resulting from the connection of the newly aligned Blackmans Point Road to the Interchange (Road 4).

The owners and residents of land along what will become the service roads including the remnant road were invited to submit names for the service roads. The public were also informed of the requirement to name the service roads and invited to suggest names. A number of names have been suggested.

The suggested names and any supporting information that was received was forwarded to the Geographical Names Board (GNB) to ensure compliance with the naming Guidelines. Copies of supporting documentation (where provided) is attached to provide Council with background to the suggested names.

Whilst not all of the suggested names met the Guidelines in the format they were suggested, the names that appear in the Column "Alternate GNB Endorsed Name" meet the Guidelines and are suitable for statutory advertising. The alternate names are those suggested by the GNB. The applicant's preferred service road for the suggested name, the suggested names, and the endorsed names appear in the table below:

Road Number	Suggested Name	GNB Endorsed	Alternate GNB Endorsed Name
1	Chambourcin Way	Yes	NA
1	Chardonnay Road	Yes	NA
1	Winery Drive	Yes	NA
1	Ward Road or Tommy Road	No	Tommy
3	Tele Point Road	No	Telegraph Point
4	North Blackmans Point Road	No	NIL
Any	Jim Bruce Drive	No	Jim or Bruce
Any	Norman Francis Henry Matesich	No	Matesich

Notwithstanding that the names have been endorsed, the GNB in their published Fact Sheet *Commemorative Naming* dated January 2016 have noted that "the most vexing naming decisions arise when features are named after people, especially those still living. The GNB's experience is that proposals of this kind invariably lead to division in the community." The Fact Sheet goes on to recommend "ascribing names of living persons 'only in very exceptional circumstances'" and that "the GNB strongly recommends that local councils do not prepare proposals to name features to honour living persons". It is noted that other jurisdictions including some Councils also extend these recommendations to the use of the name of any deceased person.

In consideration of the GNB's recommendations above, the names "Tommy", "Jim or Bruce" and "Matesich" have been excluded from the list of endorsed names.

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With the removal of the commemorative names, no name remained for Service Road 4. Council's *Naming & Renaming of Roads Policy* provides the preferred sources of road names. One of the preferred sources is early settlers. Research of old plans reveals that John Terry Hughes and John Hosking were the grantees of extensive land holdings in the area of Service Road 4. The GNB has advised that the name "Hosking" is suitable for use and has endorsed it. The name "Hughes" cannot be used as it is a name already in use - Hughes Place in Port Macquarie.

The names selected by Council will then be advertised as required by the Roads Regulation 2008 so as to gauge community support for the selected names. As required under Council's *Naming & Renaming of Roads Policy*, if an objection to an advertised name is received, a further report will be provided to Council. Where no objections are received to an advertised name, the name is taken as adopted and will become the official road name once notified in the NSW Government Gazette.

### Options

Council is now required to select a name from those suggested to allow for the commencement of statutory advertising. Council has the option to select any of the names from those suggested, provided the names are those as endorsed by the GNB.

As part of the Highway Upgrade, the RMS require sufficient lead time for the manufacture and installation of all road signage. The RMS are seeking a finalisation of the naming process by 30 June 2016. It is important that Council now select the names for the service roads to allow for the statutory advertising period.

### Community Engagement & Internal Consultation

Community engagement has occurred by:

- Written notification to landowners and residents whose properties will undergo a change of address; and landowners and residents whose properties adjoin the service roads whose addresses will not be changed.
- Notification in PMHC listening.
- Placement of a Notice at the Telegraph Point Post Office Community Noticeboard.
- Placement of a Notice at the Lend Lease Information Centre located on the Pacific Highway north of the Dennis Bridge.
- Placement of an article in the Telegraph Point Community Newsletter.

There has been consultation with the Geographical Names Board (GNB) who have reviewed all suggested names against the naming guidelines and where necessary have suggested alternate name(s) that meet the Guidelines.

Further, pursuant to Section 7 of the Roads Regulation 2008, Council will publicly notify the proposed naming of service roads for a period of 15 days in accordance with Section 7.1.4 of the GNB publication *NSW Addressing User Manual*.

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### Planning & Policy Implications

The selection of the names is in accordance with the naming Guidelines as stipulated by the Geographical Names Board and Council Policy *Naming & Renaming of Roads*.

### Financial & Economic Implications

Nominal cost will be incurred in advertising the selected names. The RMS will be responsible for the manufacture and installation of the appropriate road signs.

### Attachments

1 [View](#). Plan showing extent of Service Roads to be named

2 [View](#). Information in Support of Suggested Names

## Planning and Providing Our Infrastructure

**Item:** 13.05

**Subject:** LAND CLASSIFICATION - INTERSECTION OF SHORELINE DRIVE  
AND MARIA RIVER ROAD

**Presented by:** Corporate and Organisational Services, Rebecca Olsen

### Alignment with Delivery Program

5.5.5 Deliver water and sewerage supply services to ensure public health and safety and environmental protection.

### RECOMMENDATION

**That Council classify Lot 10 Deposited Plan 704834 as operational land.**

#### Executive Summary

A report to classify land recently acquired as part of the North Shore Sewer Scheme.

#### Discussion

Council, at its meeting held on 19 August 2015, considered a report on the acquisition of Crown land situated at the intersection of Shoreline Drive and Maria River Drive required to enable the construction of a sewer pumping station as part of the North Shore Sewer Scheme.

Council resolved:

*RESOLVED: Levido/Intemann*

*That Council:*

- 1. Pursuant to Section 186 of the Local Government Act 1993 make application to the Minister for Local Government and The Governor for the compulsory acquisition of Lot 10 Deposited Plan 704834 for sewerage purposes.*
- 2. Exempt all mines and minerals from the compulsory acquisition of Lot 10 Deposited Plan 704834.*
- 3. On acquisition of Lot 10 Deposited Plan 704834, advertise the draft resolution "It is intended to classify Lot 10 Deposited Plan 704834 (land situated at the intersection of Shoreline Drive and Maria River Road) as operational land."*

*CARRIED: 9/0*

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

*AGAINST: Nil*

Council is advised that the acquisition of Lot 10 DP704834 occurred by Notice published in the NSW Government Gazette on 18 March 2016 and that in accord with Resolution 3, the proposal to classify the land has been advertised.

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At the conclusion of the advertising period, no comments or submissions were received on the proposed classification. In order to effect the classification, Council is now required to resolve to adopt the proposed classification.

### **Options**

There are no options.

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

The proposed classification has been advertised in Council Matters.

### **Planning & Policy Implications**

The Local Government Act 1993 requires that all Council owned land be classified. The Act states that operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage.

### **Financial & Economic Implications**

There are no financial implications.

### **Attachments**

Nil

## Planning and Providing Our Infrastructure

**Item:** 13.06

**Subject:** LAND CLASSIFICATION - LOTS 56 & 57 QUEENS GRANT ESTATE  
NORTH SHORE

**Presented by:** Corporate and Organisational Services, Rebecca Olsen

### Alignment with Delivery Program

3.2.4 Appropriately develop, manage and maintain Council's property including property sales, acquisitions, road closures, land development and management of community and commercial leases.

### RECOMMENDATION

**That Council classify Lots 56 & 57 Deposited Plan 219719 as operational land.**

### Executive Summary

A report to classify Lots 56 & 57 in Queens Grant Estate, North Shore acquired by Council on 26 February 2016 as "operational" land.

### Discussion

At the Ordinary Council meeting held on 16 December 2015, Council considered a report (Item 12.01) regarding the purchase of two lots, 56 & 57 Queens Grant Estate, North Shore. A copy of the report which contains a plan of the land is attached. At the meeting, Council resolved as follows:

*12.01 PURCHASE OF LOTS 56 AND 57 IN DP 219719 QUEENS GRANT ESTATE, PLOMER ROAD, NORTH SHORE, PORT MACQUARIE  
RESOLVED: Cusato/Griffiths*

*That Council:*

- 1. Accept the offer by Ms Young to sell Lots 56 and 57 in DP 219719 in the Queens Grant Estate to Council at a combined purchase price of \$39,100 ext GST.*
- 2. Pay reasonable legal fees incurred by Ms Young with the sale of her land to Council.*
- 3. Upon the settlement of this sale commence the procedure to classify this land "Operational".*
- 4. Affix the seal of Council to the necessary legal transfer documents associated with the purchase of Lots 56 and 57 in DP 219719.*
- 5. Delegate authority to the General Manager to sign and execute a Contract of Sale for the purchase of Lots 56 and 57 in DP 219719.*
- 6. Request the General Manager provide a report to the April 2016 Council Meeting detailing the history of the Queens Grant Estate in regards to land owner agreements with Council, rezoning, acquisitions, and Council's expected direction for future acquisitions within the Estate.*

**CARRIED: 8/0**

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

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Turner  
AGAINST: Nil

Following the finalisation of the land acquisition and in accordance with Resolution 3 above, actions to classify the land as “operational” were conducted.

Council is now required to resolve to adopt the proposed classification for this land.

It is noted, that while it does not impact on the recommendation of this report, Council is continuing to consider its options in regard to the current voluntary acquisition program of the remaining lots in the Queens Grant Estate. At the Ordinary Council Meeting held on 20 April 2016, Council considered a report on this program and resolved as follows:

### 11.01 QUEENS GRANT ESTATE

*RESOLVED: Sargeant/Hawkins*

*That Council:*

- 1. Request the General Manager to provide a report by July 2016 on the legal and other implications associated with withdrawing from the voluntary acquisition program of lots in the Queens Grant Estate.*
- 2. Defer this matter until after Council consideration of the General Manager's report referred to in Point 1 above.*

*CARRIED: 6/3 FOR: Besseling, Cusato, Hawkins, Intemann, Sargeant and Turner  
AGAINST: Griffiths, Levido and Roberts*

### Options

Council has the option to either adopt the recommendation of this report or to classify the land as “community” land. However, this classification would not be consistent with the other lots in the Estate that Council has previously acquired and classified as “operational” land.

In accordance with the *Local Government Act 1993* Section 31(2), Council may “within 3 months after it acquires land” resolve (in accordance with this Part) that the land be classified as community land or operational land.

In accordance with the *Local Government Act 1993* Section 31(2A) any land acquired by a council that is not classified under subsection (2) by the end of the three month period, is automatically taken to have been classified under a local environmental plan as community land.

### Community Engagement & Internal Consultation

As required by the *Local Government Act 1993*, Notice of the proposed land classification was published in “Council Matters” and local newspapers on 13 April 2016. At the conclusion of the statutory notification period, no comments or submissions on the proposed land classification were received.

### Planning & Policy Implications

An “operational” land classification will bring the two lots into the same classification as the other lots previously acquired by Council in the Estate.

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### Financial & Economic Implications

There are no financial or economic implications arising from the land classification.

### Attachments

1 [View](#). Council Report 16 December 2015. Item 12.01 Planning & Providing Our Infrastructure

## Planning and Providing Our Infrastructure

**Item:** 13.07

**Subject:** DEVELOPMENT ACTIVITY AND ASSESSMENT SYSTEM  
PERFORMANCE

**Presented by:** Development and 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 2015-2016.**

### Executive Summary

This report provides a summary of development assessment, building certification and subdivision certification activities for the January to March 2016 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.

Whilst January saw a drop in applications received, this is normal over the Christmas and New Year break. Applications rose sharply in February and over 100 development applications (DAs) were received in March, the most in any month for a considerable time. Similar spikes in application volumes are also evident with other related approvals such as Roads Act, Plumbing and Drainage, Construction and Subdivision Certificates:

## Planning and Providing Our Infrastructure

Applications Received and Determined									
Applications Type	2011-12 Monthly Average	2012- 13 Monthly Average	2013-14 Monthly Average	2014-15 Monthly Average	2015-16 Monthly Average	2015-16 Total	Jan-16	Feb-16	Mar-16
DAs Received	55	52	70	76	83	744	40	87	103
DAs Determined	52	53	65	74	76	688	56	79	81
DA Modifications Received	10	11	11	14	17	151	10	18	20
DA Modifications Determined	11	11	11	14	15	134	12	19	12
Complying Development Certificates Received by Council	9	11	13	10	7	60	4	5	8
Complying Development Certificates Determined by Council	9	9	12	10	7	62	4	5	9
Complying Development Certificates Determined (Private Certifier)	16	11	14	15	22	196	8	28	32
Construction Certificates (Building Work) Received by Council	28	35	42	46	39	354	19	34	48
Construction Certificates (Building Work) Determined by Council	27	33	38	45	37	336	34	37	36
Construction Certificates Building Work Determined (Private Certifier)	19	12	17	20	28	256	18	41	32
Building Inspections Undertaken	321	286	371	393	399	3596	206	410	419
Plumbing & Drainage Applications Determined	48	42	52	64	65	585	41	79	79
Infrastructure Construction Certificates Received	3	2	5	8	8	75	6	7	10
Infrastructure Construction Certificates Determined	3	2	4	6	8	75	2	8	9
Subdivision Certificates Received	6	3	8	10	11	97	6	12	9
Subdivision Certificates Determined	6	7	7	9	10	92	7	10	10
Roads Act Applications Determined	25	30	30	38	46	417	36	47	54

The following table outlines the estimated value of works per development type approved for the quarter. As with application volumes, the total value for development work has significantly increased. Residential related development continues to be the dominant development type and is not far from surpassing the total value for the 2014-15 period with three months remaining in the 2015-16 quarter:

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Estimated Value of Work	Jan-16	Feb-16	Mar-16	Total to Date 2015 - 2016	Total 2014 -2015	Total 2013-2014
Ancillary	\$92,740	\$616,701	\$335,758	\$6,303,974	\$7,269,155	\$7,144,054
Commercial	\$2,446,809	\$1,410,000	\$136,000	\$12,534,310	\$5,095,040	\$26,482,821
Community	\$0	\$0	\$0	\$2,217,500	\$36,827,280	\$29,328,620
Industrial	\$1,080,000	\$150,000	\$1,067,000	\$25,210,171	\$6,672,864	\$6,617,002
Residential	\$9,965,634	\$19,696,768	\$22,611,572	\$136,123,890	\$143,995,310	\$112,608,913
Rural	\$320,000	\$342,154	\$920,000	\$6,041,194	\$8,383,305	\$8,965,554
Subdivision	\$4,000,000	\$0	\$0	\$8,836,100	\$25,407,500	\$5,232,000
Tourist	\$0	\$17,500	\$300,000	\$17,906,850	\$12,292,240	\$966,066
<b>Total</b>	<b>\$17,905,183</b>	<b>\$22,233,123</b>	<b>\$25,370,330</b>	<b>\$215,173,989</b>	<b>\$245,942,694</b>	<b>\$197,345,030</b>

Applications of note during the quarter include:

- DA2015 - 737 - Multi dwelling housing (32 dwellings), Toorak Court, Port Macquarie.
- DA2015 - 667 - Residential flat building (24 units), Gordon Street, port Macquarie.
- 2015 - 824 - Multi dwelling housing (8 dwellings), Dryandra Place, Port Macquarie.

Quarterly application processing data and longer term trends for the various application types is provided in the table below. It is noted that net and gross DA processing times have increased compared to 2014-15 yearly average. Monthly gross averaging processing times are currently 61 days compared to 56 days in 2014-15. Following from the previous quarterly report, a vacant building surveyor position has been filled (mid December) and an additional casual planning resource has been employed to assist with the high volumes of applications. Management will continue to monitor application volumes and processing times and evaluate whether the additional resourcing has been sufficient.

Gross and net processing times for engineering related applications are also generally up on the previous year's monthly averages. Gross monthly processing times for construction Certificates are currently 95 days, this is down on the 2014-15 average of 114 days. However, net processing days are currently 51 days, up from 41 days in 2014-15. The gross average processing days for subdivision certificates is currently 106 days, up from 72 days in 2014-15 and net average days are currently 45 days compared to 33 from the previous year. Whilst there have been a number of longstanding applications that have influenced gross processing times for construction and subdivision certificates in 2015-16, the increase in net days is an indicator that resourcing is still insufficient. With DAs (many of which require engineering input) and engineering applications continuing to increase, this upward trend in processing times is unlikely to improve at current resourcing levels.

It is important to note that the independent review of land development approval processes has been completed and the final report is proposed to be reported to the June 2016 Ordinary Council meeting. Staff are currently reviewing the recommendations and will be meeting with representatives from the Hastings Construction Industry Association later in the month to work on prioritising recommendations. A key component of being able to action many of the recommendations within the report, as well as being able to manage increasing workloads and the backlog of applications, will be resourcing. The need for additional

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resourcing was also a direct recommendation within the report. Management are currently working on a temporary resourcing strategy to respond to this need:

PMHC Application Processing Performance											
	NSW				NSW				Jan-16	Feb-16	Mar-16
	2010-11 Monthly Average	2011-12 Monthly Average	2012-13 Monthly Average	2012-13 Monthly Average	2013-14 Monthly Average	2013-14 Monthly Average	2014-15 Average to date	2015-16 Average to date			
DAs Processing - Net Median Days	38	34	31	32	30	26	30	31	44	36	27
DA Processing - Net Average Days	39	38	46	35	39	31	36	35	43	40	33
DA Processing - Gross Average Days	75	60	71	67	61	55	56	61	67	66	50
Complying Development Processing - Net Average Days	5	6	18	5		7	13	7	2	2	3
Complying Development Processing - Gross Average Days	6	7		5	19	8	14	7	2	2	5
Building Construction Certificate Processing - Net Average Days	27	16	16	11		7	12	9	12	6	11
Building Construction Certificate Processing - Gross Average Days	68	64		60		41	49	56	52	67	58
Plumbing & Drainage Applications Processing - Net Average Days	32	30		30		19	17	16	13	12	11
Plumbing & Drainage Applications - Gross Average Days	37	42		45		57	61	52	41	54	56
Infrastructure Construction Certificate Processing - Net Average Days	33	33	33	35		41	41	51	54	65	99
Infrastructure Construction Certificate Processing - Gross Average Days	39	39	39	48		52	114	95	54	70	119
Subdivision Certificates Processing - Net Average Days	48	43		78		32	33	45	86	48	48
Subdivision Certificates Processing - Gross Average Days	51	44		78		39	72	106	113	65	54
Roads Act Applications Processing - Net Average Days	28	63		36		26	16	15	14	25	11
Roads Act Applications Processing - Gross Average Days	28	63		36		36	41	41	44	57	47

Development assessment statistics are discussed internally as the key indicator of system performance.

Feedback on the customer experience has continued to be sought, through monthly meetings with specific applicants, to build upon the information obtained from the recent customer survey as previously reported to Council.

The independent review into Council’s land development approval processes includes a strong external engagement element and will be a significant focus for staff in the short to medium term. Ongoing updates on the progress of implementing the recommendations within the report will be included in future quarterly reports to Council.

**Planning & Policy Implications**

Nil



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### 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.

### Attachments

Nil

## Planning and Providing Our Infrastructure

**Item:** 13.08

**Subject:** QUESTION ON NOTICE - STUDENT ACCOMMODATION DEVELOPMENTS

**Presented by:** Development and Environment Services, Matt Rogers

### RECOMMENDATION

That Council include the following provisions in the trial arrangements for Student Accommodation development contributions:

- Payment of contributions can be deferred for a maximum period of 5 years from the issue of a Construction Certificate or until the sale of the land, whichever is the sooner.
- Payment of contributions being secured by way of a deed of deferral and a registered charge on the land or a bank guarantee.
- The amount of the charge or bank guarantee is to be calculated based on the amount of the outstanding contributions together with an interest component.

### Question from Councillor Turner

At the Ordinary Council Meeting held on 20 April 2016, it was resolved:

*RESOLVED: Turner/Hawkins*

That Council review the level of student accommodation development contributions and provide a report back to the May 2016 Council Meeting.

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

### Comments by Councillor Turner

Nil

### Response

The potential for a shortfall of student accommodation has been identified as an issue for the growth of the tertiary sector in Port Macquarie. Adequate student accommodation is key to facilitating increased university participation and higher education sector growth in our region.

In 2014, Council staff undertook pre lodgement discussions with a developer proposing to undertake a large student accommodation development nearby the new

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Charles Sturt University. As part of the discussions, the quantum of development contributions was raised as a significant impediment to the project proceeding.

At the Ordinary Council Meeting held on 19 November 2014 (Item 13.06), Council considered a report outlining options for the reduction in development contributions in order to encourage the construction of student accommodation and resolved to amend the Development Contributions Assessment Policy (DCAP) on an 18 month trial basis to provide for a new category of Student Accommodation.

Development contributions are assessed based on an Equivalent Tenement (ET) where 1 ET is the same as a residential block with a single house. Under the trial provisions, development contributions for Student Accommodation are assessed based on 0.175 Equivalent Tenement per bed/bedroom for water supply, sewerage services and s94 contributions (open space, roads, community facilities).

The trial provides for a 50% reduction of contributions compared with the former provisions of the DCAP where the units would have been assessed based on the category of 'Boarding Houses, Guest Houses, Hostels etc' as 'partially self contained, shared facilities for cooking and laundry but own ensuite per bedroom - no dormitory or bunk rooms'. Contributions have been reduced from \$11,064 per unit to \$5,532 per unit based on current contributions rates for Port Macquarie.

Providing a direct comparison of contribution rates with other centres is difficult as universities are often located in major cities where water and sewer contributions are not payable and s94 contributions are only payable by way of a levy based on the cost of the development. The most relevant contribution comparison for Port Macquarie is considered to be the Coffs Harbour City Council contribution amount for student accommodation (water, sewer and s94) being \$8,730 (March 2016) per resident student within the Coffs Harbour plan area.

The Brisbane City Council in conjunction with Queensland Urban Utilities have combined to introduce a contribution reduction for student accommodation approvals between July 2014 and June 2017. The reduction applies to developments with a minimum of 20 units/bedrooms with the total combined contributions (including water and sewer) being approximately \$4,560.

The Port Macquarie-Hastings trial provisions have been in place for over 12 months. The proposed student accommodation at Kingfisher Road (DA2015/92) for 592 student accommodation units was approved by the Joint Regional Planning Panel on 21 October 2015. Contributions for the development were assessed based on the trial provisions at 0.175 ET per unit and resulted in a reduction in monetary contributions in the order of \$3.27 million dollars for the total development (based on current rates).

An update report was provided to the meeting of 18 March 2015 (Item 13.08) that noted the progress of the amendment to the DCAP and amended item 'c' of the definition of the trial provisions. The amendment 'c' related to a slight increase in the floor area of individual student units based on the actual floor area from the Kingfisher Road DA.

An incoming student population will benefit from the facilities and services like major roads, open space and community facilities provided by Council. Any reduction in contribution rates will impact Council's ability to fund works for new development.

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Students in regional areas are likely to have a higher usage of motor vehicles (compared to students in metropolitan areas where a higher level of public transport is available). This will lead to higher demand for improved road facilities. Students will also create a demand for community and recreational facilities.

It is recognised that financial impacts need to be balanced with economic considerations. The economic benefits of a growing local higher education sector are many and include:

- Increase in local education attainment levels and skilled professionals.
- Creation of Port Macquarie as an 'education destination', including the possible attraction of international students.
- Facilitation of research and innovation which is of benefit to the development and sustainability of local business and industry.
- Economic benefits associated with increasing the 18-24 age cohort of the area.

The following options are provided for the consideration of Council:

### Retain the trial provisions

Council could continue with the trial provisions without amendment and consider the trial provisions further at the end of the trial period. A further report to Council regarding the trial provisions and amendments to the DCAP is scheduled for July 2016.

### Further reduce contributions for student accommodation

A further reduction in contributions could be provided however there is no guarantee that any further reduction will result in additional student accommodation development. Reducing contribution rates further will require Council to fund additional works and services, required to support growth, from general revenue.

### Provide for additional options for the deferral of payment

It is recognised that development contributions are an upfront cost to the developer that contribute to the overall profitability and viability of a project. To assist in the cash flow of the development, Council could increase the period for deferral of payment and provide for security by way of a charge on land in addition to the current bank guarantee option.

Currently, for building development, deferral of payment is for maximum of two years from the issue of the construction certificate. Deferral of payment also requires a bank guarantee security to be lodged for the amount of the contributions plus an interest component. To assist further, Council could consider increasing the deferral period to say 5 years and also allow security to be provided by way of a deed of deferral and a registered charge on the land. Given that student accommodation will be rented rather than sold there is likely to be a longer pay pack period for the overall development and deferral of payment may assist.

### **Attachments**

Nil

## Planning and Providing Our Infrastructure

**Item:** 13.09

**Subject:** DRAFT NORTH COAST REGIONAL PLAN RELEASED FOR COUNCIL AND COMMUNITY FEEDBACK

**Presented by:** Development and Environment Services, Matt Rogers

### Alignment with Delivery Program

5.4.1 Plan settlements to accommodate a range of compatible land uses that meets projected population growth for new and existing developments.

### RECOMMENDATION

#### That Council:

1. Forward the attached submission to the NSW Department of Planning and Environment in response to the public exhibition of the Draft North Coast Regional Plan.
2. Request a meeting with senior representatives of the Department of Planning and Environment to discuss the operation of the proposed Coordination and Monitoring Committee and the Regional Cities Steering Committee and the need for increased local government involvement in the Committees' decision making process.

### Executive Summary

The NSW Government has developed and released for community consultation a Draft Regional Plan for the NSW North Coast. The draft Plan outlines a proposed 20 year blueprint for the North Coast region to 2036 and is on exhibition for public comment until 2 June 2016. (Attachment: Draft North Coast Regional Plan).

This report follows a multi-divisional review of the draft Regional Plan by Council staff and meetings with representatives of the Department of Environment & Planning during the exhibition period. A proposed Council submission in response to the draft Regional Plan is attached to this report.

In summary, it is recommended that Council indicate general support for the provisions of the draft Regional Plan, which is similar in many respects to the existing Mid North Coast Regional Strategy. The new Draft Regional Plan also contains maps of proposed growth areas and regional planning principles to assist in achieving a coordinated approach to planning and development throughout the Region.

The draft Plan proposes to prioritise growth to the three major centres in the Region, being Port Macquarie, Coffs Harbour and Tweed Heads. This is to be achieved

## Planning and Providing Our Infrastructure

through a new Regional Cities Action Plan, which will prioritise planning and the provision of key infrastructure to the three regional cities, including Port Macquarie.

The attached submission raises a number of concerns regarding errors and uncertainties in the draft Plan, most notably in relation to the operation of a proposed Coordination and Monitoring Committee and the Regional Cities Steering Committee. A number of mapping and textual changes to the draft Plan have been recommended in the proposed Council submission.

It is recommended that Council forward the proposed submission to the NSW Government. It is also recommended that Council seek further high level engagement with the Department of Planning and Environment regarding the operation of the proposed Committees.

### Discussion

#### Background

New regional plans are being developed by the NSW Government for regions throughout NSW to provide a coordinated approach to planning and investment decisions in each regional area to 2036.

The new and revised plans have the same broad underlying structure and format and they are underpinned by key strategic principles to support the growing and changing future needs of the state's regions:

1. facilitating growth, environmental management and social wellbeing.
2. responding to the regions landscape, environmental assets, and natural and cultural resources.
3. responding to long term structural, economic and demographic change, with a focus on aging, migration patterns and productivity.
4. addressing the implications of a changing climate and building resilience to natural hazards.
5. guiding the location of new housing and providing diversity of housing choice;
6. facilitating economic activities consistent with changing market demands and industry needs.
7. inform investment in infrastructure and, coordinated with land-use.
8. integrate cross-border drivers of change and coordinated responses State-wide and nationally.

Each plan is proposed to be implemented through local planning directions issued by the Minister for Planning which will require all Council's to ensure planning strategies and controls are consistent with the final plan.

#### Proposed Council submission

The attached submission has been formulated following a cross divisional review of the draft Regional Plan by Council staff.

In summary, it is proposed that Council indicate general support for the provisions of the draft Regional Plan, which contains many similar provisions to the existing Mid North Coast Regional Strategy. The mapped growth areas in the draft Regional Plan are generally consistent with Council's adopted planning for growth in the Port Macquarie-Hastings.

## Planning and Providing Our Infrastructure

The draft Plan also proposes to prioritise growth to the three major centres in the Region, being Port Macquarie, Coffs Harbour and Tweed Heads. This is to be achieved through a new Regional Cities Action Plan, which will prioritise planning and the provision of key infrastructure to the three regional cities, including Port Macquarie.

The review by Council staff has highlighted a number of issues and uncertainties that should be raised with the Department of Planning as part of the exhibition of the draft Regional Plan. In summary, the issues identified are:

- a) The goals of the Regional Plan should not be numbered as this may imply a priority order.
- b) The role and composition of the proposed Coordination and Monitoring Committee and the proposed Regional Cities Steering Committee is uncertain and appears not to provide appropriate levels of local government representation (see comments below).
- c) The exclusive reference to OEH environmental mapping in Goal 1 ignores opportunities to use higher quality environmental mapping produced by councils in accordance with OEH standards.
- d) The use of ambiguous language in Goal 1, Direction 1.2 of the Draft Regional Plan, including the terms “protection”, “productivity”, “profitability” and “sustainability”, is likely to create confusion.
- e) There is likely to be a need to amend the Regional Plan mapping following preparation of local growth management strategies by councils. It is suggested that the Department maintain an ability to amend the Regional Plan mapping prior to the scheduled 5 year review so that it can adjust to the provisions of local planning strategies.
- f) The use of the term ‘Proposed Urban’ for investigation areas in the Regional Plan is misleading and does not recognise the uncertainties that exist in relation to future development in those areas. The attached submission recommends a change in map terminology and a shift in the coastal area boundary to the North Coast Railway in the Port Macquarie-Hastings to take into account local circumstances.
- g) A number of map errors and amendments. The suggested amendments include changes to employment area boundaries and the inclusion of an additional possible link road to the Port Macquarie Airport.
- h) Suggested additional local growth management strategy requirements. It is recommended that the Plan include additional guidance in relation to planning for long term growth and rural residential development.
- i) Commentary on the identification of large scale investigation areas outside of Regional cities.
- j) Commentary on potential legislative complications associated with planning for activities in rural zones. It is important that the government work with councils to support agriculture and investigate opportunities to provide balanced outcomes in these areas.
- k) A suggested reference to the importance of native fauna in relation to tourism.
- l) The need for increased recognition of regional significant infrastructure at the local level as well as greater recognition of public transport, pedestrian and cycling initiatives.

Each of these issues is detailed in the attached submission.

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Item b) above, is in relation to the operation of the proposed Coordination and Monitoring Committee and the Regional Cities Steering Committee. This Committee structure appears to operate differently in other parts of the State, with a different mix of State agencies and councils in other regions. For example, NSW Roads and Maritime Services is represented in some Committees but not on others. It is also not clear how the proposed Committees will function with regard to other regional plans produced by the State Department of Premier and Cabinet and the Regional Development Authority.

Most significantly from Council's perspective, it is unclear how effective local government engagement can be achieved with only two local government representatives proposed on the proposed Coordination and Monitoring Committee.

Whilst there are currently 2 Regional Organisations of Councils, there are three proposed Joint Organisations and there are 13 local government areas. There are three 'Regional Cities' (as defined in the Regional Plan), and three sub regions. Each local government area is represented by an elected Council which is charged with delivering local governance and strategic Integrated Planning and Reporting.

The proposed Coordination and Monitoring Committee will '*coordinate and drive the delivery of actions supported by and Implementation Plan*' and '*identify potential policy interventions or resourcing issues*', amongst other things. It is therefore important that local government have effective representation.

In other regions, there is a much higher level of engagement and representation proposed for local government in the operation of the Regional Committees.

It is therefore recommended that Council request increased representation for local government and a meeting with senior representatives of the Department of Planning and Environment to discuss the operation of the proposed Coordination and Monitoring Committee and the Regional Cities Steering Committee and the need for proportionate local government involvement in the Committees' decision making process.

### Options

Council could choose to amend the attached submission or to not submit a submission in response to the public exhibition of the Draft North Coast Regional Plan. It is recommended that Council forward the submission as attached.

### Community Engagement & Internal Consultation

Internal consultation has been undertaken in preparation of the attached draft submission, across divisions of Council. Planning staff have also met with representatives of the Department of Planning & Environment to better understand the provisions of the draft Plan.

### Planning & Policy Implications

Implementation of the new plan for the North Coast is proposed to be achieved through local planning directions under Section 117 of the *Environmental Planning & Assessment Act 1979*, issued by the Minister for Planning, whole of government policy alignment and regional collaborations. All Council's will be required to ensure

## Planning and Providing Our Infrastructure

that their local strategies, environmental plans and development controls align with the plan.

The draft Regional Plan is generally consistent with Council's existing strategy and policy, most notably the Port Macquarie-Hastings Urban Growth Management Strategy 2011.

Council is currently undertaking a review of the UGMS, which will incorporate relevant provisions of the North Coast Regional Plan. The Draft North Coast Regional Plan was intended to be released for public review in 2015 and this has therefore led to a delay in the completion of the UGMS review.

### Financial & Economic Implications

Preparation of this report has been undertaken by Council's Strategic Land Use Planning staff in consultation with other relevant internal stakeholders. Providing input into the preparation of the review of the Regional Strategy is a major task in Council's Delivery and Strategic Planning Programs and is funded through operating budget allocations.

Regional and local strategic land use planning has a significant bearing on growth and the local economy. General consistency between the draft Regional Plan and Council's strategic land use planning will contribute to positive economic outcomes for the community.

### Attachments

- 1 [View](#). Draft North Coast Regional Plan
- 2 [View](#). Draft PMHC Submission

## Planning and Providing Our Infrastructure

**Item:** 13.10

**Subject:** ROCKS FERRY RESERVE - RIVER BANK EROSION

**Presented by:** Community and Economic Growth, Tricia Bulic

### Alignment with Delivery Program

5.3.2 Develop and implement programs for the annual maintenance and operation of open spaces and recreational facilities.

### RECOMMENDATION

#### That Council:

1. Note the information contained in the Rocks Ferry Reserve - River Bank Erosion report.
2. Authorise Council staff to pursue additional funding sources to complete all works required for inclusion in the draft 2016-17 Operational Plan.
3. Request the General Manager write to the Local Member for Oxley seeking funding assistance for works at Rocks Ferry Reserve.

### Executive Summary

Rocks Ferry Reserve has been subject to numerous flood events since being developed in the mid 1990's. The most significant floods occurred in March 1995, February 2012 and February 2013.

The reserve was damaged by minor flooding in early May 2015 which resulted in extensive river bank erosion, west of existing rock revetment. This resulted in short term closure of the western concrete pathway into the reserve.

The purpose of this report is to update Council regarding the detailed design process associated with the river bank erosion issue and to advise that cost estimates have been revised with the total expected cost being \$238,282.20 if all works are constructed at the same time to \$249,657.20 with staged delivery of the project. This is considerably less than the previous cost estimate of \$361,500 reported to Council in December 2015.

Staff will now proceed to make application through the Treasury Managed Fund to allow for bank stabilisation works to be undertaken on the section of bank impacted by the 2015 flood event.

### Discussion

This matter was last considered at the Ordinary Council Meeting held on 15 December 2015 where it was resolved:

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### 13.07 ROCKS FERRY RESERVE - RIVER BANK EROSION RESOLVED:

*Griffiths/Intemann*

*That Council:*

- 1. Continue with detailed surveys of the eroded area, taking into consideration current cost estimates.*
- 2. Support an application to the Treasury Managed Fund for remediation works as detailed in the Concept Plan Area A.*
- 3. Note the quotation provided by Statewide Mutual Insurance.*
- 4. Consider additional funding sources to complete all works required for inclusion in the draft 2016-17 Operational Plan.*

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

In accordance with this resolution, the detailed surveys and designs for river bank stabilisation have now been completed. The detailed design is attached for information.

The design has been broken into three parts:

- The immediate area affected by the May 2015 flood event
- The section between the immediate area and the existing rock revetment wall (east), and
- The section to the west of the immediate area.

The detailed survey was undertaken in order to determine the cost of remediation works and to support an application to the Treasury Managed Fund to cover this cost.

The cost estimate for stabilisation of the immediate area of river bank has been calculated at \$81,879.20 (see attached cost estimate). The previous report to Council estimated the cost of these works at \$61,500 but identified that a final survey was required to refine this project estimate.

The cost estimate for stabilisation of the section to the west of the immediate area of river bank has been calculated at \$83,161 (see attached cost estimate). The previous report to Council estimated the cost of these works at \$230,000 but identified that a final survey was required to refine costing.

The cost estimate for stabilisation of the section to the east of the immediate area of river bank has been calculated at \$84,617.00 (see attached cost estimate). The previous report to Council estimated the cost of these works at \$70,000 but identified that a final survey was required to refine the project estimate.

The total expected costs associated with river bank stabilisation are \$249,657.20 if all three sections are scheduled to be constructed independently. Should the works be scheduled together the cost estimate is reduced to \$238,282.20.

## Planning and Providing Our Infrastructure

It should be noted that these costings include a generous contingency of 30%. This level of contingency was considered appropriate by the engineering consultant responsible for the design process given the nature of the project.

### Options

Council can seek funding through external agencies to allow for the project scope to be delivered.

Council can allocate funding in the 2016-17 Operational Plan to allow for part or all of the project scope to be delivered.

Council can allocate funding in future Operational Plan/s to allow for part or all of the project scope to be delivered.

### Community Engagement & Internal Consultation

Council staff have met with interested residents at Rocks Ferry Reserve on three occasions this year to discuss the river bank erosion issue. These meetings were held on 9 February, 21 March and 13 April with 11, 2 and 6 persons attending these sessions respectively. The result of these meetings has been that residents are better informed about the processes that Council is required to go through in regard to issues of this nature.

The Acting Director Community & Economic Growth and Parks Management Officer are scheduled to meet with interested residents on site on Friday, 13 May to inform them of the information contained within this report.

### Planning & Policy Implications

Rocks Ferry Reserve is a Crown Reserve (R1003169) for which Council is appointed as Trust Manager.

In accordance with the Environmental Planning and Assessment Act 1979, a Part 5 Assessment will be required for this project. This is currently being developed by the consultant appointed to manage the design process.

### Financial & Economic Implications

The draft 2016-17 Operational Plan is currently being exhibited. At present, no funds have been identified in the draft Operational Plan to undertake bank protection works at Rocks Ferry Reserve.

Staff will now proceed to make application through the Treasury Managed Fund to allow for bank stabilisation works to be undertaken on the section of bank impacted by the 2015 flood event. The cost of delivering this element of the project is estimated at \$81,879.20.

The cost of delivering the balance of identified works is estimated at \$167,778 (assuming staged delivery).

## Planning and Providing Our Infrastructure

### Attachments

- 1 [View](#). Rocks Ferry Reserve Bank Stabilisation Preliminary Design
- 2 [View](#). Rocks Ferry Bank Stabilisation estimate Immediate Area
- 3 [View](#). Rocks Ferry Bank Stabilisation Estimate East (Area B)
- 4 [View](#). Rocks Ferry Reserve Bank Stabilisation West (Area A)

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**Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE**

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**RECOMMENDATION**

- 1. That Council move into Confidential Committee of the Whole to receive and consider the following items:**

**Item 15.01 Lifeguard Services**

**This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).**

**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 Council Store Operation**

**This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).**

**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 Bushland Management Services**

**This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).**

**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 Tender T-16-16 Concrete and Masonry Processing Services**

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

**Item 15.05 Tender T-16-20 Town Beach Park Amenities and Kiosk**

**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.**

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

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**RECOMMENDATION**

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

**Item 15.01 Lifeguard Services**

**This item is considered confidential under Section 10A(2)(a) of the Local Government Act 1993, as it contains personnel matters concerning particular individuals (other than Councillors).**

**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**

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**RECOMMENDATION**

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**RECOMMENDATION**

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**RECOMMENDATION**

**Item 15.05 Tender T-16-20 Town Beach Park Amenities and Kiosk**

**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**