



PORT MACQUARIE-HASTINGS
COUNCIL



Ordinary Council

Business Paper

date of meeting: Wednesday 16 May 2018

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.

Community Vision

A sustainable high quality of life for all

Community 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

Community Themes

- ★ Leadership and Governance
- ★ Your Community Life
- ★ Your Business and Industry
- ★ Your Natural and Built Environment

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)
- 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 on an Agenda Item' form
- 'Request to Speak in the Public Forum' form

These can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.

Requests can also be lodged on-line at:

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

<http://www.pmhc.nsw.gov.au/About-Us/How-Council-Works/Council-and-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.

- Council will permit no more than two (2) speakers 'in support of' and two (2) speakers 'in opposition to' the recommendation on any one (1) Agenda Item.
- A maximum of five (5) speakers will be heard in the Public Forum.
- There is no automatic right under legislation for the public to participate in a Meeting of Council or a Committee of Council.
- For a member of the public to be considered to address Council they must agree to strictly adhere to all relevant adopted Council Codes, Policies and Procedures at all times.
- Consideration of items for which requests to address the Council Meeting have been received will commence at 5:30pm.
- When your name is called, please proceed to the Council Table and address Council.
- Each speaker will be allocated a maximum of five (5) minutes to address Council. This time is strictly enforced.
- Councillors may ask questions of a speaker following an address. Each answer, by the speaker to a question, is limited to two (2) minutes. A speaker cannot ask questions of Council.
- An Agenda Item will be debated by Council following the address.
- Council will not determine any matter raised in the Public Forum session, however Council may resolve to call for a future report.
- If you have any documentation to support your presentation, provide two (2) copies to Council by 12 noon on the day of the Meeting.
- If a speaker has an audio visual presentation, a copy of the presentation is to be provided to Council by 12 noon on the day of the Meeting.
- The following will **not** be considered in the Public Forum (in accordance with the Code of Meeting Practice, clause 2.14.14):
 - Proposed or current development and rezoning applications and related matters.
 - A third (3rd) or subsequent application by a single member of the public to address Council on the same issue in the same calendar year. Council, at its discretion, may elect to exempt representatives or members of community groups from this restriction.
 - Any formal procurement process, contract negotiation or dispute resolution being undertaken.
 - Any matter the General Manager (or their delegate) considers inappropriate for discussion in the Public Forum.
- Council accepts no responsibility for any defamatory statements made by speakers.
- Members of the public may quietly enter and leave the Meeting at any time.

Ordinary Council Meeting

Wednesday 16 May 2018

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

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

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

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

Item: 03**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

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

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 18 April 2018 be confirmed.

PRESENT

Members:

Councillor Peta Pinson (Mayor)
Councillor Lisa Intemann (Deputy Mayor)
Councillor Rob Turner
Councillor Michael Cusato
Councillor Peter Alley
Councillor Justin Levido
Councillor Geoff Hawkins

Other Attendees:

General Manager (Craig Swift-McNair)
Acting Director Corporate Performance (Ashley Grummitt)
Acting Director Development and Environment (Dan Croft)
Director Infrastructure (Alex Fisher)
Acting Director Strategy and Growth (Liesa Davies)
Group Manager Governance and Procurement (Blair Hancock)
Governance Support Officer (Bronwyn Lyon)
Communications Manager (Andy Roberts)

The meeting opened at 5:30pm.

01 ACKNOWLEDGEMENT OF COUNTRY

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

02 LOCAL GOVERNMENT PRAYER

Reverend Malcolm Hausler from the Uniting Church delivered the Local Government Prayer.

03 APOLOGIES

RESOLVED: Turner/Cusato

1. That the apology received from Councillor Griffiths be accepted. Councillor Griffiths being absent on approved leave.
2. That the apology received from Councillor Dixon be accepted. Councillor Dixon being absent as he is overseas.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

04 CONFIRMATION OF MINUTES

RESOLVED: Turner/Levido

That the Minutes of the Ordinary Council Meeting held on 21 March 2018 be confirmed.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

05 DISCLOSURES OF INTEREST

There were no disclosures of interest presented.

06.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS

RESOLVED: Pinson

That the Mayoral Discretionary Fund allocations for the period 8 March to 4 April 2018 inclusive be noted.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

06.02 COMPLIMENTS TO COUNCIL STAFF - PRESENTATION TO PORT MACQUARIE BASE HOSPITAL PAEDIATRIC UNIT

RESOLVED: Pinson

That Council:

1. Compliment the General Manager, Executive Team and Council staff for their efforts in providing 100 Hospital Care Packs to the Port Macquarie Base Hospital Paediatric Unit, an initiative as part of the Employee Engagement Days.
2. Note the kind donations towards the Care Packs from Priceline, K-Mart, Balmoor Distributors and Big W.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING

There are no confidential attachments to reports for the Ordinary Council Meeting.

08 PUBLIC FORUM

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

1. Mr Daniel Bessell regarding various matters in relation to Bonny Hills.

RESOLVED: Intemann/Levido

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

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

08.01 VARIOUS MATTERS IN RELATION TO BONNY HILLS

Mr Daniel Bessell addressed Council in regard to the following matters in relation to Bonny Hills:

1. Public meeting on 16 April 2018.
2. Faecal contamination of Bonny Hills Beach and creeks.
3. New Bonny Hills toilet block.
4. Sewerage system during short storm events.
5. Lot 2 DP 1091253 Beach Street, Bonny Hills.

REQUESTS TO SPEAK ON AN AGENDA ITEM

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

Item 10.02 – Mr Peter Stephens in opposition of the recommendation.

Item 10.02 – Ms Janette Hyde in support of the recommendation.

Item 10.02 – Ms Jill McKittrick in opposition of the recommendation.

Item 12.01 – Ms Pam Anderson in support of the recommendation.

Item 12.01 – Ms Joan Collis in support of the recommendation.

Item 12.02 – Mr Fred O'Toole in support of the recommendation.

Item 12.13 – Mr Stephen Kerr in support of the recommendation.

RESOLVED: Hawkins/Turner

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

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

SUSPENSION OF STANDING ORDERS

RESOLVED: Turner/Cusato

That Standing Orders be suspended to allow Items 10.02, 12.01, 12.02 and 12.13 to be brought forward and considered next.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

10.02 TASTINGS ON HASTINGS

Mr Peter Stephens, Backa Smallgoods Mid North Coast, addressed Council in opposition of the recommendation and answered questions from Councillors.

Ms Janette Hyde, Greater Port Macquarie Tourism Association, addressed Council in support of the recommendation and answered questions from Councillors.

Ms Jill McKittrick, Ewetopia Farm, in opposition of the recommendation and answered questions from Councillors.

RESOLVED: Cusato/Hawkins

That Council:

1. Note the further engagement on and assessment of the potential 2018 Tastings on Hastings event.
2. Not deliver a Tastings on Hastings Event in 2018.
3. Request the General Manager develop and implement an October 2018 Bicentenary event, as the key community event for 2018.
4. Request the General Manager table a future strategy for Tastings on Hastings at the November 2018 Ordinary Council meeting with the intention that Council continue to deliver the Tastings on Hastings event from 2019 onwards.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.01 NOTICE OF MOTION - PETITION - FLYING FOX COLONY IN KOOLOONBUNG CREEK NATURE RESERVE

Ms Pam Anderson addressed Council in support of the recommendation and answered questions from Councillors.

Councillor Turner left the meeting, the time being 6:27pm.
Councillor Turner returned to the meeting, the time being 6:30pm.

Ms Joan Collis addressed Council in support of the recommendation.

RESOLVED: Pinson/Alley

That Council:

1. Note the 2014 petition to Ms Leslie Williams MP resubmitted to the Mayor from concerned residents regarding the Flying Fox colony in the Kooloonbung Creek Nature Reserve.
2. Note the response from Ms Leslie Williams MP dated 7 March 2018 in relation to the Flying Fox colony in the Kooloonbung Creek Nature Reserve.
3. Request that the General Manager write to Office of Environment & Heritage (OEH) and both Federal and State local members of parliament seeking advice on funding opportunities to manage the impact of Flying Fox colonies adjoining residential properties.
4. That the General Manager bring back a report to Council for further consideration as soon as practicable following receipt of advice from the OEH.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

**12.02 NOTICE OF MOTION - PETITION - REQUEST FOR OCEAN TIDAL POOL
IN PORT MACQUARIE**

Councillor Cusato left the meeting, the time being 6:46pm.
Councillor Cusato returned to the meeting, the time being 6:48pm.

Mr Fred O'Toole, Port Macquarie Tidal Pool Committee Inc., addressed Council in support of the recommendation and answered questions from Councillors.

MOTION

MOVED: Pinson/Levido

That Council:

1. Note the 2016 petition for an ocean tidal pool in Port Macquarie resubmitted to the Mayor by the Port Macquarie Tidal Pool Committee Incorporated.
2. Note the petition received by the Mayor from Jenny Broughton in March 2018 in favour of an ocean tidal pool in Port Macquarie.
3. Request the General Manager write to the Member for Port Macquarie, Mrs Leslie Williams MP, requesting that the NSW Government make funding available to the Port Macquarie Tidal Pool Committee Incorporated (the Committee) to enable the Committee to undertake a detailed Feasibility Study for an ocean tidal in Port Macquarie.

AMENDMENT

MOVED: Levido/Intemann

That Council:

1. Note the 2016 petition for an ocean tidal pool in Port Macquarie resubmitted to the Mayor by the Port Macquarie Tidal Pool Committee Incorporated.
2. Note the petition received by the Mayor from Jenny Broughton in March 2018 in favour of an ocean tidal pool in Port Macquarie.
3. Noting that as any development of a Tidal Pool would require consent from the landowner (in this case the Crown) as part of any future Development Application, request the General Manager seek advice from the Department of Industry Crown Lands as to what information the Crown would require from the Port Macquarie Tidal Pool Committee Incorporated, in order to be able to consider such a decision to grant land owners consent.
4. Upon receipt of the information as noted in Item 3 above and assuming the Crown will give consideration to grant land owners consent as part of any future Development Application for a Tidal Pool, request the General Manager write to the Member for Port Macquarie, Mrs Leslie Williams MP, requesting that the NSW Government make funding available to the Port Macquarie Tidal Pool Committee Incorporated to enable the Committee to undertake a detailed Feasibility Study for an ocean tidal pool in Port Macquarie that is in accordance with the Crown's requirements.

CARRIED: 6/1

FOR: Alley, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Cusato

THE AMENDMENT BECAME THE MOTION AND WAS PUT:

RESOLVED: Levido/Intemann

That Council:

1. Note the 2016 petition for an ocean tidal pool in Port Macquarie resubmitted to the Mayor by the Port Macquarie Tidal Pool Committee Incorporated.
2. Note the petition received by the Mayor from Jenny Broughton in March 2018 in favour of an ocean tidal pool in Port Macquarie.
3. Noting that as any development of a Tidal Pool would require consent from the landowner (in this case the Crown) as part of any future Development Application, request the General Manager seek advice from the Department of Industry Crown Lands as to what information the Crown would require from the Port Macquarie Tidal Pool Committee Incorporated, in order to be able to consider such a decision to grant land owners consent.
4. Upon receipt of the information as noted in Item 3 above and assuming the Crown will give consideration to grant land owners consent as part of any future Development Application for a Tidal Pool, request the General Manager write to the Member for Port Macquarie, Mrs Leslie Williams MP, requesting that the NSW Government make funding available to the Port Macquarie Tidal Pool Committee Incorporated to enable the Committee to undertake a detailed Feasibility Study for an ocean tidal pool in Port Macquarie that is in accordance with the Crown's requirements.

CARRIED: 6/1

FOR: Alley, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Cusato

**12.13 DA2018 - 48 - DEMOLITION OF EXISTING STRUCTURES AND
ERECTION OF EMERGENCY SERVICES FACILITY (AMBULANCE
STATION) AND LOT CONSOLIDATION - LOTS 26 & 27 DP 37531, 94 -
96 HIGH STREET, WAUCHOPE**

Mr Stephen Kerr, City Plan, addressed Council in support of the recommendation and answered questions from Councillors.

RESOLVED: Levido/Hawkins

That:

1. DA2018 – 48.1 for demolition of existing structures and erection of emergency services facility (ambulance station) and lot consolidation at Lot 26 & 27, DP 37531, No. 94 - 96 High Street, Wauchope, be determined by granting consent subject to the recommended conditions.
2. Council note the significant public benefit that will be provided by the facility. This public benefit is considered to be a key factor in supporting the alternate stormwater management system and it is noted that the system has been designed so as not to increase pre development stormwater flow rates to neighbouring properties.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

09.01 GENERAL MANAGER USA STUDY TOUR - POST TOUR REPORT

RESOLVED: Intemann/Pinson

That Council note the information provided in the General Manager USA Study Tour, post tour report.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

09.02 CORRESPONDENCE RESPONSES UPDATE - BY-ELECTION FOR POPULARLY ELECTED MAYOR

RESOLVED: Levido/Alley

That Council:

1. Note the information contained within the Correspondence Responses Update – By-Election for Popularly Elected Mayor report.
2. Request the General Manager follow up in writing any outstanding responses from the original list of correspondence recipients.
3. Request the General Manager table a report to Council's 18 July 2018 Council meeting providing a further update as to the responses received.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

09.03 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

RESOLVED: Levido/Alley

That Council note the information contained in the Status of Reports from Council Resolutions report.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

09.04 DISCLOSURE OF INTEREST RETURN

RESOLVED: Intemann/Cusato

That Council note the Disclosure of Interest returns for the following positions:

1. Director Infrastructure.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

09.05 MONTHLY FINANCIAL REVIEW FOR MARCH 2018

RESOLVED: Turner/Hawkins

That Council:

1. Adopt the adjustments in the "Financial and Economic Implications" section of the Monthly Financial Review Report for March 2018.
2. Refer discussion around the Economic Development reserve to the Economic and Cultural Development portfolio to begin to establish a process around future use of this reserve.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

09.06 INVESTMENTS - MARCH 2018

RESOLVED: Hawkins/Intemann

That Council note the Investment Report for the month of March 2018.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

09.07 CLIMATE LEADERSHIP CONFERENCE

RESOLVED: Alley/Levido

That Council note the Climate Leadership Conference report.

CARRIED: 6/1
FOR: Alley, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Cusato

10.01 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - MARCH 2018

RESOLVED: Pinson/Intemann

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

1. Ian Matthews in the amount of \$300.00 to assist with the expenses he will incur travelling to and competing as part of the Northern NSW Team to compete at the Tokyo U14s International Youth Football Tournament to be held in Tokyo in May 2018.
2. Dylan De Domizio in the amount of \$400.00 to assist with the expenses he would have incurred travelling to and competing for three days at the Australian Junior Athletics Championships held 14 – 18 March 2018 in Sydney.
3. Max Milligan in the amount of \$400.00 00 to assist with the expenses he would have incurred travelling to and competing for three days at the Australian Junior Athletics Championships held 14 – 18 March 2018 in Sydney.
4. Matthew Catania in the amount of \$200.00 00 to assist with the expenses he would have incurred travelling to and competing for one day at the Australian Junior Athletics Championships held 14 – 18 March 2018 in Sydney.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

Item - 10.02 Tastings on Hastings - has been moved to another part of the document.

11.01 NOTICE OF MOTION - DEFERRAL OF STRATA DEVELOPMENT CONTRIBUTIONS

RESOLVED: Pinson/Turner

That Council request the General Manager investigate and report back to the June 2018 Council Meeting:

1. The possibility of offering the deferral of development contributions for major strata developments, with particular emphasis on the financial implications of such deferrals and whether a trial of such an initiative is possible.
2. A review of the contributions deferral scheme as applied to vacant residential land subdivisions over the last couple of years including the option of levying a fee for service as part of the contributions deferral scheme moving forward to take into account the reality of the increased administrative workload on Council in operating this scheme.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

11.02 QUESTION FROM PREVIOUS MEETING - SHOW GROUND PRIMITIVE CAMPING

RESOLVED: Pinson/Turner

That Council maintain the current waiver for up to 4 Equivalent Tenements (ET) for any short-term camping grounds approved at not-for-profit showgrounds.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

Item - 12.01 Notice of Motion - Petition - Flying Fox Colony in Kooloonbung Creek Nature Reserve - has been moved to another part of the document.

Item - 12.02 Notice of Motion - Petition - Request for Ocean Tidal Pool in Port Macquarie - has been moved to another part of the document.

12.03 NOTICE OF MOTION - RECYCLED WASTE

RESOLVED: Turner/Alley

That Council request the General Manager bring back a report to the May 2018 Council Meeting to address the likely impact of recent changes to global markets for recycled waste, including:

1. Impact on current waste management processes.
2. Impact on current and future Council budgets.
3. Impact on Council's Waste Strategy.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.04 LAND ACQUISITION - CLASSIFICATION OF LAND RECENTLY ACQUIRED BY COUNCIL - STINGRAY CREEK

RESOLVED: Levido/Intemann

That Council:

1. Pursuant to Section 34 of the Local Government Act 1993, commence the process to classify Lot 1 Deposited Plan 1234044 as "operational" land by placing on public exhibition the proposed resolution "It is intended to classify Lot 1 Deposited Plan 1234044 (land off Stingray Creek - Royan Road, North

-
- Haven) as operational land”, from 25 April 2018 for a minimum period of 28 days.
2. Note that a further report will be tabled to Council at the June 2018 Ordinary Council meeting, detailing any submissions received from the public during the exhibition period.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

12.05 TRANSFER OF LAND TO COUNCIL FOR SEWER PURPOSES

RESOLVED: Levido/Cusato

That Council:

1. Accept the transfer of land being Lot 72 Deposited Plan 1239695.
2. Delegate authority to the General Manager to sign:
 - a) The Land Registry Services Transfer Form
 - b) Letter to Revenue NSW seeking exemption from the payment of Stamp Duty
 - c) Revenue NSW Purchaser Declaration Form
3. Pursuant to Section 34 of the Local Government Act 1993, commence the process to classify Lot 72 Deposited Plan 1239695 as “operational” land by placing on public exhibition the proposed resolution “It is intended to classify Lot 72 Deposited Plan 1239695 (land off Major Innes Road, Port Macquarie) as operational land”, from 25 April 2018 for a minimum period of 28 days.
4. Note that a further report will be tabled to Council at the June 2018 Ordinary Council meeting, detailing any submissions received from the public during the exhibition period.

CARRIED: 7/0
FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner
AGAINST: Nil

12.06 WATER FLUORIDATION UPDATE

RESOLVED: Alley/Levido

That Council:

1. Note the current ongoing legislative requirement to continue with fluoridation of the drinking water supply in accordance with the NSW Fluoridation of Public Water Supplies Act 1957.
2. Continue to monitor relevant updates concerning fluoridation including advice from NSW Health, NHMRC and the outcome of the current Federal Circuit Court matter of Lusk v. Tong and Commonwealth Ombudsman, noting that any changes to the environment or legislation that may impact on Council's drinking water fluoridation scheme will be reported to Council.
3. Note the information provided within this report.
4. Refer the matter to the Water, Stormwater, Sewer and Waste Portfolio for consideration on further action or correspondence with the relevant authorities.

CARRIED: 6/1

FOR: Alley, Cusato, Hawkins, Intemann, Levido and Turner

AGAINST: Pinson

12.07 LONG TERM ENERGY STRATEGY - 6 MONTH REVIEW

RESOLVED: Levido/Alley

That Council:

1. Note the update on the Long Term Energy Strategy implementation, as provided in this report.
2. Alter the form of future reports to contain:
 - a) A percentage estimate of the split between the source of electricity used by Council on a renewable versus non-renewable basis (as billed to Council) as at the end of a six month period.
 - b) An indication as to how such split is verified.
 - c) An estimate in kW of the electricity saved by efficiency measures during that six month period and to date.
 - d) A reasonable estimate of the electricity generated and used by Council from its own generation sources during the six month period.
 - e) The cost to Council of its electricity usage (ie the amount billed to Council) on a cyclical basis during that six month period.
3. Apply for membership with the Cities Power Partnership, a free national program that exists to celebrate and accelerate the emission reduction and clean energy successes of Australian towns and cities.

CARRIED: 6/1

FOR: Alley, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Cusato

12.08 RECOMMENDED ITEM FROM TOWN CENTRE MASTER PLAN SUB-COMMITTEE - BICENTENARY FORESHORE SHARED PATHWAY WEST OF TOWN CENTRE

RESOLVED: Hawkins/Turner

That Council:

1. Give priority to completing further design work, including concept development and cost estimates for all the "missing links" in the Bicentenary Foreshore Pathway.
2. Request the General Manager ensure due consideration is given to the Foreshore Pathway as a potential Bicentennial Project when considering funding opportunities from other levels of government.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.09 PLANNING PROPOSAL - ROAD CLOSURES, LEP AMENDMENT NO 47 - POST EXHIBITION REVIEW OF SUBMISSIONS

RESOLVED: Cusato/Intemann

That Council:

1. Take the necessary steps under sections 3.35 and 3.36 of the Environmental Planning and Assessment Act 1979 to finalise Local Environmental Plan 2011 (Amendment No 47), relating to road closures under the Roads Act 1993 and to the mapping provisions for roads in the vicinity of Pacific Drive, Windmill Hill, Port Macquarie.
2. Thank in writing the person who made a submission for their contribution and provide information on Council's decision on the matter.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.10 DA2017 - 234 - WASTE MANAGEMENT FACILITY (CONCRETE RECYCLING) - LOT 1 DP 1202080, PACIFIC HIGHWAY, PEMBROOKE

RESOLVED: Intemann/Hawkins

That DA2017 - 234 for a waste management facility (concrete recycling facility) at Lot 1, DP 1202080, Pacific Highway, Pembroke, be determined by refusing consent for the following reasons:

1. Integrated Development concurrence has not been obtained for the proposal. An Environment Protection License has not been granted by the NSW Environment Protection Authority for the proposal pursuant to section 91 of the Environmental Planning and Assessment Act 1979 and Protection of the Environment Operations Act 1997.
2. The Applicant has failed to submit a site and development specific specialist Traffic Report to address the proposal's likely impacts and ascertain whether mitigation measures will be required.
3. The Applicant has failed to submit a specialist Noise and Dust report to address the proposal's likely impacts and ascertain whether mitigation measures will be required.
4. The Applicant has failed to provide the necessary specialist stormwater management plans to satisfactorily address required stormwater quality management.
5. The Applicant has failed to provide satisfactory details on management of asbestos and contaminated materials.
6. The Applicant has failed to provide the necessary dust monitoring (depositional dust analysis) in accordance with AS/NZS 3580.10.1-2003.
7. The Applicant has failed to provide satisfactory details on perimeter landscaping details.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.11 CLEARING OF VEGETATION ON FLAGSTAFF HILL

RESOLVED: Turner/Hawkins

That Council:

1. Note the information contained within the report.
2. Note that the Flagstaff and Flagstaff Hill is designated as having Heritage significance in the Port Macquarie – Hastings LEP 2011.
3. Request the General Manager investigate the clearing of a maximum of 0.25Ha on Flagstaff Hill and selected section of the Coastal Walk.
4. Request the General Manager provide a briefing to Councillors in June 2018 outlining:
 - a) Potential areas for clearing that maximise viewpoints of the Flagstaff along the coastal walk.
 - b) Details of proposed 1:1 offset planting.
 - c) How the proposed clearing will be maintained as part of the site's Heritage Management Plan.
 - d) How the clearing could be funded.
5. That the General Manager provide a report to the Ordinary Council Meeting in August 2018 to further progress the matter.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

12.12 QUESTION FROM PREVIOUS MEETING - LAKE CATHIE OPENING STRATEGY

RESOLVED: Intemann/Alley

That Council:

1. Note the information contained in the report.
2. Not pursue a review of the Lake Cathie Opening Strategy.
3. Request the General Manager investigate allocating funding in future operational budgets to upgrade collateral on the Lake Cathie Opening Strategy, including upgrade to on site signage, website material and Opening Strategy brochure.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

Item - 12.13 DA2018 - 48 - Demolition Of Existing Structures And Erection Of Emergency Services Facility (Ambulance Station) And Lot Consolidation - Lots 26 & 27 DP 37531, 94 - 96 High Street, Wauchope
- has been moved to another part of the document.

13 QUESTIONS FOR NEXT MEETING

Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Alley/Levido

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 14.01 General Manager 2017-2018 Mid-Year Performance Review

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).

Item 14.02 T-18-03 Tree Maintenance and Management Services

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.

Item 14.03 T-18-12 Provision of Dredging Services

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 Minutes of the Council Meeting.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

ADJOURN MEETING

The Ordinary Council Meeting adjourned at 8:37pm.

RESUME MEETING

The Ordinary Council Meeting resumed at 8:42pm.

ADOPTION OF RECOMMENDATIONS FROM THE CONFIDENTIAL COMMITTEE OF THE WHOLE

RESOLVED: Intemann/Turner

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

Item 14.01 General Manager 2017-2018 Mid-Year Performance Review

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).

RECOMMENDATION

That Council note the information contained in the General Manager 2017-2018 Mid-Year Performance Review report.

Item 14.02 T-18-03 Tree Maintenance and Management 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.

RECOMMENDATION

That Council:

1. Accept tenders from the following suppliers to be appointed to a panel arrangement for the provision of Tree Maintenance and Management Services for a three (3) year period commencing 1 May 2018, with no options to extend:
 - a) Mid North Coast Tree Services Pty Ltd.
 - b) Port Tree Fella Pty Ltd.
 - c) Woodvale Tree Services Pty Ltd.
2. Accept the Schedule of Rates from Mid North Coast Tree Services Pty Ltd, Port Tree Fella Pty Ltd and Woodvale Tree Services Pty Ltd for the provision of Tree Maintenance and Management Services.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-18-03.

Item 14.03 T-18-12 Provision of Dredging 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.

RECOMMENDATION

That Council:

1. Accept the tender from Dredging Solutions Pty Ltd t/as National Dredging Services for \$329,578 (exclusive of GST) for the maintenance dredging of lower Lake Cathie and beach nourishment (Part A).
2. In accordance with the Local Government (General) Regulations 2005 clause 178 (1) (b), decline to accept any of the tender submitted for Settlement Shores Estate Canal Maintenance Dredging (Part B) due to the cost and inability to determine value for money noting the additional cost differential of separating Part A and Part B of the tender.
3. In accordance with the Local Government (General Regulations) 2005 clause 178 (3) (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender for Settlement Shores Estate Canal Maintenance Dredging (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-18-12.

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

The meeting closed at 8:42pm.

.....
Peta Pinson
Mayor

Item: 05
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

Name of Meeting:

Meeting Date:

Item Number:

Subject:
.....

I, declare the following interest:

☐**Pecuniary:**

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

☐**Non-Pecuniary - Significant Interest:**

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

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

May participate in consideration and voting.

For the reason that:

.....

Name:

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. The Council official must not be present at, or in sight of, the meeting of the Council at any time during which the matter is being considered or discussed, or at any time during which the council is voting on any question in relation to the matter. (section 451)

Non-Pecuniary

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

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

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

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

Non Pecuniary – Significant Interest

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

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

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

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

Non Pecuniary – Less than Significant Interest

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

SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

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

Councillor's Signature: Date:

Important Information

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

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

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

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

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

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

Item: 06.01

Subject: MAYORAL MINUTE - MAYORAL DISCRETIONARY FUND
ALLOCATIONS

Mayor, Peta Pinson

RECOMMENDATION

That the Mayoral Discretionary Fund allocations for the period 5 April to 1 May 2018 inclusive be noted.

Discussion

Mayoral Discretionary Fund Allocations

The Mayor made the following allocations from the Mayoral Discretionary Fund for the period 5 April to 1 May 2018 inclusive:

7 x ANZAC Day Wreaths for Services attended by Mayor & Councillors	\$455.00
Donation of Glasshouse Vouchers to PMQ Rotary Sunrise fundraiser	\$200.00
Donation of Glasshouse Vouchers to Port City Breakers Junior RLFC fundraiser	\$200.00
Donation to PMQ Red Shield Appeal	\$250.00
Donation of Plaque for Seat to recognise work of Albert Johnston	\$55.00
Royal British Legion of Scotland Quaich Presentation – Afternoon Tea and Gifts to Legion	\$255.00
	\$1,415.00

Attachments

Nil

Item: 07**Subject: CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL
MEETING****Presented by: General Manager, Craig Swift-McNair**

Alignment with Delivery Program

1.3.2 Build trust and improve Council's public reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

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

Discussion

The following confidential attachments have been submitted to the Ordinary Council Meeting:

Item No: 9.08
Subject: Property Investment Portfolio – Six Monthly Report
Attachment Description: Attachment 1 - Property Development Activity
Confidential Reason: Relates to 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: Event Sponsorship Program Round 2, 2018
Attachment Description: Attachment A (Confidential)
Confidential Reason: Relates to 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: 08**Subject: PUBLIC FORUM**

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

A maximum of five 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.

1 Leadership and Governance

What we are trying to achieve

A community that works together in decision making that is defined as ethically, socially and environmentally responsible.

What the result will be

We will have:

- 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 we will get there

- 1.1 Inform and engage with the community about what Council does using varied communication channels
- 1.2 Maintain strong partnerships between all stakeholders - local, state and federal — so that they are effective advocates for the community
- 1.3 Demonstrate leadership
- 1.4 Use innovative, efficient and sustainable practices
- 1.5 Ensure strong corporate and financial management that is transparent and accountable

Item: 09.01

Subject: STATUS OF REPORTS FROM COUNCIL RESOLUTIONS

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values.

RECOMMENDATION

That Council note the information contained in the Status of Reports from Council Resolutions report.

Discussion

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Biodiversity Strategy – post exhibition (Item 12.06 – OC 13/12/17)	Submissions still being reviewed.	DDE	Apr 2018	Jun 2018
Urban Growth Management Strategy 2017-2018 – post exhibition (Item 12.06 – OC 18/10/17)	Report being finalised. A briefing to Councillors being considered.	DSG	Feb 2018	Jun 2018
Planning Proposal - Homedale Road Kew - post exhibition (Item 13.07 - OC 14/12/16)	Awaiting further response from proponent prior to public exhibition based on state agency consultation.	DSG	Oct 2017 Dec 2017 May 2018	TBA

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)	Delayed to align with UGMS report.	DSG	Dec 2016 May 2017 Jun 2017 Dec 2017	Jul 2018
Alternative Investment Options for higher returns Item 09.10 – OC 15/11/17)		DCP		Jun 2018
Recycled Waste (Item 12.03 – OC 18/04/18)		DDE		May 2018
Stormwater Strategy (Item 12.11 – OC 13/12/17)		DI		Jun 2018
The Boom Reserve Dog Off-Leash Park (Item 12.05 – OC 21/03/18)		DDE		Jun 2018
2018-19 IP&R Documents – post exhibition (Item 09.07 – OC 21/03/18)		DCP		Jun 2018
Deferral of Strata Development Contributions (Item 11.01 – OC 18/04/18)		DSG		Jun 2018
Land Acquisition – Classification of Land Recently Acquired by Council – Stingray Creek – Post Exhibition (Item 12.04 – OC 18/04/18)		DCP		Jun 2018

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Transfer of Land to Council for Sewer Purposes – Post Exhibition (Item 12.05 – OC 18/04/18)		DCP		Jun 2018
Tuffins Lane Sporting Fields - Terms of Agreement (Item 06.02 - OC 14/12/16)		GM		Jul 2018
Future of Committees following establishment of Cultural Steering Group (Item 15.05 - OC 19/04/17)	Item is to be discussed at a future Cultural Steering Group meeting	DSG	Jun 2017 Jul 2017 Sep 2017 Oct 2017 Feb 2018 April 2018	Jul 2018
Markets Policy (Item 11.01 - OC 13/12/17)	In discussion with the Economic and Cultural Development Portfolio	DSG	Apr 2018	Jul 2018
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.	DI	Mar 2015 Jun 2017 Jul 2017 Dec 2017 Mar 2018	Jul 2018
Correspondence responses update – by-election for popularly elected Mayor (Item 09.02 – OC 18/04/18)				Jul 2018
Clearing of Vegetation on Flagstaff Hill (Item 12.11 – OC 18/04/18)		DDE		Aug 2018
Port Macquarie Town Centre Pedestrian Facility Investigations - post community engagement (Item 13.05 - OC 14/12/16)	Aspects of the engagement are outstanding	DI	Aug 2017 Oct 2017 Feb 2018	Sep 2018
Opportunities for Local Firms to do Business with Council (Item 11.01 – OC 16/08/17)		DCP		Oct 2018

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Canal Maintenance (Item 12.04 – OC 18/10/17)		DI		2018/2019 FY
Draft Biodiversity Certification Assessment and Strategy - Port Macquarie Airport and Surrounding Land - viability and implications of the options for securing the required Blackbutt Tallowood dry grassy open forest and Koala habitat credits, prior to the clearing that creates the demand for those credits. (Item 12.01 - OC 10/08/16)		DDE		TBA
Planning Proposal - Lot 2 DP1091253 Beach St, Bonny Hills (Item 12.02 - OC 19/04/17)		DSG		TBA
Planning Proposal - Lot 14 DP240042, Pioneer Street, North Haven. King And Campbell Pty Ltd For Rd & MI Tate And Tate Developments Pty Ltd - Post Exhibition (Item 13.05 - OC 17/05/17)		DSG		TBA
Tree Management – Proposed Improvements (Item 12.06 – OC 20/09/17)		DDE		TBA
Long Flat Village Sewer Scheme – Acquisition of Land and Easement – Classify as Operational Land (Item 12.03 – OC 18/10/17)		DI		TBA

Report	Status	Reporting Officer	Original Anticipated Date for Report	Current Anticipated Date for Report
Planning Proposal PP2016 – 11.1 Mission Terrace Lakewood – post exhibition (Item 12.06 – OC 15/11/17)		DDE		TBA
Flying Fox Colony in Kooloonbung Creek nature Reserve (Item 12.02 – OC 18/04/18)		DDE		TBA

Cyclic Reports

Report	Reporting Officer	Reporting Cycle
Mayoral Discretionary Fund Allocations	GM	Monthly
Monthly Financial Update	DCP	Monthly
Investments	DCP	Monthly
Recommendations by the Mayor's Sporting Fund Sub-Committee	SG	Monthly
Development Activity and Assessment System Performance	DDE	Quarterly (May, Aug, Nov, Feb)
Operational Plan – Quarterly Progress Report	DCP	Quarterly (Nov, Feb, April, Aug)
Glasshouse Strategic Plan Update	DCP	Biannual (Feb, Aug)
Delivery Program – Six Monthly Progress Report	DCP	Biannual (Mar, Sep)
Site Specific LEP Amendments - Update	DSG	Biannual (Mar, Sep)
Long Term Energy Strategy – Progress Report	DDE	Biannual (Apr, Oct)
Economic Development Strategy - Progress Report (Item 10.03 - ORD 20/11/2013)	DSG	Biannual (Jun, Dec)
Performance of Property Investment Portfolio 6-Monthly Report (Item 09.09 - OC 12/12/17)	DSG	Biannual (May, November)
Mayoral and Councillor Fees (Setting of)	GM	Annually (Jun)
MIDROC Strategic Plan 2013-2017 Outcomes (Item 08.03 - ORD 21/08/2013)	GM	Annually (Jul) (re-list to Sep)

Report	Reporting Officer	Reporting Cycle
Council Policy - Status Report	DCP	Annually (Jul)
Recreation Action Plan – Status Report	DDE	Annually (Jul)
Annual Report of the Activities of the Mayor's Sporting Fund	DSG	Annually (Sep)
Compliments and Complaints Annual Report	DSG	Annually (Sep)
Council Meeting Dates	GM	Annually (Sep)
Creation of Office - Deputy Mayor	GM	Annually (Sep)
Audit Committee Annual Report	DCP	Annually (Sep)
Annual Report of Disability Discrimination Act Action Plan	DSG	Annually (Sep)
Legislative Compliance Register	CP	Annually (Sep)
MIDROC Strategic Plan 2013-2017 Outcomes (Item 08.03 - ORD 21/08/2013)	GM	Annually (Sep)
Annual Disclosure of Interest Returns	GM	Annually (Oct)
Council's Annual Report	DCP	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)	DCP	Annually (Nov)

Attachments

Nil

Item: 09.02

Subject: 2018-2019 COUNCILLOR AND MAYORAL FEES

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

1.2.1 Provide effective leadership that supports the community.

RECOMMENDATION

That in relation to Councillor remuneration for the 2018-2019 financial year, Council:

- 1. Pursuant to the provisions of section 248(2) of the Local Government Act 1993, Council set the annual fee payable to a Councillor for the financial year commencing 1 July 2018 to be \$19,790.**
- 2. Pursuant to the provisions of section 249(3) of the Local Government Act 1993, Council set the annual fee payable to the Mayor for the financial year commencing 1 July 2018 to be \$62,960 (this amount includes the fee payable to a Councillor).**

Executive Summary

The Local Government Remuneration Tribunal on 17 April 2018 released its determination in relation to its 2018 annual review for the payment of fees to Councillors and Mayors.

Port Macquarie-Hastings Council provided a submission requesting the Local Government Remuneration Tribunal to move from the Regional Rural to Regional Strategic Area category. Alternatively, it was requested that consideration be given to the creation of a new category for similar councils in the Regional Rural group. These requests were declined.

Therefore, Port Macquarie-Hastings Council continues to be classified as a Regional Rural council. The Tribunal has determined that the revised band of fees for a regional rural council be:

Category	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
	Minimum	Maximum	Minimum	Maximum
Regional Rural	• \$8,970	• \$19,790	• \$19,100	• \$43,170

* This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

Council, in the past, has adopted the maximum fee determined by the Tribunal for both Councillors and the Mayor.

Discussion

On 17 April 2018, the Local Government Remuneration Tribunal (the Tribunal) made its determination in relation to its 2018 Annual Review for the payment of fees to Councillors and Mayors. The review focused on the determination of annual fees to be paid in each of the categories to councillors and mayors.

The full 2018 Report (Report) from the Tribunal is at attachment 1.

The Tribunal, under section 241 of the Local Government Act 1993 ("the Act"), determines annually for each category of council, the minimum and maximum amount of fees to be paid to councillors and mayors.

The Tribunal has determined an increase of 2.5% to mayoral and councillor fees for the 2018/19 financial year, with effect from 1 July 2018.

Following the creation of 20 new councils in 2016, the Tribunal conducted a review of the categories of councils and mayoral offices pursuant to section 239 of the Local Government Act 1993.

The determination provides for the retention of the following categories. In accordance with section 239, the categories of councils are determined as follows:

Metropolitan	Non-metropolitan	County Councils
Principal CBD	Regional City	Water
Major CBD	Regional Strategic Area	Other
Metropolitan Large	Regional Rural	
Metropolitan Medium	Rural	
Metropolitan Small		

Port Macquarie-Hastings Council provided a submission requesting the Local Government Remuneration Tribunal to move from the Regional Rural to Regional Strategic Area category. Alternatively, it was requested that consideration be given to the creation of a new category for similar councils in the Regional Rural group. These requests were declined.

Therefore, Port Macquarie-Hastings Council continues to be classified as a Regional Rural council. The revised table of fees are shown below:

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils – Metropolitan	Principal CBD	26,970	39,540	164,980	217,080
	Major CBD	17,980	33,310	38,200	107,620
	Metropolitan Large	17,980	29,670	38,200	86,440
	Metropolitan Medium	13,480	25,160	28,640	66,860
	Metropolitan Small	8,970	19,790	19,100	43,150
General Purpose Councils – Non-metropolitan	Regional City	17,980	31,260	38,200	97,370
	Regional Strategic Area	17,980	29,670	38,200	86,440
	Regional Rural	8,970	19,790	19,100	43,170
	Rural	8,970	11,860	9,540	25,880
County Councils	Water	1,780	9,890	3,820	16,250
	Other	1,780	5,910	3,820	10,790

* This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member(s.249(2)).

Options

Council must determine the Councillor Fee for the 2018-2019 financial year within the relevant band of the 2018 Local Government Remuneration Tribunal determination.

Councillor Fee \$8,970 - \$19,790

Council must determine the Mayoral Fee for the 2018-2019 financial year within the relevant band of the 2018 Local Government Remuneration Tribunal determination.

Mayoral Fee \$19,100 - \$43,170

Community Engagement & Internal Consultation

Internal Consultation

- Group Manager Governance and Procurement.
- A/ Director Corporate Performance
- A/ CFO

Planning & Policy Implications

As per Council's current Payment of Expenses and Provision of Facilities to Councillors Policy:

"Pursuant to section 248 of the Act, Council shall, prior to 30 June each year, set by resolution, the annual fees to be paid to the Councillors for the following year commencing on 1 July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal."

Council's past practice has been to adopt the maximum fee determined by the Tribunal for both Councillors and the Mayor, as shown in the table below.

Individual Councillor Annual Fee	Total Mayoral Annual Fee
• \$19,790	• \$62,960

Financial & Economic Implications2018-2019 Budget Allocations:

It was anticipated that an increase would be decided by the Tribunal; therefore, the draft 2018-2019 budget provides provision for:

- Councillor Allowances - \$156,800.
- Mayoral Allowances- \$62,300
\$215,900

If Council resolved to implement the recommendation as outlined, the costs to Council in 2018-2019 will be:

- Councillor Allowances- \$158,320.
- Mayoral Allowances- \$62,960.
\$221,280

The budget allocation for the increased fees (combined mayoral and councillor allowances) is short by \$5,380.

If adopted, the budget will be increased in the draft 2018-2019 operational plan before the June 2018 Council Meeting.

Attachments

1 [View](#). 2018 Annual Determination LGRT

Item: 09.03**Subject: QUARTERLY BUDGET REVIEW STATEMENT****Presented by: Corporate Performance, 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 2018 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 2017-2018 financial year (July 2017 to March 2018).

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 2018 quarter for Council's information, which includes the following components:

1. Statement by the Responsible Accounting Officer on Council's financial position at the end of the year based on the information in the QBRs.
2. Budget review of Income and Expenditure in a consolidated format (including performance indicators).
3. Budget review of the Capital budget.
4. Budget review of the cash and investments position.
5. Budget review of contracts and other expenses.

6. 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:

1. *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.*
2. *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 "2017-2018 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).

The year-to-date (YTD) reporting in the QBRS is against the phased budgets, improving the reporting with comparisons to Council's yearly and quarterly budgets. Actual expenditure amounts exclude commitments.

INCOME & EXPENSES

The YTD operating result excluding capital items is \$30.6m, compared to a YTD budget of \$16.8m. A significant amount of this \$13.8m (favourable) variance is in timing, including \$9.4m across Expenses and is described below.

The YTD operating result including capital items is \$49.0m, compared to a YTD budget of \$32.4m. Most of this \$16.6m (favourable) variance is in timing with \$9.4m across the Expenses, and a further \$2.5m in User Charges & Fees and \$2.0m in Rates & Charges mainly due to population growth. These are further described below.

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

INCOME

YTD Actual \$153.6m; YTD Budget \$146.5m; Variance \$7.1m (favourable)

Income of \$153.6m for the YTD to the end of the third quarter is 104.9% of the YTD budget of \$146.5m, representing 82.1% of the \$187.2m annual income budget.

Key points to note are as follows:

1. Rates & Annual Charges

YTD Actual \$91.4m; YTD Budget \$89.4m; Variance \$2.0m (favourable)

Rates & annual charges of \$91.4m are ahead of the expected YTD budget of \$89.4m, being 102.3% of the YTD budget, and 100.2% of the \$91.2m annual budget. The majority of rates are levied in July, with the exception of annual charges for water which are levied quarterly on the Water Notice.

The total YTD variance of \$2.0m (favourable) mainly comprises of:

- \$0.8m (favourable) for general fund rates;
- \$0.6m (favourable) for annual sewer charges;
- \$0.3m (favourable) for domestic waste charges;
- \$0.3m (favourable) for annual water charges.

These favourable variances predominately relate to population growth in the area.

2. User Fees & Charges

YTD Actual \$25.2m; YTD Budget \$22.7m; Variance \$2.5m (favourable)

User fees & charges of \$25.2m represent 111.3% of the YTD budget of \$22.7m, and 76.5% of the \$33.0m annual budget. Note that the annual budget of \$33.0m includes the late categorisation adjustment for the Fire and Emergency Services Levy (which was previously shown under operating grants) against the published budget statement of \$32.9m.

The total YTD variance of \$2.5m (favourable) is primarily made up of:

- \$1.3m (favourable) user charges for water consumption attributable to the timing of quarterly water billing notices and the seasonal influx of visitors;
- \$1.0m (favourable) waste management tipping fees subject to demand. Note the corresponding increase in Expenses for the EPA s.880 Waste levy;
- \$0.4m (favourable) fees for Planning, DA's & Building Certification due to the continued increase in building and subdivision activity in the area; and
- \$0.2m (adverse) aerodrome user fees mainly due to the timing of receipt of the fees, monthly in arrears.

3. Interest & Investment Revenue

YTD Actual \$6.1m; YTD Budget \$4.1m; Variance \$2.0m (favourable)

Interest & Investment revenue of \$6.1m against the YTD budget of \$4.1m is 146.5% of the YTD budget and 92.5% of the annual budget of \$6.6m. This comprises the Interest on Investments for the YTD of \$5.9m, with an annual budget of \$6.3m and Interest on Overdue Rates for the YTD of \$0.1m with an annual budget of \$0.3m. The favourable result is primarily due to higher cash levels due to project deferrals and high S94/S64 receipts. Further information on Investments can be found in the Investment report.

4. Other Revenues

YTD Actual \$3.6m; YTD Budget \$3.8m; Variance \$0.2m (adverse)

Other revenues of \$3.6m are 96.2% of the \$3.8m YTD budget, and 69.4% of the \$5.2m annual budget.

The total YTD variance of \$0.2m (adverse) relates to Fines \$0.1m (adverse) due to timing, and various other minor items \$0.1m (adverse).

5. Operating Grants & Contributions

YTD Actual \$8.7m; YTD Budget \$10.7m; Variance \$2.0m (adverse)

YTD Operating grants & contributions are \$8.7m compared to the YTD budget of \$10.7m. The YTD variance is \$2.0m (adverse) or 81.0% of the YTD budget, and the YTD actuals are 45.3% of the annual budget of \$19.2m.

The total YTD variance of \$2.0m (adverse), all due to the timing of payments, largely comprises of the following:

- \$1.4m (adverse) Federal Roads to Recovery;
- \$0.2m (adverse) Fire Control;
- \$0.1m (adverse) Wrights Creek/Hibbard Floodway;
- \$0.1m (adverse) North Brother Catchment flood study;
- \$0.1m (adverse) Camden Haven Estuarine Linkages;
- \$0.1m (adverse) Wrights & Yarranabee Creek Flood Study; and
- \$0.1m (favourable) Multi Dwelling Organics Recovery - payment received earlier than expected.

6. Capital Grants & Contributions

YTD Actual \$18.4m; YTD Budget \$15.6m; Variance \$2.8m (favourable)

YTD income from capital grants and contributions is \$18.4m against the YTD budget of \$15.6m, and represents 57.9% of the \$31.7m annual budget. The YTD variance of \$2.8m (favourable) is further dissected into grants and contributions and is discussed below:

YTD Capital grant income of \$1.2m is below the YTD budget of \$7.0m by \$5.8m. The main variances as follows, are due to timing:

- \$1.4m (adverse) Port Macquarie Aerodrome Terminal Building;
- \$1.1m (adverse) Wauchope CBD Pedestrian Design & Construction;
- \$1.0m (adverse) Bulli Creek Bridge Replacement;
- \$0.9m (adverse) Flynns Beach Seawall;
- \$0.4m (adverse) Wauchope Aquatic Pool upgrade
- \$0.2m (adverse) Batar Creek Bridge;
- \$0.2m (adverse) Coastal/Estuary Management Plan;
- \$0.2m (adverse) Albert Street Bridge Replacement;
- \$0.1m (adverse) Lake Cathie Accessible Fishing Platform; and
- \$0.1m (adverse) Shared Path Ocean Drive, Pacific Highway to Glen Haven Drive.

YTD Capital contribution income is above the YTD budget by \$8.6m. Capital Contributions comprise two elements, cash and non-cash. The cash element is Section 64 & 94 Developer Contributions. The second element is non-cash contributions, being Developer provided assets.

- YTD Cash income is \$17.1m, against the YTD budget of \$8.5m. This equates to 95.0% of the annual budget of \$18.0m. The variance is due to the continuing increased subdivision and building activity in the area.
- Non-cash contributions primarily represent dedicated assets from Developers and to date none have been received for capitalisation.

EXPENSES

YTD Actual \$104.6m; YTD Budget \$114.0m; Variance \$9.4m (favourable)

1. Employee costs

YTD Actual \$31.5m; YTD Budget \$33.5m; Variance \$2.0m (favourable)

YTD employee costs are \$31.5m versus the YTD budget of \$33.5m, creating a favourable variance of \$2.0m. As at the end of this quarter, this equates to 94.2% of the YTD budget, and 62.8% of the annual budget of \$50.2m.

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

Other variances include:

- \$0.5m (favourable) 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.

2. Borrowing costs

YTD Actual \$2.2m; YTD Budget \$2.2m; Variance \$0.0m

3. Materials & Contracts

YTD Actual \$26.7m; YTD Budget \$33.8m; Variance \$7.1m (favourable)

Expenditure to the end of the third quarter is \$26.7m, which is 79.1% of the YTD budget of \$33.8m, and 61.2% of the annual budget of \$43.7m. The YTD variance of \$7.1m (favourable) is mainly due to timing, unless stated otherwise. The main variances are:

- \$2.0m (favourable) Street Lighting LED upgrade, this project is underway.
- \$1.2m (favourable) Natural Resources: across various maintenance projects;
- \$1.1m (favourable) Waste: across various maintenance projects;
- \$0.5m (favourable) Water: across various maintenance projects;
- \$0.4m (favourable) Governance: relates to the mayoral by-election, awaiting the final invoice;

- \$0.4m (favourable) Ferry Management: Settlement Point Ferry to be slipped;
- \$0.4m (favourable) Laboratory - due to timing ;
- \$0.3m (favourable) Drainage - across various maintenance projects;
- \$0.3m (favourable) Community Place - across various maintenance projects;
- \$0.3m (favourable) Sewer: across various maintenance projects;
- \$0.8m (adverse) Transport & Traffic: spending earlier than expected due to a readily available contractor & ideal weather conditions. As well as an increase to the original scope of works.

4. Other Expenses

YTD Actual \$9.9m; YTD Budget \$10.6m; Variance \$0.7m (favourable)

The amount expended of \$9.9m for Other Expenses is 93.0% of the YTD budget of \$10.6m, and 68.9% of the annual budget of \$14.4m. The YTD variance of \$0.7m (favourable) is predominately made up of:

- \$0.5m (favourable) Electricity & Street Lighting expenses, noting that the payment for these services is made a month in arrears;
- \$0.2m (favourable) Land Valuation Fee, annual invoice not yet received;
- \$0.2m (favourable) Contributions & Donations: due to timing; and
- \$0.2m (adverse) Section 880 Waste Levy, increased usage of waste depots, noting the corresponding increase in waste tipping fees as stated above.

5. Net loss from disposal of assets

YTD Actual \$0.1m; YTD Budget \$0.3m; Variance \$0.2m

This section relates to the net profit or loss, which occurs from either the sale of assets, such as plant items or land or, disposal of old assets following capitalisation when an asset is renewed:

Net Loss on sale/disposal on assets	\$465k
Sale Proceeds received, yet to be processed (\$345k for land and \$61k for plant and equipment)	<u>\$406k</u>
Total	\$ 59k

CAPITAL EXPENDITURE (excluding Loans)

YTD Actual \$35.6m; YTD Budget \$63.6m; Variance \$28.0m (favourable)

This section includes a comparison of the actual result against the phased capital expenditure budget. Note that the total carry-over budget from 2016-2017 was \$19.0m, of which \$16.6m is capital, and the remaining balance of \$2.4m is operating expenditure.

Also note that the capital works budget for Water (\$8.0m) and Sewer (\$25.9m) was reduced by a total of \$33.9m in the February 2018 monthly budget review, reflecting the deferral of some capital works projects to the 2018/19 financial year.

To the end of the third quarter and excluding the Loan repayments, \$35.6m was expended being 56.0% of the YTD budget of \$63.6m, and 37.7% of the annual

budget of \$94.3m. The YTD 'under-spend' is \$28.0m. In addition to this expenditure, there are commitments for works in the order of \$13.9m.

As a comparison for the YTD expenditure, to the end of the third quarter in 2016-2017, a total of \$43.9m (excluding loan repayments), was expended being 57.6% of the YTD budget of \$76.2m and 40.8% of the annual budget of \$107.5m.

The key variances are detailed below. Of these, Council anticipates most to be underway or complete at 30 June 2018.

General Fund - YTD Actuals \$29.3m; YTD Budget \$52.0m, YTD underspend \$22.7m

General Fund has expended \$29.3m of the \$52.0m YTD budget which equates to 56.4% and is 37.6% of the annual budget of \$78.1m. The YTD 'under-spend' is \$22.7m with main 'under-spends' noted below:

- \$3.6m Developer Provided Assets - No Developer provided assets have been capitalised at this stage as the relevant information has not been received;
- \$1.7m Flynns Beach - Upgrading of Seawall - multi-year project, requires monitoring, design and construction tender awarded;
- \$1.5m New Works Depot - behind schedule, operational requirements being reviewed;
- \$1.2m Wauchope CBD Pedestrian Facility - Requires monitoring, advertising for the construction tender underway;
- \$1.1m Capital Computer Projects - This is a multi-year project and is currently on target. Skype for Business being rolled out, public Wifi upgrades complete, corporate Wifi being tested, and the Microwave tender approved for commencement;
- \$1.1m Wauchope Pool Facility – Project on target, variance due to timing of payments;
- \$1.0m Bulli Creek Bridge Replacement - Construction planning complete and bridge work under way;
- \$1.0m Hastings River Drive/Newport Island Roundabout - on target for completion late 2018;
- \$1.0m Port Macquarie Aerodrome Terminal Building - Tender for construction to be released to shortlisted contractors April 2018;
- \$1.0m Plant Replacement Program - program is progressing;
- \$0.8m Hastings River Drive & Boundary Street - monitoring required, behind schedule; and
- \$0.8m Stormwater Renewal Program - monitoring required, some of the design works have been awarded, and catchment modelling underway.

There is one project ahead of the YTD budget being:

- \$0.8m High Traffic Resurfacing - works completed throughout the area, including an increased scope of works. Additional expenditure to be addressed through the existing operational maintenance budget.

Waste - YTD Actuals \$0.0m; YTD Budget \$0.4m, YTD underspend \$0.4m

The YTD 'under-spend' of \$0.4m mainly relates to:

- \$0.1m Cairncross Upgrade & Expansion - Purchase orders have fully committed this project budget.
- \$0.3m Kingfisher Waste Depot - Behind schedule, construction deferred to 2018/19 pending review of waste disposal technologies.

Water - YTD Actuals \$3.6m; YTD Budget \$5.4m, YTD underspend \$1.8m

The YTD 'under-spend' for Water against the YTD budget totals \$1.8m, being 66.2% of the YTD budget, with key 'under-spends' noted below:

- \$0.7m Sancrox Reservoir Trunk Main to Area 13 - Design & pre-construction near completion;
- \$0.4m Developer Provided Water Assets - No Developer provided assets have been capitalised at this stage as the relevant information has not been received.
- \$0.3m Renewals and Minor Works - This project is behind target, staff resources impacting delivery of these programs;
- \$0.3m Port dam 33kv Switchgear Upgrade - project deferred, not being delivered this financial year.

There are a couple of projects where spending is 'ahead of schedule'. These are:

- \$0.2m Port Dam Bypass 525mm Interconnection - The survey has been completed and materials for the works have been purchased;
- \$0.1m Future Designs Water - projects are on target, additional funds in the order of \$0.1m required to complete these in the new financial year.

Sewer - YTD Actuals \$2.7m; YTD Budget \$5.7m, YTD underspend \$3.0m

The Sewer section has a YTD budget 'under-spend' of \$3.0m being 46.7% of the YTD budget. The main 'under-spends' are:

- \$0.7m Developer provided assets - No Developer provided assets have been capitalised at this stage as the relevant information has not been received.
- \$0.7m Port Macquarie Pump Station 71 - design near completion, construction to continue into 2018/19;
- \$0.4m Area 13 Sewerage Treatment Plant EIS Concept Study - behind schedule, alternative power supplies being reviewed;
- \$0.3m Area 14 Reclaimed Water Trunk Main Upgrade - behind schedule, detailed design due April 18, construction to follow;
- \$0.3m Camden Haven Reticulation Augmentation - Design is at completion stage;
- \$0.2m Sewer Minor Extensions - behind target, staff resources impacting the program, together with rainfall events, have restricted progress;
- \$0.1m Dunbogan Sewer Pump Station no.22 Electrical Supply - behind target, pending approval of design information package, as required by Essential Energy;
- \$0.1m Sewer Treatment Plant Road Resurfacing - project is progressing, variance is due to payment timing.

TCorp Ratios

Last year 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.

Operating Performance Ratio

The Operating Performance ratio is often considered the most important ratio for Council to meet. The projected result as at March 2018 includes all approved adjustments to budgets up to and including the March Council meeting.

There has been a deterioration in this ratio since the original approved budget and Council is closely monitoring budgets to include any savings in future monthly budget reviews. The deterioration is primarily due to the inclusion in the budget of \$2m for energy efficient street lighting. As these are not council's assets any expenditure has a negative effect on Council's operating performance ratio. It should be noted however, that in future years the decrease in electricity costs for this lighting will have a positive effect on this ratio. Further, there has been additional spending on the high traffic resurfacing project due to an increase in the scope of works, as previously mentioned above.

This ratio may be impacted by year end accruals.

Rates and Annual Charges Outstanding Ratio

Considerable work has been undertaken over recent years to achieve this ratio, and continues to be undertaken. The current forecast is an estimated 4.61%. 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. The benchmark for this ratio is less than 5% which Council now meets.

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". At this early stage the ratio has been left at the ratio calculated for the original budget.

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.

For a Council to increase its renewal spend to improve this ratio performance may have an impact on the funds available for new assets, such as new footpaths etc.

The Office of Local Government has released a "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. Significant reseals were undertaken in 2016/17 and are expected to be continued in this financial year and it is anticipated that this expenditure will address a portion of Council's infrastructure backlog.

Assets Maintenance Ratio

Significant work was done in prior years to calculate the actual amount of "required" maintenance for purposes of calculating this ratio. This figure is currently forecast at 0.93 for this financial year. At this early stage of the year the ratio has been left at the ratio calculated for the original budget.

The Office of Local Government (OLG) definition of required maintenance are those costs identified in the Asset Management Plans (for the reporting period) of routine activities that should be undertaken to sustain the asset in a functional state, ensuring the assets reach the predicted useful life, excluding rehabilitation or renewal. Therefore, if additional road reseals/renewals continue to occur it is expected that the required maintenance may reduce, improving this ratio.

Furthermore the OLG has released a "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](#). March 2018 Quarterly Budget Review Statement

2 [View](#). Confidential Consultancy Engagements March 2018

Item: 09.04**Subject: INVESTMENTS - APRIL 2018****Presented by: Corporate Performance, Rebecca Olsen**

Alignment with Delivery Program

1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

That Council note the Investment Report for the month of April 2018.

Executive Summary

- Total funds invested as at 30 April 2018 equals \$264,154,605.
- Interest for the month of April was \$685,941.
- The year-to-date investment income of \$6,619,958 represents 105% of the total annual investment income budget of \$6,330,600.
- Council's total investment portfolio performance over the last 12 months was 1.35% above the benchmark (3.10% against 1.75%). Benchmark being the Bank Bill reference rate as at 30 April 2018 as identified on www.bloombergindeces.com.

Discussion

Council has engaged Imperium Markets to provide both an investment management platform and investment advisory service. This decision was based on the need to provide more rigour and transparency around investment choices and to provide a sound framework to support the need for increased financial sustainability into the future.

The attached investment report and portfolio provides detailed information on the performance of council's investment portfolio.

Overview

Councils (including Port Macquarie-Hastings Council) provide a broad range of services and associated infrastructure to their communities.

These services include (but are not limited to) the following:

- Water and Sewer services;
- Waste services;
- Port Macquarie Airport;

- Cemeteries;
- Roads and Bridges;
- Various Recreation and Cultural facilities.

The Port Macquarie-Hastings area is a high growth centre of the North Coast region and is expected to accommodate a significant proportion of regional growth over the next two decades. The population will grow from 79,114 in 2016 to 102,926 in 2036. As a consequence of this growth, Council must not only provide services to the existing community and maintain existing assets, but Council must also plan for future maintenance and capital expenditure on the infrastructure that will be needed to support the community, business and visitors to the area into the future.

Council holds cash reserves as an alternative to (or to supplement) borrowing. As at June 2017, Council held \$251 million in cash and reserves. Predominantly, these reserves are all allocated for specific purposes, with 70% of these reserves legally only being able to be used for the purpose for which they were collected (for example for water and sewer). The remaining reserves are also predominantly held for specific purposes (for example, for the development of the Airport, or to fund projects which have already commenced). The balances of these reserves are audited annually and published in Council's financial statements.

An independent analysis was conducted on Council's financial reserves. The review found:

- The Port Macquarie-Hastings local government area has experienced an unprecedented level of development activity. Whilst this has increased the level of reserves held through developer contributions, councils experiencing a high level of development activity require relatively high levels of reserves in order to adequately cope with the required levels of infrastructure spending.
- Council's reserve levels to be broadly appropriate and reasonable in light of Council's circumstances. In particular... that Council has successfully maintained a prudent buffer to prepare against potential financial risks associated with the predicted high development activity.

The full report is available on Council's website:

<http://www.pmhc.nsw.gov.au/About-Us/What-Council-Does/Corporate-Planning-Reporting-Budgets/Financial-Reports?BestBetMatch=financial%20reserves|cdbad291-68a4-4d81-8aee-b3733958e5ca|bd0cff62-3134-4e81-9f7e-de4e65feb428|en-AU>

Current Investments

Council is required to undertake investments in accordance with section 625 of the Local Government Act 1993. This report provides details of Council's investments, and certifies that all funds that Council has invested as at 30 April 2018, comply with this Act.

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

As at 30 April 2018, the investments held by Council totalled \$264,154,605 and were attributed to the following funds:

General Fund	112,920,973
Waste Fund	14,440,533
Water Fund	87,041,756
Sewer Fund	48,450,085
Sanctuary Springs Fund	34,313
Broadwater	1,266,945
	<hr/>
	264,154,605

Whilst the current level of investments remain high, these largely relate to funds which have legal restrictions (for example water and sewer), or for funds held for specific purposes.

These funds may be spent in the shorter or longer term depending on the required timing of future works. The totals will fluctuate dependent on the status of individual projects.

Options

This is an information report.

Community Engagement & Internal Consultation

Council uses the services of an independent financial advisor, on an ongoing 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. Council obtains regular updates regarding market activities positions from various institutions.

Planning & Policy Implications

There are no planning and policy implications.

Financial & Economic Implications

Benchmark and budget levels have been met on a year to date basis. On an annual basis, if benchmark levels are not reached, then this may result in budget cuts in other areas to fund the shortfall.

Council's total investment portfolio performance for 30 April 2018 is 1.35% above the benchmark (3.10% against 1.75%) and year to-date income is 105% 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.

Certification

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

*Mitchel Woods
Responsible Accounting Officer*

Attachments

1[View](#). Port Macquarie-Hastings Monthly Report - April 2018

2[View](#). Port Macquarie-Hastings Council Portfolio as at 30 04 2018

Item: 09.05**Subject: MONTHLY FINANCIAL REVIEW FOR APRIL 2018****Presented by: Corporate Performance, Rebecca Olsen**

Alignment with Delivery Program

1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

That Council adopt the adjustments in the "Financial and Economic Implications" section of the Monthly Financial Review Report for April 2018.

Executive Summary

This report will detail the monthly budget adjustments to 30 April 2018.

The Council adopted budget position as at 1 July 2017 was a shortfall of \$586,858. The approved budget adjustments since that time have reduced this shortfall position to \$64,023. The budget adjustments included in this report will improve the budget position to a surplus of \$368,655.

Discussion

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 2017-2018 budget along with the proposed movement of funds to accommodate any changes.

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.

Monthly Budget Review Summary

Original Budget as at 1 July 2017	Shortfall	(\$586,858)
<u>Plus adjustments:</u>		
July Review	Balanced	\$0
August Review	Surplus	\$267,217
September Review	Shortfall	(\$34,492)
October Review	Balanced	\$0
November Review	Surplus	\$290,110
December Review	-	-
January Review	Balanced	\$0
February Review	Balanced	\$0
March Review	Balanced	\$0
April Review	Surplus	\$432,678
Forecast budget position for 30 June 2018	Surplus	\$368,655

April 2018 Adjustments

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

Item	Surplus/ Shortfall	Amount	Comment
Interest on Investments – General Fund	Surplus	\$502,800	The forecast revenue for interest on investments for the year has been increased. This is due primarily to higher levels of cash than initially predicted.
General Rates	Surplus	\$278,029	This is to bring the rating budget in line with the actuals received. Variances are due to growth. An additional 500 assessments have been included in the 2018-19 rating budget calculations to cover any growth.
Dunbogan Flood Access Rd Stage 1A EIS Preparation	Shortfall	(\$10,200)	Flood modelling of the proposed upgrade of the road has been requested by the Office of Environment & Heritage as part of the integrated referral under DA 2017-956.1. This adjustment covers to the cost of the modelling.

Item	Surplus/ Shortfall	Amount	Comment
Port Macquarie Regional Stadium Scoreboard	Shortfall	(\$14,212)	Council has received a contribution from the Greater Port Macquarie Tourism Association for this project. This adjustment is to cover Council's component of the project.
Transfer to Restricted Asset – Interest on S94	Shortfall	(\$70,000)	Any additional interest accrued on S94 contributions has to be transferred to the S94 restricted asset.
General Rates – Extra Charges	Shortfall	(\$93,300)	Increased debt recovery action undertaken by Council staff has reduced the amount of extra charges earned on outstanding rates.
Wayne Richards Park Development Stage 3	Shortfall	(\$160,439)	Executive have approved an over-expenditure report for this project. The over-expenditure is predominantly due to variations in the design scope that were implemented throughout construction, eg. Rock bridging layer under the field.
Total	Surplus	\$432,678	

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):

Description	Notes	Funding Source	Amount
Grant Funds	1	Grant	\$196,455
Reserve Transfers	2	Reserve	\$2,309,002
Contributions	3	Revenue	\$10,988
Total			\$2,516,444

1. *Grant funding.*

The total **increase** in project value for 2017-2018 is **\$196,455**.

Council project	Grant provider	Amount	Funding	Comments	Section
Beach to Beach Shared path – EIS & Detailed Design Section D9	Roads & Maritime Services	\$151,000	Grant	\$160,000 also transferred to this project from 41781 RMS Grants – Safety Pgm & Active Transport Program	Transport & Traffic

Council project	Grant provider	Amount	Funding	Comments	Section
Beach Maintenance	Department of Industry	\$45,455	Grant	This grant was received to assist with the cost of the whale carcass removal.	Parks & Gardens
TOTAL		\$196,455			

2. Reserve Transfers

Additional reserve funding has been used this month to fund the following projects.

Project Name	Reserve	T/f from (reduction) T/f To (increase)	Other Funding	Reserve Amount	Comments
Land/Property Sales	Road Renewal Reserve	Transfer to	Nil	\$30,000	Council has sold part of a closed road at Diamond Head. All proceeds from the sale of roads must be expended on roads maintenance/ upgrade. Accordingly these funds have been transferred to the road renewal reserve.
PM Headquarters Alterations	Major Buildings Reserve	Transfer from	Nil	(\$100,000)	Council is undertaking office alterations at the PM Headquarters building. This adjustment is to cover the expenditure expected this financial year.

Project Name	Reserve	T/f from (reduction) T/f To (increase)	Other Funding	Reserve Amount	Comments
Domestic Waste Annual Charges	Waste Management	Transfer to	Nil	\$295,316	This adjustment is to align the budget with the actual annual charges received for waste management. The variation is due to growth in assessments. From 2018/19 an additional 500 assessments has been included in the original budget to cover growth.
Interest on Investments – Waste Management	Waste Management	Transfer to	Nil	\$79,100	This is to reflect the revised expected interest on investments for the waste fund for this financial year.
Sewerage Services – Annual Charges	Sewerage Services	Transfer to	Nil	\$598,279	This adjustment is to align the budget with the actual annual charges received for the sewerage fund. The variation is due to growth in assessments. From 2018/19 an additional 500 assessments has been included in the original budget to cover growth.
Interest on Investments – Sewerage Services	Sewerage Services	Transfer to	Nil	\$253,500	This is to reflect the revised expected interest on investments for the sewerage fund for this financial year.
Water Supply – Annual Charges	Water Supply	Transfer to	Nil	\$454,507	This adjustment is to align the budget with the actual annual charges received for the water fund. The variation is due to growth in

Project Name	Reserve	T/f from (reduction) T/f To (increase)	Other Funding	Reserve Amount	Comments
					assessments. From 2018/19 an additional 500 assessments has been included in the original budget to cover growth.
Interest on Investments – Water Supply	Water Supply	Transfer to	Nil	\$698,300	This is to reflect the revised expected interest on investments for the sewerage fund for this financial year.
Net Transfer from reserves				\$2,309,002	

3. Contributions Received

On occasion Council receives contributions from the public towards capital works. The following contribution has been received:

Project Name – Funds transferred to	Received from	Amount	Comments
Long Flat Sport & Recreation Ground-Playground Replacement	Long Flat Pre-School	\$1,100	This is an additional contribution above what was reported to Council in February.
Port Macquarie Regional Stadium Scoreboard	Greater Port Macquarie Tourism Association	\$9,888	Council has contributed \$14,212 to this project from revenue funds
Total		\$10,988	

Options

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

Planning & Policy Implications

There are no planning and policy implications.

Financial & Economic Implications

Attached to the report for information is each individual budget adjustment by Division and Section. The budget movements within this report improve the current budget position to a surplus of \$368,655.

Responsible Accounting Officer Statement

The approved original budget result for 2017-2018 was a surplus of \$586,858. The budget adjustments in this report improve the current budget position to a surplus of \$368,655. The surplus position is considered a satisfactory result for the year.

Attachments

1 [View](#). April 2018 Budget Review

Item: 09.06

Subject: MID NORTH COAST REGIONAL EQUESTRIAN CENTRE

Presented by: Corporate Performance, Rebecca Olsen

Alignment with Delivery Program

2.3.2 Provide a range of inclusive sporting and recreational opportunities and facilities to encourage a healthy and active lifestyle.

RECOMMENDATION

That Council:

- 1. Note the request from the Camden Haven Pastoral Agricultural Horticultural & Industrial Society for a financial contribution in support of their Regional Sports Infrastructure Fund application for construction of The Mid North Coast Regional Equestrian Centre.**
- 2. Provide support of \$25,000 to the Camden Haven Pastoral Agricultural Horticultural & Industrial Society should their grant application under the Regional Sports Infrastructure Fund be successful.**

Executive Summary

Camden Haven Pastoral Agricultural Horticultural & Industrial Society (also known as the Camden Haven PAH&I Society) is making an application to the NSW Government's Regional Sports Infrastructure Fund to construct the Mid North Coast Equestrian Centre at Kendall Showground.

The Camden Haven PAH&I Society are seeking financial support of \$25,000 from Council in support of their grant application as a co-contribution.

Guidelines for the Regional Sports Infrastructure Fund require a co-contribution. It is therefore proposed that Council provide funding of \$25,000 as a contribution towards the project should the grant application be successful.

Discussion

The indoor equestrian centre is proposed to provide state-of-the-art undercover riding and stable facilities for the show, regular local events, in addition to regional and state fixtures for multiple groups. The Camden Haven PAH&I Society plans to build an indoor equestrian centre, horse stables and covered warm-up area on their existing land in Batar Creek Road, Kendall. The facilities will be used by the Camden Haven Show, Camden Haven and Port Macquarie Pony Clubs, adult riding groups and Kendall Riding for the Disabled.

C2Hills Consultancy are preparing the grant application on behalf of the Camden Haven PAH&I Society. A report and concept plans containing further details of the project is attached for information.

Options

Council could choose not to provide financial support, or to provide a different level of support.

Community Engagement & Internal Consultation

Not applicable.

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

The project has an estimated cost of just over \$5.5M.

Should Council resolve to provide funding of \$25,000, this contribution can be funded from General Revenue. The Monthly Financial Review for April 2018 is a separate report in this agenda and demonstrates that Council is now in a forecasted surplus position.

It should be noted that the Society has also requested a waiver of development application and associated fees.

This has been reviewed by the Acting Director Development and Environment in accordance with the 'Providing Funding and Support to the Community Policy'. It has been determined that the proposal represents significant community and public benefit and therefore the development application and admin fees have been waived. There has also been a significant reduction in associated application fees (construction certificate, plumbing and drainage). The total value of waivers and discounts is approximately \$11,000.

Attachments

1 [View](#). MNC Regional Equestrian Centre - C2Hills Consultancy

Item: 09.07**Subject: 2017-2018 OPERATIONAL PLAN - QUARTERLY PROGRESS
REPORT AS AT 31 MARCH 2018****Presented by: Corporate Performance, Rebecca Olsen**

Alignment with Delivery Program

1.1.4 Provide easy to understand and accessible community reporting.

RECOMMENDATION

That Council note the 2017-2018 Operational Plan - Quarterly Progress Report as at 31 March 2018.

Executive Summary

The 2017-2018 Operational Plan is a sub-plan of the adopted 2017-2021 Delivery Program. The Delivery Program is designed as the single point of reference for all key activities to be undertaken during a term of Council. The Operational Plan spells out the detail of the individual actions, projects and activities Council will undertake in the financial year to meet the commitments made in the Delivery Program.

Progress reports to Council and the community provide a central point of information on the progress on delivering the actions set out in the 2017-2018 Operational Plan. This quarterly progress report outlines what Council is delivering against each action, activity or project as well as performance measures in the adopted plan and seeks to provide concise and accurate information in relation to the progress made.

The overview section of the report provides a statistical snapshot of Operational Plan performance measurement data, with analysis of achievements and actions that are behind target detailed in each of the community themes.

The attachment provides the full 2017-2018 Operational Plan Progress Report, which includes a comprehensive listing of each individual action, performance measure, target and commentary on progress.

Meeting the targets and performance measures in the annual Operational Plan contributes to the overall achievement of the objectives outlined in the 2017-2021 four year Delivery Program. The legislated requirement to report against the Delivery Program occurs on a six-monthly basis. That report is next scheduled to be tabled at the Ordinary Meeting of Council in September 2018. This is the second six monthly report on the adopted 2017-2021 Delivery Program.

Capital works projects are incorporated into the body of the Operational Plan and as such are reported on as individual actions with performance measured against the adopted project plan. A number of projects may have design and construction

elements and therefore can span across multiple years, these projects are identified as multi-year projects.

Discussion

(a) Overview

2017-2018 Operational Plan - Quarterly Progress Report as at 31 March 2018

The 2017-2018 Operational Plan contains 252 actions with the total number of performance measures being 320. As at 31 March 2018, 88% are on target for delivery and 38 are reported as behind, representing 12% overall. The table below provides a summary of the total number of performance measures and the status by Community Theme.

2017-2018 Operational Plan summary of performance measures by theme					
Community Theme	Total	On target	Achieved	Behind	Overall delivery
Leadership and Governance	80	65	12	3	96%
Your Community	69	57	5	7	90%
Your Business and Industry	24	21	2	1	96%
Natural and Built Environment	147	102	18	27	82%
Total	320	245	37	38	88%

The table below is comparative data of historical Operational Plan performance and provides information outlining year on year progress against the current 2017-2018 Operational Plan.

Comparative review of Operational Plan Performance Measures												
	Total			On target /achieved			Behind			Overall delivery (%)		
	15/16	16/17	17/18	15/16	16/17	17/18	15/16	16/17	17/18	15/16	16/17	17/18
1Q - July - Sept	468	320	318	410	281	301	58	39	17	87%	88%	95%
2Q - Oct - Dec	468	320	320	391	297	293	77	23	27	84%	93%	92%
3Q - Jan - Mar	468	320	320	381	280	282	87	40	38	81%	88%	88%
4Q - Apr - Jun	468	320		384	294		84	26		82%	92%	
Total	468	320		384	294		84	26		82%	92%	

(b) Detailed Analysis by Community Theme and Service

Included below is a summary of highlights and information of those measures reported as behind according to each Community Theme and service within the Operational Plan.

Community Theme: Leadership and Governance					
2017-18	Total	On target	Achieved	Behind	Overall
1Q - July – Sept 2017	80	75	2	3	96%
2Q - Oct – Dec 2017	80	70	7	3	96%
3Q - Jan – Mar 2018	80	65	12	3	96%

SUMMARY OF HIGHLIGHTS BY SERVICE**Digital Technology**

- Renewal of Council's technology infrastructure to provide secure and responsive information communication technology is ongoing. Skype for Business training commenced
- Aerial photography for urban areas and the whole of local government area for use in the Geographical Information System has been completed

Community Place and Customer Interactions

- Over 79,300 calls received through the customer call centre with 75% of calls answered within the set service standard (target 75%).
- 93% of initial customer interactions were dealt with at the first point of contact
- Over 79,800 counter enquires were processed and over 22,200 e-mails were received
- Community members were involved in a variety of community engagement activities that has involved; face-to-face or on-line engagement. Projects have included, the Community Plan for Bonny Hills, a Community Inclusion Plan, Flynn's Beach Master Planning and Hastings Regional Sporting fields
- Registered users on the "Have your Say" online portal as at 31 March 2018 was 3,400. An increase from 3,127 users as at 30 June 2017.

Communications

- Over 780 Media releases, statements, alerts and announcements were issued during July 2017 – March 2018
- Over 680,000 visits were recorded to the corporate website for the July 2017 to March 2018 period
- Facebook likes increased from 6,475 (June 2017) to 7,661 and Twitter follower increased from 871 (June 2017) to 968 as at 31 March 2018 extending Council's reach using digital channels
- A range of communication tools were used to keep the community up to date with council activities including use of consistent media channels such as social media, newspaper advertising and Weekly Mayoral messages

Governance

- Two Ordinary Council Meetings have been held off-site as part of the Take the Council to the Community Program. The October 2017 Council Meeting was held in Laurieton, and the second off-site meeting was held in March 2018 in Wauchope
- The biannual Public Interest Disclosures Report was submitted in February 2018 in line with required timeframes
- Implementation of Procurement Strategy action items are progressing
- Ongoing conversation were held with other levels of government included meetings with State and Federal members and participation in Mid North Coast Regional Organisations of Councils (MIDROC)

Financial Services

- Investment reports tabled in accordance with required timelines
- Financial reports tabled in accordance with required timelines
- The draft 2018-2019 Operational Plan budget was placed on public exhibition in March 2018

Commercial Business Units - Glasshouse, Airport, and Property and Leasing

- A number of performing arts and visual arts events were presented at the Glasshouse for the July 2017 to March 2018 period, some of which included Antidote - Live satellite event, The Merchant of Venice - Bell Shakespeare, The Sydney Comedy Festival Showcase and Boys in the Band.
- 157 commercial leases and 71 community leases are current and operating
- The review of the Glasshouse Strategic Plan has commence in line with the Cultural Steering Group

Asset Management

- The Property Investment Policy was adopted at the Ordinary Council Meeting held in December 2017
- Asset revaluation of buildings and other structures is ongoing and on target.

Human Resource Management

- Implementation of Workforce Management Strategy actions are ongoing
- An Employee Engagement survey was undertaken in February 2018 with results circulated to teams for discussion and action

Integrated Planning and Reporting

- The six monthly Delivery Program Progress Report outlining achievements from July to December 2017 was presented and adopted at the March 2018 Ordinary Council Meeting in line with required timeframes
- The Draft Operational Plan was placed on public exhibition in March 2018 with Community Engagement pop-up sessions held in Wauchope, Laurieton, Lake Cathie and Port Macquarie

Business Improvement

- Outcomes of the Service Review Project – Phase 3 was presented to Councillors in February 2018
- Quarterly reporting to the Executive team has been provided in-line with required timeframes

Operational Plan actions reported as behind

Operational Plan Activity 2017 - 2018	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
1.3.3.5 Align corporate Risk Management Framework to ISO 3100 standards	Governance and Procurement	Complete Risk Management Framework alignment in line with project milestones	100%	50%	Behind schedule. Currently planning again and re-base lining initiative. Executive Brief provided update of project.

Operational Plan Activity 2017 - 2018	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
					Project Steering Group meeting held March 2018.
1.3.4.5 CW 17/18 Works Depot relocation – preconstruction/design (multi-year project)	Assets and Property Investment	Deliver project according to approved project plan (Works Depot relocation)	100%	75%	Behind schedule. Project brief and operational requirements currently under review.
1.5.3.1 Increase operating revenue at the airport, the Glasshouse and the Environmental Laboratory	Commercial Business Units	Increase operating revenue by 3% per annum per business unit	3%	-3%	Behind target. Revenue impacted by 1. Airport - reduced passenger numbers associated with Qantas Link reduced schedule; 2. Crematorium - increasing external competition for cremation services; and 3. Timing of invoicing between financial reporting periods.

Community Theme: Your Community					
2017-18	Total	On target	Achieved	Behind	Overall
1Q - July – Sept 2017	69	68	0	1	99%
2Q - Oct – Dec 2017	69	61	4	4	94%
3Q - Jan – Mar 2018	69	57	5	7	90%

SUMMARY OF HIGHLIGHTS BY SERVICECommercial Business Units – Environmental Laboratory

- Sampling, analysis and reporting of operational and regulatory requests at the Laboratory were completed within the set service standards

- National Association of Testing Authority corporate accreditation maintained

Sports and Recreation

- Lifeguard Services provided at Town, Flynnns, Lighthouse, Lake Cathie, Rainbow and North Haven beaches including additional coverage at Lake Cathie during the Easter long weekend in March 2018
- The lifeguard education program was delivered to a further 205 students in the third quarter. Over 3,800 students have participated in the program with over 54 presentations delivered
- Implementation of the identified actions from the Recreation Action Plan is ongoing. Actions to date have included;
 - installation of Oxley Oval sports field lighting with temporary power completed
 - installation of sports field lighting at Wauchope Lank Bain Sports complex completed
 - Lake Cathie Foreshore Master Plan adopted
 - Port Macquarie Coastal Walk Master Plan adopted
 - Flynnns Beach Master Plan community engagement undertaken in March 2018
 - Port Macquarie Pool has the community survey complete
 - Camden Haven Recreational Boating improvements has detailed designs commenced
 - Rocks Ferry Reserve pontoon installation completed
- Regional master planning for recreational facilities included the Lake Cathie Foreshore Master Plan adoption in early 2018 and Flynnns Beach Master Plan community engagement undertaken
- A concept plan was developed and community engagement undertaken for the Leash Free Dog facility in Port Macquarie. However, the concept plan was deferred to allow for consideration of traffic impacts and other site locations
- Further project planning for PMQ swimming pool is ongoing to determine site requirements for the new facility to meet future community demands
- The Playground equipment replacement program is underway and included;
 - Laura Place, Laurieton Oval, Long Flat, Lasiandra and Foreshore Reserve playground upgrades commenced
 - River Street, Sancrox and Pioneer Park starting May/June 2018
- The Recreational walkway replacement program is underway and included;
 - pathway at Binbilla Reserve walkway in Bonny Hills complete
 - Flagstaff pedestrian bridge structural investigations complete with scope of works confirmed
- The Port Macquarie Coastal Walk Master Plan was adopted with detailed designs of priority being developed
- The Hastings Regional Sporting Facility had community engagement undertaken in March 2018 with preconstruction activities progressing
- Mrs Yorks Garden Woodland Walk works ongoing

Compliance

- 309 pool inspections have been undertaken from July 2017 to March 2018
- 792 risk based audit inspections relating to on-site sewage have been undertaken from July 2017 to March 2018
- 204 inspections relating to development approvals and building, environmental, public health and on-site sewage standards have been undertaken from July 2017 to March 2018

- 36 fire safety inspections have been undertaken from July 2017 to March 2018
- Over 1,200 offences have been recorded by Council Rangers in relation to parking, beach patrols, illegal signage and sale of goods on roads

Community Place

- Meetings held with local Police to support the Hastings Liqueur accord
- Delivering the Graffiti Blasters Program is ongoing with approx 1,800 tags removed by the graffiti blasters team for the July 2017 to March 2018 period
- Support provided to the Youth Advisory Committee in coordinating events
- Implementation of identified actions from the Aboriginal Awareness and Understanding Strategy is ongoing. Actions to date have included;
 - discussions on Bicentenary projects
 - Flynns Beach Master Plan and the Inclusion Plan
 - Aboriginal Cultural Awareness training program for staff
 - Community Cultural Protocols
 - Artwalk - Buraydjarr Youth Group and Birpai Local Aboriginal Land Council Creative Art installation
- Round 2 of the Community Grants Program closed February 2018. A report to Council with recommendations is planned for May 2018
- Implementation of the Disability Inclusion Action Plan is ongoing. Actions to date have included;
 - Lake Cathie Aqua Crescent footpath works commenced
 - Concept plans for Horton St South Pedestrian plans created
 - McInherney Park footpath works linking new SailAbility pontoon to picnic pavilion
- Review of the Cultural Plan is underway and ongoing
- Library membership up from 32,167 (July 2017) to 33,828 (March 2017)
- A number community activities have been held across the region including;
 - Waves and Melodies at Town Beach
 - Rainbow Rhythms at Bonny Hills
 - Maker Market at Port Library

Further events planned for the last quarter are Youth Week, Seniors Week. Artwalk and the Heritage Festival

- Delivering the Volunteer Program is ongoing. Actions to date have included;
 - projects for the community college work at Wayne Richards Park
 - developing a partnership with NSW Corrections to deliver projects across the region

2. Operational Plan actions reported as behind

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
2.3.2.2 CW 17/18 Deliver sporting facility renewal and upgrades program across the LGA (including Various Sporting	Recreation and Buildings	Deliver renewal and upgrades as per schedule and reported	100%	50%	Behind target. This project forms part of Councils Stronger Country Communities Funding application. Confirmation has been received

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
Fields - Automated Lighting System)		according to seasonal sports			regarding PMHC success for two major sports projects. Internal meetings arranged to coordinate delivery of projects for Regional Stadium field 3 with lighting, and installation of new lighting to the 2nd multipurpose field (hockey) at Wayne Richards Park, in addition to the automated lighting system installations.
2.3.2.4 Commence regional master planning for recreational facilities	Recreation and Buildings	Develop a Concept Plan for the Leash Free Dog facility to be developed at the Boom Reserve Port Macquarie	100%	80%	Behind target. Concept Plan developed and community engagement process undertaken. Council resolved to defer adoption of the Concept Plan to allow for traffic impacts and alternative sites to be considered.
2.3.2.4 Commence regional master planning for recreational facilities	Recreation and Buildings	Develop a strategic concept plan for Port Macquarie public swimming pool including the site selection process	100%	70%	Behind target. Further project planning is ongoing with a focus on determining site requirements for the new facility in order to meet future community demands.
2.3.2.6 CW 17/18 Undertake Hastings River recreational boating improvements	Recreation and Buildings	Deliver project according to approved project plan	100%	70%	Behind schedule. Acquisition negotiations with the landholder are continuing.

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
2.3.3.07 Innes Peninsula (Brierley Hill) — design and develop new local park	Recreation and Buildings	Deliver project according to approved project plan	100%	0%	Behind schedule. This project will not commence until 2018-19 due to re-prioritisation of works programme items.

Community Theme: Your Business and Industry					
2017-18	Total	On target	Achieved	Behind	Overall
1Q - July – Sept 2017	24	24	0	0	99%
2Q - Oct – Dec 2017	24	22	1	1	94%
3Q - Jan – Mar 2018	24	21	2	1	96%

SUMMARY OF HIGHLIGHTS BY SERVICE

Economic Development

- Implementation of the Economic Development Strategy is ongoing. Actions to date have included;
 - finalising the draft Urban Growth Management Strategy following exhibition
 - engagement of consultant for the Health and Education Precinct planning
 - final stage of the trial of CBD Wi-Fi
 - opening of The Hub "pop up" co-working space
 - work with the Cultural Steering Group to update the Cultural Plan
 - progress the local Skills Gap Analysis
 - ongoing implementation of the Destination Management Plan
 - ongoing implementation of the Major Events Strategic Action Plan
- Implementation of actions within the Major Events Strategic action plan are underway
- Implementation of actions within the Destination Management Plan is ongoing. Actions to date have included;
 - development and implementation of a Easter Couples Campaign to drive visitation for the Easter long weekend
 - development of a School Holiday Campaign targeted at families and driving visitation for the Autumn School Holidays
- During the third quarter, visits to the destination website increased by 29% (year on year) representing an increase from 111,812 to 144,714 user sessions
- The Investment Prospectus was reviewed and updated in March 2018 for the Franchise and Business Opportunities Expo
- Meetings attended with the Business Hub to support local business networks
- Implementation of actions from the Digital Strategy is ongoing. Actions to date have included;
 - the Town Green Wi-Fi trial concluded on March 2018 with data currently being analysed with the view to meeting reporting commitments in May 2018.

Port Macquarie Airport

- Port Macquarie Airport Terminal upgrade has detailed design progressing with tender for construction of the terminal building anticipated for release in April 2018

Operational Plan actions reported as behind

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
3.1.2.1 Prepare Local Environmental Plan (LEP) and Development Control Plan (DCP) amendments in relation to a business park near Port Macquarie Airport	Strategic Landuse Planning	Report to Council regarding adoption of LEP and DCP amendments by 31 Dec 2017	100%	60%	Behind schedule. Draft Council report completed pending biodiversity certification for Council Airport lands.

Community Theme: Natural and Built Environment					
2017-18	Total	On target	Achieved	Behind	Overall
1Q - July – Sept 2017	145	128	4	13	91%
2Q - Oct – Dec 2017	147	116	13	18	88%
3Q - Jan – Mar 2018	147	102	18	27	82%

SUMMARY OF HIGHLIGHTS BY SERVICEWater Supply

- Design and preconstruction works for the Trunk Main at Sancrox Reservoir is nearing completion
- Installation of new water supply services to residential and business properties to cater for new development is ongoing
- Survey completed for Port Dam Bypass interconnections and bypass pump with works expected to commence in May 2018
- Designs are nearing completion for Beechwood Rosewood Reservoir
- Operating the water supply network to ensure public health and safety is on target
- Operating and maintaining water treatment plants in accordance with adopted maintenance programs and scheme requirements is on target
- Maintaining and operating storage dams has been undertaken in accordance with Australian National Committee On Large Dam guidelines

Sewerage

- Designs nearing completion for the Port Macquarie Sewer Pump Station 71
- The upgrade of the Port Macquarie Reclaimed Water Treatment Plant – Aeration Tank refurbishment commenced in March 2018

- Design and construction of a ultra-violet system for Bonny Hills Sewer Treatment Plan is due for completion in April 2018
- Dunbogan Sewerage Treatment Plant sewer rising main extensions have designs complete with preconstruction documentation underway
- Programmed replacement and maintenance of sewerage assets including, sewer pumps, electrical switchboards, membrane replacement, odour control installations, minor extensions and pipelines are ongoing
- Operating and maintaining sewerage treatment plants in accordance with environmental licences, adopted maintenance programs and safety requirements is on target

Stormwater and Drainage

- Designs are underway and ongoing for stormwater drainage at Lake and Jindalee Road Port Macquarie
- Designs are underway and ongoing for stormwater drainage at Gordon and Owen Street Port Macquarie with concept designs complete
- Stormwater remediation works at Skyline Place, Bonny Hills is ongoing with plans currently under review
- Piped drainage – Stage 1 works at Batar Creek Road and Laurel Street Kendall has construction underway with completion planned for April 2018
- Stormwater detention facility at Black Swan Terrace has detailed designs prepared and currently under review
- Stormwater maintenance and repairs program is underway with relining of stormwater pipeline at Hollingworth and Waugh St included in the program
- Settlement Shores – Stage 1 dredging has tender assessment report presented to the Ordinary Council Meeting in April 2018
- Identified actions from the Broadwater Canal Maintenance Plan are due to be undertaken in May 2018

Roads, Bridges and Transports

- Preconstruction and designs for the North South Link Road is ongoing
- Footpath construction projects have included;
 - Sherwood Road Port Macquarie
 - Park Street Port Macquarie
 - Belbowrie Street Port Macquarie
 - Bain Street Wauchope
- Bulli Creek Bridge replacement on Comboyne Road has construction planned for April 2018
- Construction of improved pedestrian amenity for Wauchope Main Street – Stage 1 – has preparation for construction tender advertisement underway by public works
- Preconstruction works for the duplication of Greenmeadows Drive south to Matthew Flinders Drive has designs complete. Council pursuing grant funding opportunities for construction of this project
- Beechwood Road (segments 20,40 and 50) preconstruction upgrades had the designs ongoing
- Continuation of detailed design of dual lanes on Lake Road are ongoing. Tender for designs of Jindalee/Fernhill Road intersection awarded. Separate engagement undertaken for the concept design and approval of remaining section between Ocean Drive and Central Road

- Lake Road upgrade to widen the westbound carriageway between Toorak Court and Oxley Highway has construction underway with service relocation and pavement widening complete
- Hastings River Drive – Newport Island Road roundabout has construction commenced in February 2018
- Upgrades to Ocean Drive from Mountain View Rd to Fairwinds Ave complete
- Pedestrian amenity improvements – Kew to Laurieton along Ocean Drive and Bold Street has preconstruction complete
- Structural repairs for Kindee Bridge has Stage 1 complete. Currently determining appropriate methodologies and approach to completing Stage 2 due to the complex nature of the project
- Albert Street single lane timber bridge replacement has construction commenced in January 2018
- O’Neills Bridge replacement - Batar Creek Road, has works underway
- Pedestrian crossing at Bold Street Laurieton has project designs progressing following confirmation of scope and extent of works during March 2018
- Kew Main Street works have the scope of works confirmed February 2018 and now has preconstruction planning underway
- The annual unsealed road maintenance program, sealed road maintenance program and bridges and culverts maintenance program are all ongoing and on target
- Delivering the Road Safety Action Plan which includes undertaking road safety education programs. Actions to date have included;
 - Promotion of the Safe Use of Off Road Shared Paths
 - Driver Distraction Education Project
- The report on the Area Wide Traffic Study is currently in draft with a Councillor briefing session to take place in April 2018 and will be followed by public exhibition
- Road rehabilitation completed in the following areas;
 - Glen Haven Dr, Lakewood
 - Ocean Dr, Lakewood
 - Captain Cook Bicentennial, Laurieton
 - Diamond Head Rd, Dunbogan
 - Pembroke Rd, Pembroke
 - Beechwood Rd, Beechwood
 - Blackbutt Rd, Port Macquarie
 - Hill St (Lake Rd to Lord St), Port Macquarie
 - Rollands Plains Rd, Rollands Plains
 - Houston Mitchell Dr, Lake Innes
 - Wauchope local roads included; King Creek Rd, Sarahs Cres, Stoney Creek Rd, Redbank Rd, Beechwood Rd (Oxley Hwy), Nelson St, Parker St, Campbell St, Waugh St, Young St, Mackay St, Johnstone St, Cowdery St, Graham St and Webb St
- Reseal Programme completed in the following areas;
 - West Haven/Lakewood, Asphalt Rejuvenation
 - Rocks Ferry Area, Wauchope, Bitumen Reseal
 - Riverbreeze Area, Wauchope, Asphalt Rejuvenation
 - Redbank Rd, Wauchope, Bitumen Reseal
 - Stoney Creek Rd, Wauchope, Bitumen Reseal
 - Old King Creek, Wauchope, Bitumen Reseal

- Sarah's Crescent Area Wauchope, Bitumen Reseal.

Strategic Land Use Planning

- Project plan completed in regards to facilitating development in the Major Innes Road/Charles Sturt University Precinct, including the Port Macquarie Hospital Precinct
- Public exhibition of the Urban Growth Management Strategy is complete with 120 submissions received. A report is due to be presented to the Ordinary Council Meeting in May 2018
- Review of the Port Macquarie-Hastings Local Environmental Plan 2011 is ongoing
- Review of the Port Macquarie-Hastings Development Control Plan 2013 is ongoing
- LEP and DCP amendments for the proposed Yippin Creek urban release area to the west of Wauchope has a detailed project plan complete. This will also be considered as part of the Council report on the Urban Growth Management Strategy due in May 2018
- Draft Koala Plan of Management placed on public exhibition in April 2018

Natural Resource Management

- Maintenance programs for bushfire mitigation works on Council land is ongoing in accordance with the Bushfire Risk Management Plan. Hazard reduction burns to be undertaken as weather conditions permit
- Over 700ha of land have been treated for invasive weeds and over 999kms of weed dispersal routes treated as part of the Weed Management Program
- Feral animal control has been undertaken on Council-controlled land at Kingfisher Tip, Henry Kendall, North Shore, Christmas Bells Plains, North Haven and Port Water catchment supply area
- Ongoing education provided to residents, industry and community groups on Council's tree management requirements within the Port Macquarie-Hastings 2013 tree management development control plan
- Over 1,340 customer requests relating to tree matters have been handled during July 2017 to March 2018, including those relating to public, private matters and illegal tree works
- Pruning or removal of high-risk trees as part of tree maintenance works has included: 70 tree related tasks completed. (Priority 1 = 48 and Priority 2 = 22)
- Delivering bushfire preparedness and planning programs to the community is ongoing
- The draft Biodiversity Strategy was placed on public exhibition after being adopted at the Ordinary Council Meeting in December 2017. A review of submissions is currently underway. A report to Council is planned for May/June 2018

Asset and Property Investment

- Condition assessment of Stormwater assets has the first phase completed with the remainder of condition assessments underway
- Four potential sites were identified as suitable for future mid-scale solar projects and included in the Long Term Energy Strategy that was adopted at the Ordinary Council Meeting in October 2017

- Feasibility assessments complete for the bulk street lighting upgrade to LED. The recommendation to proceed was adopted at the August 2017 Ordinary Council Meeting

Building Maintenance

- Installation of a solar energy system at the Council Office and Library in Laurieton is programmed for April 2018
- LED lighting upgrades for the Port Macquarie-Hastings Council office building is on target with final installs to be completed May 2018

Development Assessment

- Over 1,320 Development Applications, s96 Modifications, Construction Certificates and Complying Development Certificates were determined within agreed processing times for the July 2017 to March 2018 period

Operational Plan actions behind

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
4.1.1.03 CW 17/18 Southern Arm trunk main - rolling program to construct southern arm trunk main along Houston Mitchell Drive (multi- year project)	Water and Sewer	Deliver project according to approved project plan	100%	20%	Behind target. Project delayed due to potential changes in location of pipeline. When clarified, project can continue to detailed design phase.
4.1.1.05 Ocean Drive Marbuck bypass - connection to Camden Haven trunk main (multi-year project)	Water and Sewer	Deliver project according to approved project plan	100%	20%	Behind target. Staff resourcing impacting delivery of this project. This project will continue in FY18-19 for construction.
4.1.1.10 CW 17/18 Granite Street No.2 25ML Reservoir - Demolition of existing and construction of new reservoir	Water and Sewer	Deliver project according to approved project plan	100%	30%	Behind target. Project on hold as Operational trial of rezoning Granite St supply area to O'Briens Rd Reservoir undertaken Dec 2017 to confirm water supply security during demolition/construction phase was not successful. Further operational planning to be undertaken 2018-

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
					19. Concept design, specification, REF and geotech complete. Project charter completed for design and construction contract. 2018-19 construction funding to be reallocated to financial year 2020-21.
4.1.1.11 CW 17/18 Koree Island HV incoming electrical upgrade (33KV)	Water and Sewer	Deliver project according to approved project plan	100%	10%	Behind target. Original budget of \$150K now reduce to \$27K as original design by NJ constructions rejected by Essential Energy. Private consultant - Leigh Morley - engaged to complete new design and seek Essential Energy approval. Project cannot commence until designs approved. New budget line item included in 2018-19.
4.1.1.13 CW 17/18 Reclaimed Water - Area 14 Reclaimed trunk main - Construction of DN250mm outlet	Water and Sewer (Infrastructure Delivery)	Deliver project according to approved project plan	100%	80%	Behind schedule Detailed design currently underway and due for completion late April 2018. Construction to follow detailed design completion and continue into 2018-19FY.
4.1.1.14 CW 17/18 Reclaimed Water - Thrumster reclaimed reservoir	Water and Sewer	Deliver project according to approved	100%	20%	Behind target. Land acquisition currently being finalised. Specification and Indicative Drawings from Granite St

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
including land acquisition - design/ construction		project plan			Reservoir project to be used. Project charter for site layout, review of environmental factors and design and construction contract underway (approx 85% of budget remaining).
4.1.2.1 CW 17/18 Conduct water asset replacement and renewal programs for live water mains, water meters, renewals and minor works, pumps, switchboards and flow meters	Water and Sewer	Deliver programs according to approved schedule	100%	80%	Behind target. Staff resources impacting the delivery of these programs. Delivery programs affected include live water mains and renewals (12% budget remaining) and Minor works (64% budget remaining).
4.1.3.07 Thrumster (Area 13) Sewerage Treatment Plant - environmental impact and concept study	Water and Sewer	Deliver project according to approved project plan	100%	50%	Behind schedule. Concept proposal currently being reviewed for alternative power supplies.
4.1.3.12 CW 17/18 Conduct sewer assets replacement and maintenance program for odour control installations, minor extensions and pumps, pipelines	Water and Sewer	Deliver sewer assets replacement and maintenance program	100%	80%	Behind target. Staff resources impacting the delivery of these programs. Operations of sewerage schemes prioritised, coupled with a number of heavy rainfall events have restricted any progress with this program. Odour Control (41% of budget remaining), Minor Extensions (100% Budget remaining), Sewer Rehabilitation (1% of budget remaining).

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
4.1.3.14 CW 17/18 DNSPS22 Electrical Supply Upgrade	Water and Sewer	Deliver project according to approved project plan	100%	50%	Behind target. Currently having design information package (DIP) renewed as required by Essential Energy. Project can commence once final approval of DIP complete. Easement issues resolved. Project may continue in 2018-19 depending on commencement date.
4.1.4.5 CW 17/18 Conduct sewer assets replacement and maintenance program for odour control installations, minor extensions and pipelines	Water and Sewer	Deliver project according to approved project plan	100%	80%	Behind target. Staff resources impacting the delivery of these programs. Operations of sewerage schemes prioritised, coupled with a number of heavy rainfall events have restricted any progress with this program. Odour Control (41% of budget remaining), Minor Extensions (100% Budget remaining), Sewer Rehabilitation (1% of budget remaining).
4.1.5.03 Continue stormwater remediation - flood remediation Blackbutt Creek, Wauchope	Transport and Stormwater Network	Deliver project according to approved project plan	100%	60%	Behind schedule. Project continued from 2014-15 FY. Detailed design completed. Property acquisition matters have significantly delayed works commencement, however acquisition is being finalised at present. Project works to be

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
					programmed following finalisation of acquisition.
4.1.6.1 (a) CW 17/18 Andrews Park, Wauchope - Reconstruct existing drainage line	Transport and Stormwater Network	Deliver program according to approved schedule	100%	30%	Behind schedule: The contractor engaged to complete this work has encountered bats residing within the gaps of the stormwater pipes. These bats are a protected species and Council has engaged an ecologist to review the environmental factors which is likely to result in a species impact study and potential long delays. Expected project completion of project is now expected in 2018-19.
4.1.7.1 CW 17/18 Kingfisher Waste Depot - Commence construction for expansion (upgrade and expansion) - (multi-year project)	Environmental Services, (Infrastructure Delivery)	Deliver project according to approved project plan	100%	20%	Behind schedule. Detailed design commenced, however, construction delayed to 2018-19. Study of waste disposal technologies underway and cost benefit analysis results due soon.
4.2.1.2 Continue to implement Floodplain Risk Management, Coastal and Estuary Management Plans	Environmental Services	Deliver project according to approved project plan	100%	0%	Behind target. Business Case approved - project management plan to be completed and scheduled for July 2018.
4.2.2.2 Update the flood policy to include revised flood levels for	Environmental Services	Flood Policy updated	100%	75%	Behind target. Councillor information briefing on climate change

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
the Hastings River as a result of Climate Change methodology					impacts to flood levels delivered in March 2018. Council Report scheduled for May 2018 with public exhibition thereafter.
4.4.1.06 CW 17/18 Comboyne Road - Commence construction to replace bridge over Hartys Creek Id No.09 (multi-year project)	Transport and Stormwater Network, (Infrastructure Delivery)	Deliver project according to approved project plan	100%	80%	Behind schedule. This project scheduled to continue into 2018-19 financial year due to grant funding. Construction tender currently advertised. Targeting construction tender award at June 18 Ordinary Meeting. Emergent crown land acquisition and Environmental Assessment update has potential to delay tender construction.
4.4.1.09 Hastings River Drive - Aston Street crossing (multi-year project)	Transport and Stormwater Network, (Infrastructure Delivery)	Deliver project according to approved project plan	100%	50%	Behind schedule. Project scope pending confirmation.
4.4.1.21 CW 17/18 Dunbogan Bridge - Reid Street - undertake substructure rehabilitation (multi-year project)	Transport and Stormwater Network, (Infrastructure Delivery)	Deliver project according to approved project plan	100%	80%	Behind schedule. Multi-Year Project. Underwater Inspections complete and pile assessment complete. Project coming back on program following Bridge engineer appointment. Designs currently being developed with consultants for tender of work for award in late 2018.

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
4.4.1.30 Undertake review of the Parking Strategy	Transport and Stormwater Network	Complete Parking Strategy review	100%	0%	Behind schedule. Project not started. Currently seeking approval for deferral of project to be in line with the Regional Integrated Transport Strategy.
4.4.1.32 Commence corridor planning - Kendall Road - Ocean Drive - Hastings River Drive regional road corridor (MR538 /MR600) (multi-year project)	Transport and Stormwater Network	Corridor planning - commenced	100%	25%	Behind schedule. Currently no dedicated project resource available to commence this project. Senior Transport Engineer will focus on this project after Area Wide Traffic Study is complete.
4.4.1.35 Undertake broad analysis of priorities for sealing of unsealed roads (multi-year project)	Transport and Stormwater Network	Report presented to Council by 31 March 2018 detailing analysis results	100%	50%	Behind target. A briefing will be presented to Councillors in May 2018 in regards to Rural Roads that will include an analysis of sealing unsealed roads.
4.5.1.3 Preparation of Local Environmental Plan (LEP) & Development Control Plan (DCP) amendments for the South Lindfield urban release area	Strategic Landuse Planning	Report recommended planning outcomes to Council, post exhibition, by 31 Dec 2017	100%	80%	Behind target. Reported to first meeting of Council in 2018. Follow-up actions underway.
4.5.2.1 Review the Development Contributions Plans	Strategic Landuse Planning	Report to Council regarding adoption of Open Space Contributions Plan by 31 March 2018	100%	50%	Behind schedule. Project delayed pending briefing to Councillors. Draft plan is on public exhibition until 11 April 2018 and has not met the performance indicator target. Likely to be

Operational Plan Activity 2017 - 18	Lead Responsibility	Success Measures	Target	YTD Actual	Comment on Progress
					reported to Council in June 2018.
4.6.1.6 Inform and educate residents, industry and community groups about Council's tree management requirements within the Port Macquarie-Hastings 2013 Development Control Plan (DCP)	Recreation and Buildings	Provide advice in accordance with service standards and industry best practice	100%	80%	Behind target. Total CRM's 1,347 including 1,075 public tree issues, 230 private tree issues and 45 illegal tree works. Additional information: 468 enquires (288 public and 152 private phone and email enquires). This does not include calls transferred from call centre to staff. In addition, there were 129 internal enquiries.
4.7.1.2 CW 17/18 Install solar energy systems at the Laurieton Office/Library, the Kew waste transfer station and the Port Macquarie Reclaimed Water Treatment Plant	Water and Sewer	Solar installed at the Port Macquarie Reclaimed Water Treatment Plant	100%	80%	Behind target. Public works have been engaged to develop tender specifications. Tender for solar installation at the Port Macquarie Reclaimed Water Treatment Plant scheduled to be out by April 2018.
4.8.1.5 Operate the sewerage network to ensure service delivery meets public health and safety requirements	Water and Sewer	Have nil reportable incidents relating to the operation of the sewerage network	0#	4#	Behind target. There have been four reportable incidents during the reporting period from July 2017 to March 2018. An unexpected premature pipe failure and wet weather events were the cause of the incidents.

Options

Seek further information on performance measures reflected in this report.

Community Engagement & Internal Consultation

The information contained in this report has been subject to consultation with the Executive Team, Senior Leadership Team, Integrated Planning and Reporting Development Officer and Council 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 Statements are tabled separately and reflects the financial implications against the Operational Plan.

Do not delete this line

Attachments

- 1 [View](#). 2017-2018 Operational Plan Quarterly Progress Report as at 31 March 2018

Item: 09.08**Subject: PROPERTY INVESTMENT PORTFOLIO - SIX MONTHLY REPORT****Presented by: Strategy and Growth, Jeffery Sharp**

Alignment with Delivery Program

1.5.3 Develop, manage and maintain Council Business Units through effective commercial management.

RECOMMENDATION

That Council note the update provided on the Property Investment Portfolio as provided in this report.

Executive Summary

At the Ordinary Council meeting on 13 December 2017, following a period of public exhibition, Council resolved to adopt a Property Investment Policy to formalise the use of property investment by Council.

As part of the adoption of this policy, Council resolved that “through the relevant Director, the Group Manager, Assets & Property Investment will regularly review and report to Council on the performance of the Property Investment Portfolio and make recommendations regarding the portfolio, on a minimum six monthly basis, to contribute to financial sustainability, and to improve long term outcomes for the community.”

Recommendations regarding individual assets within the Portfolio are made to Council in line with market timing, and reported on in arrears. The following report covers the performance of the Property Investment Portfolio for the reporting period 1 October 2017 to 31 March 2018.

Discussion

This is the first six monthly report on the performance of Council's Property Investment Portfolio. The land value of Council's property assets as at 31 March 2018 is \$122.8M. This incorporates 1,171 property assets, 597 which are designated for community use, and 574 which are designated for operational use.

During the first reporting period, Council's approach to managing the Property Investment Portfolio has focused on 3 key areas, being property lease income, property development activities, and monitoring the market for external opportunities. These are detailed below.

1. Property Lease Income:

The focus during the reporting period has been on ensuring that appropriate commercially based leases are in place for existing Council-owned properties. For the 6-month period, Council generated the following property based lease income:

Lease Type	No. of Leases	Income ex GST
Council as lessee	43	\$ 39,000
Airport lease	33	\$ 458,000
Commercial lease	37	\$ 376,000
Community lease	71	\$ 31,000
Outdoor dining and trading	49	\$ 67,000
Residential lease	7	\$ 88,000
Temporary licences	31	\$ 13,000
Total number of leases and rental income	271	\$ 1,072,000

During the reporting period, Council added 2 airport leases and 3 commercial leases to the portfolio. The increase in the number of outdoor dining operators in Port Macquarie has increased this form of rental income.

During the upcoming reporting period, Council will continue to manage existing leases in an appropriate commercial manner, and look to identify additional property based revenue opportunities where appropriate.

2. Property Development Activity

The focus during the reporting period has been on generating value-add to Council's existing land holdings through progression of planning, environmental studies or lodgement of development applications as appropriate. For the 6-month period, Council has undertaken sensitive work on the following activities:

- Partridge Creek, Thrumster
- Airport Business Precinct
- Cairncross Industrial Area
- Greenmeadows Drive Residential
- 25 Gore Street

During the upcoming reporting period, Council will continue to progress the identified property development opportunities in line with the upcoming milestones identified in the confidential attachment to this report.

Please refer to the confidential attachment titled "Attachment 1 – Property Development Activity" which contains information that relates to information what 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).

3. Monitoring of the Market

Council has monitored the market for property development and property investment opportunities, noting that no property acquisitions were made for these purposes during the reporting period.

During the upcoming reporting period, Council will continue to monitor the market for appropriate property investment and property development opportunities.

Options

Council has the option to note the contents of this update report, or request further information.

Community Engagement & Internal Consultation

This report is a 6-monthly update on an existing Council Policy. No community engagement has been undertaken in preparing this report, noting that a number of the initiatives described are detailed in Council's 2017-18 Operational Plan, and that the initiatives reported on are consistent with the principles of Council's adopted Property Investment Policy.

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

This report is a 6-monthly update on an existing Council Policy. There are no financial and economic implications in relation to this report.

Attachments

- 1 [View](#). CONFIDENTIAL Attachment 1 - Property Development Activity
(Confidential)

Item: 09.09

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

Presented by: Development and Environment, Daniel Croft

Alignment with Delivery Program

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

RECOMMENDATION

That Council note the Development Activity and Assessment System Performance report for the third quarter of 2017-2018.

Executive Summary

This report provides a summary of development assessment, building certification and subdivision certification activities for the January to March 2018 quarter. Data on the number of applications and processing times, together with a commentary on development trends is provided for the information of Council.

This report also provides an update on the implementation of recommendations from the University of Technology Sydney Centre of Local Government review (the UTS review) of Council's land development approvals process conducted in 2016.

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 four years.

Overall, application volumes are up on previous years. The monthly average number of development applications (DA) received for 2017-2018 to date is 94 DAs, which is up from the monthly average of 89 DAs in 2016-2017 and 85 in 2015-2016. A similar trend is evident with plumbing and drainage approvals, with the monthly average for 2017-2018 currently 92, up from 87 in 2016-2017 and 72 the previous year.

The monthly average building and plumbing inspections for 2017-2018 is currently 490, significantly greater than the monthly average of 455 in 2016-2017 and 407 the previous year. This is a very good indicator of 'on the ground' activity.

Complying development certificates (CDCs) and building Construction Certificates processed by Council have remained relatively steady over the last few years with the private sector taking up the additional work generated by the overall increase in activity. Infrastructure construction certificates and subdivision certificates have also

remained steady over the past few years. This can however be deceptive given the large number of lot releases proposed per application compared to previous years.

Noting the continued trend for increased development activity, coupled with recent large land releases in Port Macquarie and Lake Cathie/Bonny Hills. Additional staff resourcing in development assessment is currently being pursued.

Applications Received and Determined	2013-14 Monthly Average	2014-15 Monthly Average	2015-16 Monthly Average	2016-17 Monthly Average	2017 - 18 Monthly Average	2017 - 18 TOTAL	Jan-18	Feb-18	Mar-18
DAs Received	70	76	85	89	94	846	49	88	110
DAs Determined	65	74	79	80	86	774	54	69	85
DA Modifications Received	11	14	17	15	17	154	10	20	19
DA Modifications Determined	11	14	15	15	14	129	11	10	22
Complying Development Certificates Received by Council	13	10	7	9	8	72	4	11	6
Complying Development Certificates Determined	12	10	7	16	8	73	4	12	8
Complying Development Certificates Determined (Private Certifier)	14	15	21	19	32	285	28	24	25
Construction Certificates (Building Work) Received by Council	42	46	41	42	44	397	24	49	54
Construction Certificates (Building Work) Determined by Council	38	45	38	38	42	377	28	28	45
Construction Certificates Building Work Determined (Private Certifier)	17	20	29	23	33	299	37	35	26
Building Inspections Undertaken	371	393	407	455	490	4410	360	469	514
Plumbing & Drainage Applications Determined	52	64	72	87	92	832	56	77	92
Infrastructure Construction Certificates Received	5	8	9	13	12	105	6	7	14
Infrastructure Construction Certificates Determined	4	6	9	8	12	104	6	5	12
Subdivision Certificates Received	8	10	11	12	12	110	10	11	10
Subdivision Certificates Determined	7	9	10	11	11	96	8	13	8
Roads Act Applications Determined	30	38	49	49	52	468	48	30	48

The following table outlines the estimated value of works per development type approved for the quarter. With the total value of works for 2017-2018 to date being \$295 million, the 2016-2017 total of \$300million is likely to be surpassed well before year end. This further highlights the continued activity and investment in the region.

Value of Works DA	Jan-18	Feb-18	Mar-18	Total to date 2017 - 2018	Total 2016 - 2017
Ancillary DA	\$280,490	\$1,614,596	\$522,870	\$6,487,628	\$5,416,321
Ancillary CDC	\$582,336	\$412,675	\$615,650	\$3,860,672	\$1,559,611
Commercial DA	\$18,900	\$255,000	\$8,720,000	\$11,994,610	\$12,710,871
Commercial CDC	\$0	\$90,000	\$261,800	\$1,330,632	\$4,007,057
Community DA	\$0	\$49,685	\$0	\$2,444,951	\$1,851,000
Community CDC	\$0	\$0	\$0	\$0	\$330,000
Industrial DA	\$5,600,000	\$603,939	\$434,500	\$9,862,439	\$7,176,750
Industrial CDC	\$0	\$0	\$0	\$699,261	\$503,000
Residential DA	\$10,946,220	\$23,388,802	\$14,302,754	\$187,631,018	\$190,943,031
Residential CDC	\$2,626,684	\$3,237,512	\$2,668,473	\$41,167,748	\$37,712,396
Rural DA	\$1,479,284	\$759,800	\$1,345,000	\$8,619,964	\$7,635,746
Rural CDC	\$0	\$654,860	\$207,964	\$1,638,082	\$1,237,092
Subdivision DA	\$0	\$110,000	\$0	\$17,897,000	\$26,708,500
Tourist DA	\$0	\$0	\$0	\$921,710	\$1,711,860
Tourist CDC	\$0	\$0	\$750,000	\$1,225,000	\$690,000
Total	\$21,533,914	\$31,176,869	\$29,829,011	\$295,305,715	\$300,193,235

Application processing data and longer term trends for the various application types is provided in the table below. It is noted that gross monthly average DA processing

time of 62 days is up on 55 from the previous year. Gross processing times for infrastructure construction certificates have increased from 77 in 2016-2017 days to 120 days. This figure has been influenced by a number of outliers. One particular application determined in January spanned several years and was unable to be determined sooner due to a number of complex factors. The net monthly average processing days of 57 is considered to be more relevant in this regard. It is noted however that this is still up on the 2016-2017 net monthly average of 39 days. Monthly gross average processing days for subdivision certificates for the year is 61 days, which is up from 60 days the previous year.

The overall increase in development assessment work generated by such significant growth occurring at present is a significant factor in influencing application processing time. As mentioned previously, additional resourcing is currently being sought to assist with this workload.

PMHC Application Processing Performance	NSW 2013-14 Monthly Average	PMHC 2013-14 Monthly Average	NSW 2014-15 Monthly Average	PMHC 2014-15 Monthly Average	NSW 2015-16 Monthly Average	PMHC 2015-16 Monthly Average	PMHC 2016-17 Monthly Average	PMHC 2017 - 18 Monthly Average	Jan-18	Feb-18	Mar-18
DAs Processing - Net Median Days	30	26	46	30	49	30	31	36	33	44	29
DA Processing - Net Average Days	39	31	48	36	52	34	26	42	42	53	37
DA Processing - Gross Average Days	61	55	76	56	63	58	55	62	67	83	52
Complying Development Processing - Net Average Days		7		13		6	6	7	9	11	7
Complying Development Processing - Gross Average Days	19	8	22	14	22	7	8	7	9	11	3
Building Construction Certificate Processing - Net Average Days		7		12		9	9	9	10	11	9
Building Construction Certificate Processing - Gross Average Days		41		49		51	52	65	68	84	64
Plumbing & Drainage Applications Processing - Net Average Days		19		17		16	15	21	19	25	30
Plumbing & Drainage Applications - Gross Average Days		57		61		51	47	52	56	47	68
Infrastructure Construction Certificate Processing - Net Average Days		41		41		54	39	57	111	43	48
Infrastructure Construction Certificate Processing - Gross Average Days		52		114		94	77	120	346	56	63
Subdivision Certificates Processing - Net Average Days		32		33		42	40	48	33	49	42
Subdivision Certificates Processing - Gross Average Days		39		72		97	60	61	42	73	51
Roads Act Applications Processing - Net Average Days		26		16		17	19	17	17	22	17
Roads Act Applications Processing - Gross Average Days		36		41		43	48	42	45	43	43

The UTS Review

The UTS review was commissioned in late 2015 in response to feedback from industry stakeholders on the approval process for development engineering related applications/works. The review involved in depth interviews with industry stakeholders and Council staff, an on-line survey for industry stakeholders, benchmarking with other councils, application audits and an industry stakeholder forum. The review was completed in April 2016 and included 70 recommendations for Council and the industry to address. A copy of the final report and recommendations is included in the attachment section of this report.

In response to the review findings, Council staff and representatives from the Hastings Construction Industry Association (HCIA) formed a working party to identify the 'first round' of high priority recommendations contained within the UTS review. These high priority areas are considered to be completed, noting that ongoing effort

is required to achieve effective implementation and process improvement in these areas. In summary, these priority areas included:

1. Additional Council staff resourcing:
Two temporary development engineers have been appointed on two year employment contracts. The temporary resources commenced in late July and early August 2016 and assisted with the backlog of applications and improved processing times. It is noted that one of these positions has since been made permanent. The remaining position will soon reach the end of the two year period and with existing staff movements will become vacant in May 2018. Management will consider seeking a further temporary resource.
2. Application workflow improvements:
Implementation of Council's application tracker has largely assisted in achieving the intent of this group of recommendations. Checklists have been developed and are being implemented for all construction certificates and subdivision certificates lodged with Council to improve consistency of workflow. Further work is proposed on water and sewer application workflows.
3. Dealing with "alternate solutions" to adopted specifications:
It has been clarified with the industry that the 'asset owner' within Council is the ultimate decision point for advising on the suitability alternate solutions to adopted specifications.
4. Quality of applications lodged:
Construction certificate and subdivision certificate assessment checklists have been released for use by the industry. Staff are finding that not all proponents are using the adopted checklists and will continue to work with the industry to ensure this process is followed more routinely.
5. Communication between the industry and Council:
Council staff have received good feedback from the industry in relation to attendance at development site tours. Staff are conscious of the need to maintain an open dialogue with industry representatives and will continue to work on this. The construction industry newsletter was rereleased in April 2017 and has been a key tool in improving communication and information flow between Council staff and the industry.

The working party met again in February 2017 to discuss the next focus areas. In summary the priorities for 2017 included:

1. Water and sewer liaison workshop to discuss water design and assessment, standard drawings and application processes (e.g. S.307 process). Two workshops were held in 2017 where numerous technical drawings and workflow process issues were discussed.
2. Documentation and review of the inspection process for works to be accepted by Council - Staff have since determined that this issue is best dealt with following the AUSPEC review.
3. AUSPEC review – This has been the main focus for staff over the past 12 months and represents a significant and much needed body of work. Staff are currently aiming to release the document for industry comment in July 2018. It is proposed to have a series of workshops with the industry over a six month period to refine the document prior to adoption in early 2019. From adoption, it

is proposed to have a 12 month transition period where the industry can opt to use the new or prior AUSPEC standards.

The status of all the recommendations are provided in the spreadsheet attached to this report (January 2017 update). The status column in the spreadsheet represents Council staff's view and are accompanied by staff comments/reasoning for this position. In many cases the recommendations are listed as 'implemented and ongoing' and have either been implemented directly as a result of the review or reflect existing business process. These actions by their nature are ongoing and will be routinely reviewed by staff as necessary. Recommendations listed as 'no further action proposed' are not considered to warrant further investigation as they are either simple points of clarification, impractical, outside the control of Council (legislative) or not adding significant value.

The HCIA working group have been in agreement with the proposed course of action and status of recommendations to date. It is considered that most significant gains to be realised from the UTS review will come from those high priority recommendations that have already been implemented and have been identified as the focus for 2017 and 2018, particularly the AUSPEC review. Ongoing liaison and communication with the industry will be essential to underpin the delivery of these high priority recommendations. A further HCIA workshop is planned for in May 2018.

Given the complexity of the development approval process and the extensiveness of the review recommendations, it is likely to be a period of time before overall conclusions on the effectiveness of the review can be drawn. From the data presented earlier in the report, it is evident that there was an improvement in processing times for engineering related applications from 2015/16 to 2016/17, following the review and appointment of additional resources. Processing times have remained relatively steady since, with the exception of infrastructure construction certificates where there has been an increase from 54 net days in 2015/2016 to 59 days in 2017/2018 (to date).

It is important to recognise that the Port Macquarie-Hastings area is experiencing a significant growth period. Continuous improvement initiatives coupled with a partnership approach with the industry and appropriate resourcing, is necessary to appropriately respond to and manage this growth. Staff will continue to work with the industry in implementing agreed actions from the review with an overall aim to improve Council's development assessment services.

Options

This is an information report.

Community Engagement & Internal Consultation

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

The independent review into Council's land development approval processes conducted by the University of Technology Sydney includes a strong external engagement element and will continue to be a focus for staff in the short to medium term.

Engagement on development activity and process improvement is also undertaken through the Construction Industry Action Group (CIAG) forum.

Planning & Policy Implications

There are no planning and policy impacts.

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

1[View](#). UTS Recommendation action table May 2018

2[View](#). Land Development Approval Process Review_FINAL

2 Your Community Life

What we are trying to achieve

A healthy, inclusive and vibrant community.

What the result will be

We will have:

- Community hubs that provide access to services and social connections
- 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 we will get there

- 2.1 Create a community that feels safe
- 2.2 Advocate for social inclusion and fairness
- 2.3 Provide quality programs, community facilities and public spaces, for example, community halls, parks and vibrant town centres
- 2.4 Empower the community through encouraging active involvement in projects, volunteering and events
- 2.5 Promote a creative and culturally rich community

Item: 10.01

Subject: 2017-2018 COMMUNITY GRANTS PROJECTS FOR
ENDORSEMENT

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.5.1 Provide sponsorship and expertise to community groups that coordinate social and community events.

RECOMMENDATION

That Council:

1. Note the budget available for Community Grants 2017-2018 Round 2 is \$108,388:
2. Pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Community Grants 2017-2018 Round 2 for the total amount of \$69,412 to the following:

<u>Organisation Name</u>	<u>Project</u>	<u>Funding</u>
General:		
Wauchope Patchwork Quilters Incorporated	Defibrillator	\$2,695
Laurieton Men's Shed	Car Hoist	\$8,789
Port Macquarie Women's Shed	Tools and Storage	\$6,000
Telegraph Point Community Association	IT Equipment	\$3,801
Hollisdale Rural Fire Brigade	Shed Extension	\$10,000
Comboyne Community Association	Restumping Museum	\$10,000
Energy Forever	Birpai Solar Project	\$5,846
Port Macquarie JP's	Office resources	\$7,484
	<u>Sub Total:</u>	\$54,615
Place Making Grants:		
Creek to Creek	Seating and Shelter	\$3,297
	<u>Sub Total:</u>	\$3,297
Bicentenary Grants:		
Douglas Vale Conservation Group	Bicentenary Drama	\$500
Bonny Hills Progress Assoc.	Community Event	\$4,000
Hastings District Flying Club	Historical Book	\$2,500

Port Macquarie & District Family History Group	Historical Book	\$2,000
Tacking Point SLC	Historical Book	\$2,000
Friends of Mrs York's Garden	Community Event	\$500
	<u>Sub Total:</u>	\$11,500
	<u>TOTAL:</u>	<u>\$69,412</u>

3. Allocate the remaining funds of \$38,976 to GL 41826 – Bicentenary Activities to assist in developing Bicentenary projects and events to be delivered across the LGA.

Executive Summary

The second round of the annual community grant process was once again very competitive. Attendance at the four Community Grant Information Sessions held in March 2018 was high, with many community groups represented for the first time.

A special Bicentenary Grant round was opened to celebrate 200 years since John Oxley first explored the region and Council staff worked closely with community groups across the LGA in developing potential project ideas to celebrate this anniversary.

Thirty five applications were submitted across all categories of the grant round. Of these, the above fifteen were endorsed by the Internal Steering Committee as having successfully met the Community Grants Criteria.

Due to a number of the applicants within this round not meeting the eligibility criteria or successfully satisfying the project criteria as outlined within the Community Grant Guidelines, \$38,976 has not been allocated.

It is recommended that this underspend is allocated for the Community Place Team in conjunction with the Bicentenary Working Group to work in partnership with community groups in developing Bicentenary projects and events to be delivered across the LGA.

Discussion

Community Grants

A total of \$69,412 is recommended for allocation in 2017-2018 Round 2 for the Community Grants program as follows:

- General Grants for a range of innovative projects which align with the *Port Macquarie-Hastings Towards 2030 Community Strategic Plan* (\$54,615);
- Place Making Grants fund projects that create authentic and vibrant public places that are valued by their communities and admired by visitors (\$3,297)
- Bicentenary Grants to assist community groups to develop projects and events that celebrate and commemorate the 2018 Bicentenary (\$11,500).

The Community Grant Guidelines 2017-2018, available on Council's website, set out the objectives, eligibility and assessment criteria, and other information for the grant round. On-line applications were submitted on *SmartyGrants*, a best practice on-line grants management system.

Information sessions were held in Port Macquarie (x2), Laurieton and Wauchope in March, 2018.

Applications opened on 5 March 2018 and closed on 30 March 2018. A total of thirty five applications were received of which eighteen were in the General category, two in the Place Making category and fifteen in the Bicentenary category.

Assessment of applications was undertaken in two stages. Stage 1 was a check against eligibility criteria, restrictions and supplementary information and Stage 2 was an assessment of projects against the criteria as published in the *Community Grant Guidelines*.

In April 2018 following Stage 1 and Stage 2 of the preliminary assessments, applications were considered by the Internal Steering Committee, with the endorsed applications forwarded to Council for approval.

Initial discussions have been held with several key community groups in key locations across the LGA in relation to developing Bicentenary projects and events. Six projects have been recommended for funding within this report.

It is suggested that the \$38,976 unallocated within this round be made available to allow the Bicentenary Working Group and the Community Place Team to support local community groups to develop and deliver Bicentenary projects across the LGA.

Next Steps

Emails will be forwarded to the successful and unsuccessful applicants. Successful applicants will also be contacted by telephone. As always, unsuccessful applicants are given the opportunity to request feedback on their application.

Successful applicants will be invited to attend a public event on Monday 28 May 2018 where they will be presented with their cheques by the Mayor. Councillors will be invited to attend this event to be held in the Function Room from 12pm.

Community Engagement & Internal Consultation

No external community engagement occurred as part of the assessment process.

Internal consultation included:

- Council Staff on Steering Committee; Community Grants:
 - Community Participation Manager
 - Heritage and Culture Officer
 - Senior Economic Development Officer
 - Property and Leasing Co-ordinator
 - Senior Landscape Architect

The internal Committee then proposed the allocations to Council's Executive Staff for consideration and endorsement to Council for adoption.

Planning & Policy Implications

The grant process is consistent with *Council's Funding and Support provided to the Community Policy (July 2013)*.

Financial & Economic Implications

Council has an annual allocated budget for community grants of \$158,857 (\$142,157 for General grants and \$16,700 for Christmas/New Year's grants within the Community Place budget and \$20,000 for Environmental Grants within the Environmental Budget).

A summary of funding outcomes for 2017/2018 Round Two is provided in Table 1.

Table 1:

Grant Category	Funds Allocated
General Community	\$54,615
Place Making	\$3,297
Bicentenary	\$11,500
Total	\$69,412

It is further proposed that the remaining funds be allocated to GL 41826 – Bicentenary Activities to allow the continued development of Community projects in support of the bicentenary celebrations.

Attachments

Nil

Item: 10.02

Subject: TRIALLING OF PARKLETS IN THE PORT MACQUARIE TOWN CENTRE

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.3.4 Plan, investigate, design and construct open spaces, recreational and community facilities.

RECOMMENDATION

That Council:

- 1. Note the information contained within the Trialling of Parklets in the Port Macquarie Town Centre Report.**
- 2. Support the implementation of a trial for Parklets in the Port Macquarie Town Centre in accordance with the proposed model and processes as outlined in this report.**
- 3. Adopt Funding Option 2 as outlined in this report requiring the Operator to fully fund Parklet construction, installation and maintenance.**
- 4. Request the General Manager provide a future report to Council presenting the outcome of the Parklet trial process for consideration.**

Executive Summary

The Port Macquarie Town Centre Master Plan (TCMP) Sub-Committee endeavours to reinvigorate and activate the streets throughout the Town Centre. There is much demand for outdoor dining with limited space available within the existing verges in various areas.

One way of being able to achieve additional outdoor dining space within Port Macquarie Town Centre is through installation of parklets. The parklet concept, which is the repurposing of part of the streetscape into a small public space, was first raised in a TCMP Sub-Committee meeting during 2017.

Since that time staff have investigated options for parklets in terms of layout and trial options which were subsequently reported back to the TCMP Sub-Committee at the meeting held on 28 September 2017. At that meeting it was confirmed that 'The Town Centre Master Plan Sub-Committee endorse the recommended Expression of Interest parklet model'.

The proposed parklet trial within Port Macquarie Town Centre will impact on the total number of car parking spaces. The proposal as outlined in this park is to establish two parklets with each up to two car parking spaces in length. On this basis, the establishment of parklets under the proposed trial will result in the loss of four car parking spaces. While this impact is recognised, the parklet trial is expected to

provide a range of benefits including provision of additional vibrancy & interest in the streetscape as well as delivering economic benefits to adjacent business/es.

Discussion***Parklets***

Parklets present a model by which existing demands for outdoor dining can be met using an interim, instant landscape addition. Parklets are small public parks set into the existing streetscape. A Parklet repurposes part of the street into a public space for people and enhances the streetscape by adding interest and amenity.

Parklets are typically the size of several parking spaces and extend out to the width of the adjacent parking space and may include seating, visual amenity (e.g. art) and cycle parking.

They can easily be relocated without significant damage to the existing roadway when no longer required, because other uses for that space are deemed to take priority or when a long term streetscape solution is to be implemented.

Parklets can help local businesses by encouraging people to linger longer, and are a point of interest in the community for residents and visitors to experience.

Parklets are made up of components which are easily independently measurable in terms of cost, which can be passed on to the private operator where they derive a direct financial benefit from the embellishment.

While the parklet concept was born overseas, a significant number of Australian cities have trialled the use of parklets in recent years including (but not limited to):

- Bundaberg Regional Council (Queensland)
- City of Adelaide
- City of Geraldton (Western Australia)
- City of Sydney (Glebe Parklet)
- City of Onkaparinga (South Australia)
- City of Vincent (Western Australia)
- Hobart City Council
- Mid Coast Council (Taree).

Based on the success of parklet trials elsewhere in Australia and overseas, Council staff with the support of TCMP Sub-Committee are proposing to trial the establishment of parklets within Port Macquarie Town Centre.

The following Expression of Interest (EOI) Model is recommended:

Food/Restaurant/Cafe businesses are invited to apply for the parklet outdoor dining trial. This trial is for a two year period, to be renewed upon committee review and re-application.

One or two outdoor parklets are to be approved for a specific term, each occupying a maximum of 2 car parking bays. Therefore, a maximum of 4 car parking bays may be taken over for this trial. A minimum of 2 years is proposed to allow for cost recovery

with option to extend for another 2 years on review of the trial. This aligns with the Outdoor Dining lease term which is also 2 years.

Other terms of Council's Outdoor Dining Policy including insurances and leasing rates will also apply.

Interested parties are asked to provide an EOI which includes:

- Business details (ABN, address, contact details)
- Insurance details
- Operational details (proposed hours of operation, liquor license)
- Site plan with any photos or images
- Design of parklet including plan and images (if not implementing Council's design as provided with EOI information pack)
- Response to each of the selection criteria.

Selection

A selection panel is formed from TCMP Sub-Committee members, Council's Property Officer, the TCMP Co-ordinator and a representative from Council's Transport & Stormwater & Transport Network section.

The best EOI is chosen from a series of weighted selection criteria. The suggested selected criteria is as follows:

1. The availability of space within the verge.
2. Need for additional outdoor dining space.
3. Need to invigorate and activate a neglected section of the town centre.
4. Proposed design qualities and contribution to the general streetscape.
5. Quality and suitability of proposed furniture.
6. Ease of relocation with minimum damage to the road pavement.
7. The demand for parking in that area and impact of loss of car parks on nearby businesses.
8. Retention of existing safety, commercial and landscape sightlines.
9. Existing grades, drainage and services at the proposed site.
10. The operators credentials including their business suitability.

Parklet Design and Materials

The operators will have the option to either adopt a Council prescribed ensemble of structures and furniture or to design their own.

Option 1: (per attached concept):

Decking platform, low fencing, planters with surround and plants to council details and specifications using lightweight, low maintenance materials:

- Aluminium frame.
- Recycled materials, composite decking and battens.
- Economic polyvinyl chloride internal planter boxes
- Aluminium low fencing.

Operators are allowed to choose dining furniture including chairs and tables and umbrellas. Operators are also allowed to advertise on umbrellas. Furniture and advertising are to be approved by Council in line with requirements of the Outdoor Dining Policy including considerations such as suitability and alignment with Council values.

Option 2:

Operator designed structures to conform to a set of Council design guidelines including:

1. Each parklet is to occupy a maximum of two consecutive car parks. Where the proposed layout extends beyond the frontage of the applicant operator, a letter of consent is required from the adjoining affected operator.
2. Planters are to be incorporated into the layout with a minimal total area of 2m² and a minimum depth of 300mm. Planters are to be maintained by the operator.
3. The deck structure is to be constructed with minimal damage to the existing road pavement, kerb and gutter as to require minimal repairs if/when the parklet is removed. Repairs will be at the operator's expense to Council approval.
4. The deck structure is not to interfere with the drainage flow of the road pavement and kerb gutter.
5. The deck surface finish is to comply with the Australian Standards for slip resistance AS 4586: 1999.
6. Balustrading/walling between the parklet and the roadway is to be 800-1200mm high to create a pedestrian barrier and yet not to impede sightlines.
7. Balustrading/walling shall be sufficiently robust to withstand a pedestrian falling back onto it. If the deck level is less than 120mm above adjacent road pavement, to provide sufficient kerb height to act as effective wheel stops, a barrier is required to withstand low speed vehicular impact.
8. Shade structures are not to overhang beyond the edge of the deck into the roadway.
9. Materials are to be durable, suitable for external use. All elements are to be repaired/replaced if/when they are deemed in a poor state by Council.
10. All proposed outdoor dining furniture is to be approved by Council prior to purchase.

Review and Future

A review of the parking strategy is proposed and outcomes of the parklet trial including impact on car parking can be included in the considerations of this strategy. A methodology for assessment of the success of the trial will be developed prior to implementation.

Options

Council can adopt the recommendation as put.

Council can opt not to proceed with the parklet trial as proposed.

Community Engagement & Internal Consultation

The parklet concept was first raised in a TCMP Sub-Committee meeting during 2017. Since that time staff have investigated options for parklets in terms of layout and trial options which were subsequently reported back to the TCMP Sub-Committee at the

meeting held on 28 September 2017. At that meeting it was confirmed that 'The Town Centre Master Plan Sub-Committee endorse the recommended Expression of Interest parklet model'.

Staff acknowledge that they may be community concern about the loss of parking spaces and there will be opportunity for provision of feedback regarding this and other concerns during the trial review.

There has been extensive engagement with Council Transport and Stormwater Network engineers in regard to the proposed parklet trial. As the asset owners of the road network in Port Macquarie Town Centre, there will be ongoing engagement with these staff in regards to guidelines, criteria and proposed locations for the trial parklets.

Planning & Policy Implications

Several elements from Council's current Outdoor Dining Policy are relevant and are to be referred to for the parklet trial. Following the trial period, changes to the policy may be required to incorporate parklets in outdoor dining for future applications.

Outcomes of the parklet trial including impact on car parking can be included in the considerations of the review of the Parking Strategy.

A methodology for assessment of the success of the parklet trail will be developed prior to implementation.

Financial & Economic Implications

Funding Options

1. TCMP funds the parklet structure including platform, fencing, planters, and plants at an estimated cost of \$15,000 – \$20,000. Council maintains these elements, including plants. The retailer to pay an additional licence amount to allow for maintenance costs.

The retailer funds furniture (tables, chairs and umbrellas) and maintains these to an acceptable standard. The cost of providing quality parklet furniture is estimated at \$10,000.

2. The retailer is required to fund all of the outdoor dining structures, planters and furniture and to maintain all of these, including plants to an agreed standard. The estimated cost to the operator for this option may be between \$25,000 – \$30,000, depending on their design and materials chosen.

This option is preferred by staff.

A minor increase of annual dining fees paid to Council will also be an outcome of this trial.

Attachments

- 1 [View](#). Parklet Concept Plan

Item: 10.03

Subject: RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND
SUB-COMMITTEE - APRIL 2018

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.3.2 Provide a range of inclusive sporting and recreational opportunities and facilities to encourage a healthy and active lifestyle.

RECOMMENDATION

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

1. Ryan Williams in the amount of \$600.00 to assist with the expenses he would have incurred travelling to and competing at the 2018 BMX Australian National Championships held in Bunbury, Western Australia in March 2018.
2. Morgan Jean in the amount of \$600.00 to assist with the expenses he would have incurred travelling to and competing at both the NSWCHS Swimming Championships and the 2018 Georgina Hope Foundation National Age Championships held in Sydney from 8 – 10 April and 21 – 2018 April 2018 respectively.

Executive Summary

The Mayor's Sporting Fund Sub-Committee met on 26 April 2018, reached consensus on Item 8 (attached) and submits the above recommendation for Council's approval.

Attachments

1 [View](#). Extract Item 8 MSF April Meeting

Item: 10.04

Subject: HASTINGS REGIONAL SPORTS FIELDS - ENGAGEMENT AND PROJECT UPDATE

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

2.3.4 Plan, investigate, design and construct open spaces, recreational and community facilities.

RECOMMENDATION

That Council note the Project Update provided below and the *Community Engagement Report* attached which outlines the methodology undertaken to date through the community engagement process for the Hastings Regional Sports Fields.

Executive Summary

Providing quality facilities for a range of sports is a high priority for Council, and new sports fields planned for Wauchope will be a valuable addition in catering for future sporting growth across our region.

The proposed new facilities will be located on the corner of Stoney Creek Rd and the Oxley Highway, and consist of high-end fields and related infrastructure designed for outdoor sports including cricket, touch football, football, rugby league and rugby union.

The site at Wauchope was seen as ideal in catering for the Wauchope community and also providing ease of access from the Pacific Highway, Port Macquarie and our broader region.

The new sporting complex will include:

- Touch football fields
- Cricket fields – with both turf and synthetic pitches
- Football/rugby league/rugby union fields
- Field lighting
- A large club room including a grandstand and accommodating change rooms, a meeting room, accessible amenities, canteen, kitchen and storerooms
- Multiple car park areas catering for up to 500 vehicles
- Bus access and pick-up/drop-off zones
- A fenced off-leash dog park
- A children's playground

A concept plan has been completed and community engagement was undertaken through February and March 2018. The community was given the opportunity to review and give feedback on the concept plan for the proposed layout and facilities.

From the community engagement process a *Community Engagement Report* (attached) was produced which highlights the key issues raised and provides Council's responses to those issues.

Discussion

The Hastings Regional Sports Fields project is currently in the design phase. This is a complex multi-disciplinary project which is generally progressing in accordance with initial expectations.

Some construction phase planning is underway with early planning for the Telstra utility relocation works complete and progressing with the acceptance of available fill from Spencers Cutting (RMS Project).

Initial community engagement on the strategic concept plan commence in November 2016. Further Community Engagement on the developed concept design commenced in February 2018 with the concept plans being displayed on Council's website and Have Your Say pages.

Community Engagement Pop Ups took place on February 27th 2018 and March 15th 2018 with staff from Infrastructure Delivery, Recreation and Buildings and Community Place in attendance.

48 comments were received via postcards, email and CRM's, 11 were received from Have your Say and 18 conversation points were recorded at the community information sessions.

A petition was received 10 February 2018 from a resident on Rocks Ferry Road, Wauchope. Forty three signatures were provided on the petition. A letter was provided outlining the concerns of the signatories which were; the location of the grandstand; noise and lighting concerns related to the location of the grandstand and having the main entrance to the site from Stoney Creek Road away from the residences.

From the seventy seven responses recorded thirteen main themes were extracted that highlight the major issues raised by the community these included:

- Noise
- Lighting
- Privacy for residents
- Traffic
- Flooding
- Off leash dog area
- Location of facilities including Car Parks, Grandstand and cricket fields
- Storage
- Other Sports
- Ancillary features

Council is continuing to explore opportunities or alternatives to address these issues or to provide reasoning as to why they cannot be altered based on site and technical limitations.

The project team is currently finalising site layout adjustments following Advisory Group direction to include direct access from Randall Street and adjustment associated with community consultation submissions.

Options

Council accepts the *Community Engagement Report* and approves the project team and engagement team continuing to work with the community in the ongoing development of the design.

Community Engagement & Internal Consultation

Community Engagement:

The *Community Engagement Report* (attached) highlights the engagement methodology undertaken, the responses collected and Council's initial responses to these issues highlighted by the community.

Internal Consultation:

- Infrastructure Delivery
- Recreation and Buildings
- Community Place
- Development and Environment

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

There are no financial and economic implications in relation to this report.

Attachments

1 [View](#). Hastings Sporting Fields Community Engagement Report - May 2018

3 Your Business and Industry

What we are trying to achieve

A region that is a successful place that has vibrant, diversified and resilient regional economy that provides opportunities for people to live, learn, work, play and invest.

What the result will be

We will have:

- A strong economy that fosters a culture supportive of business and ensures economic development of the region
- Townships, villages and business precincts that are vibrant commercial, cultural, tourism, recreational and/or community hubs
- A region that attracts investment to create jobs
- Partnerships that maximise economic return and create an efficient and effective business environment

How we will get there

- 3.1 Embrace business and a stronger economy
- 3.2 Create vibrant and desirable places
- 3.3 Embrace opportunity and attract investment to support the wealth and growth of the community
- 3.4 Partner for success with key stakeholders in business, industry, government, education and the community

Item: 11.01**Subject: EVENT SPONSORSHIP PROGRAM ROUND 2, 2018****Presented by: Strategy and Growth, Jeffery Sharp**

Alignment with Delivery Program

3.1.3 Implement Major Events Strategy.

RECOMMENDATION

That Council pursuant to provisions of Section 356 of the Local Government Act 1993, grant financial assistance from the Event Sponsorship Program Round 2 2018 in the total amount of \$20,000 to:

Event Name	Sponsorship Recommended
Digital Technology Expo	\$5,000
Beach to Brother Marathon	\$5,000
Elephant Trail Race	\$5,000
Coastal Country Music Festival	\$2,500
Wildwood Music Festival	\$2,500
Total allocated this round	\$20,000

Executive Summary

The second round of 2018 funding under Council's Event Sponsorship Program opened early February and closed at the end of March 2018. This round of funding was open to events being held in the second half of 2018. Seven applications were received, with only two of these having received support under the Program in previous years.

Event Sponsorship Program applicants are required to demonstrate that the proposed event is either a driver of significant overnight visitation (i.e. a measurable economic impact, evidenced by previous data collected), or has the potential to grow to major event status with a significant economic impact. Typically, there are four grants consisting of \$5,000 allocations on offer per round, with \$40,000 allocated to the program per year. The discretion to offer less than \$5,000 per recipient, with the opportunity to allocate to a larger number of applicants, has been exercised this round with funding evenly split between applicants ranked 4th and 5th, with both of these events demonstrating potential to attract out of region overnight visitors. A maximum of three re-occurring allocations to any one event can be made under this program.

Applicants are also required to detail how the grant will be spent, with the proposed spending required to be allocated toward marketing activities which assist in attracting out of region visitors.

Discussion

An internal review panel was established to assess applications. The individual panellists are provided with a matrix containing the previously established Program criteria, and weightings (see Table 1). Ratings are assigned and scores tallied. The Panel then meets to discuss each application and make a final assessment. Criteria and weightings are as follows (with 1 being the lowest and 5 being the highest), and applicants are then ranked and funds allocated. 65% is payable prior to the event, with the remaining 35% paid upon satisfactory acquittal (evidenced by visitor data).

A summary of the panel's assessment of each applicant is detailed in **Attachment A**. Pleasingly there have been a number of new events applying for support this round, which are spread across a diverse range of categories and locations throughout the LGA.

This attachment titled "Attachment A" provides commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. Local Government Act 1993 - Section 10A(2)(d) (i).

Table 1- Program Criteria & Weightings

Criteria	Weighting
Potential to become a major event & attract significant visitor nights	5
Unique to the Region/Mid North Coast	3
Financial sustainability	4
Substantial Economic impact (or potential for)	3
Event organiser experience & resourcing	3
Off-peak or shoulder season placement	5
Robust marketing plan	4

Since the Sponsorship Program's inception in 2015, 43 applications have been received (not including the current round), with 31 allocations of sponsorship totalling \$121,000 to the following events:

Table 2- History of allocations under the Event Sponsorship Program

Event Name	Year	Sponsorship granted	Est. Economic Impact
Ekam Yoga Festival	2015	\$3,500	\$17,000
Big Band Blast	2015	\$5,000	\$309,000
3 Rivers Rowing Festival	2015	\$3,500	\$45,000
King of the Mountain Fun Run	2015	\$2,000	\$33,000
Sand Mudder	2015	\$2,000	\$22,000
Beatles Festival	2016	\$2,000	\$135,000
Bago Bluff Mountain Bike Marathon	2016	\$2,000	\$40,000
Port Macquarie Running Festival	2016	\$3,000	\$585,000

Event Name	Year	Sponsorship granted	Est. Economic Impact
Suck it up Buttercup	2016	\$5,000	\$500,000
Ekam Yoga Festival	2016	\$5,000	\$20,000
3 Rivers Rowing Festival	2016	\$2,500	\$45,000
Big Band Blast	2016	\$5,000	\$309,000
Port Macquarie Beer & Cider festival	2016	\$5,000	\$360,000
Northern Division Road Cycling Championships	2016	\$2,000	\$29,000
Luminosity Youth Summit	2016	\$4,000	\$20,000
Sand Mudder	2016	\$3,000	\$90,000
Beach to Brother Running Festival	2016	\$5,000	\$308,000
King of the Mountain Fun Run	2016	\$1,500	\$22,500
Suck it up Buttercup	2017	\$5,000	\$233,000
Port Macquarie Beatles Festival	2017	\$5,000	\$416,000
Port Macquarie Running Festival	2017	\$5,000	\$763,000
Slice of Haven	2017	\$5,000	\$647,000
Blues & BBQ Festival	2017	\$5,000	\$812,000
Ekam Yoga Festival	2017	\$2,500	\$44,000
Port Macquarie Beer & Cider Festival	2017	\$5,000	\$500,000
Beach to Brother Running Festival	2017	\$5,000	\$353,000
Port Macquarie Mountain Bike Festival	2017	\$2,500	\$10,000
Suck it Up Buttercup	2018	\$5,000	\$329,000
Port Macquarie Running Festival	2018	\$5,000	\$1,021,000
Slice of Haven	2018	\$5,000	\$892,000
Hello Koalas Festival	2018	\$5,000	\$203,000
TOTAL	31	\$121,000	\$9,112,500

*Red figures indicate estimate only. Acquittal data for these events due July 2018.

Options

1. Council can endorse the final assessment of the internal review panel, which is to grant the following amounts :

Event Name	Sponsorship \$ Recommended
Digital Technology Expo	\$5,000
Beach to Brother Marathon	\$5,000
Elephant Trail Race	\$5,000

Coastal Country Music Festival	\$2,500
Wildwood Music Festival	\$2,500
Total allocated this round	\$20,000

The Program guidelines provide Council with the flexibility to allocate an amount less than \$5,000. Panel members have recommended a \$2,500 allocation for two applicants which are deemed to have demonstrate potential against the funding criteria to a lesser extent than other recipients.

OR

- Council does not endorse the final assessment of the internal review panel. This will result in the further options of either not expending any of the allocated budget for this round of funding or re-opening this round of funding and calling for new applications.

Community Engagement & Internal Consultation

No external community engagement occurred as part of the assessment process.

Internal consultation included:

Director Strategy & Growth
Group Manager Economic Development & Communications
Destination Management Coordinator

Internal Review Panel:

Group Manager Assets & Property Investment
Group Manager Community Place
Major Events Manager
Economic Development Project Officer

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

Since February 2015, Council has allocated \$121,000 to the Event Sponsorship Program with a return on investment of \$9,112,500 being realised (through a calculated economic impact considering visitors nights as a direct result of these events).

For the purpose of this report, Council has an annual allocated budget for the Event Sponsorship Program of \$40,000 divided between two contestable funding rounds. Should Council choose to adopt Option 1 from this report, \$20,000 will be allocated from this budget to the four events recommended.

Attachments

1 [View](#). CONFIDENTIAL - Attachment A (Confidential)

Item: 11.02**Subject: ECONOMIC DEVELOPMENT STRATEGY 2017-2021: SIX MONTHLY
REPORT ON PROGRESS****Presented by: Strategy and Growth, Jeffery Sharp**

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 six monthly progress report on implementation of the 2017-2021 Port Macquarie-Hastings Economic Development Strategy.

Executive Summary

The implementation of actions under Council's 2017-2021 Economic Development Strategy continues the work undertaken over the course of the 2013-2016 Strategy to enhance the economic future for our region. Delivery of a diverse range of projects is underway, with positive outcomes is being achieved through collaboration between Council, local business and industry groups. Priorities and progress of the Strategy's implementation continues to be overseen by Council's Economic Development Steering Group (EDSG) which meets monthly.

Discussion

Council adopted the 2017-2021 Economic Development Strategy at its meeting on 17 May 2017, following public exhibition.

In adopting the Strategy, Council resolved to monitor implementation by way of a six monthly report on progress against actions. This report constitutes the second implementation report for the Strategy.

The Strategy was considered to be a renewal rather than a totally new Strategy and continued with the following five key outcomes:

1. Embracing business and a strong economy.
2. Providing the foundations.
3. Creating vibrant and desirable place.
4. Driving opportunity.
5. Partnering for success.

In the past six months, progress has continued under the above themes. Attachment 1 provides an overview of a range of actions and initiatives which have been completed or progressed in the period November 2017 to April 2018.

Some key highlights include:

- On-going investment and planning for infrastructure and recreation projects which will support economic activity and growth;
- Advocacy in the form of engagement with state and federal ministers and members of parliament, and submissions to parliamentary inquiries on matters of importance to our regional economy;
- Council sponsored and supported 13 locally owned and hosted events;
- Destination marketing and PR delivery in accordance with our Destination Management Plan.
- Launch and operation of 'The Hub' Pop-Up Business and Co-working space;
- Commencement of the Port Macquarie Hastings Skills Audit;
- Increased commitment to grant funding to support projects of economic value; and
- Major on-line marketing campaign to encourage investment and relocation in our region, focusing on the live, work, invest.

At its 11 April 2018 meeting, the Economic Development Steering Group considered the attached report and noted progress to date on a wide range of initiative under the Strategy.

Options

Council may note the report or choose to ask for further information.

Community Engagement & Internal Consultation

Community Engagement

The Strategy implementation is undertaken by working with local business and industry and with oversight by the Port Macquarie Hastings Economic Development Steering Group.

Internal Consultation

Strategy action implementation has been undertaken by/in collaboration with a wide range of Council staff.

Planning & Policy Implications

Council at its 15 November 2017 meeting resolved to receive a six monthly progress report on the actions within the Strategy.

Financial & Economic Implications

It should be recognised that there is the potential for significant economic benefits to the Local Government Area if the outcomes identified in the adopted Strategy are achieved.

Attachments

1 [View](#). Status Report: 2017-2021 Economic Development Strategy

4 Your Natural and Built Environment

What we are trying to achieve

A connected, sustainable, accessible community and environment that is protected now and into the future.

What the result will be

We will have:

- Effective management and maintenance of essential water, waste and sewer infrastructure
- A community that is prepared for natural events and climate change
- Sustainable and environmentally sensitive development outcomes that consider the impact on the natural environment
- Accessible transport network for our communities
- Infrastructure provision and maintenance that meets community expectations and needs
- Well planned communities that are linked to encourage and manage growth
- Accessible and protected waterways, foreshores, beaches and bushlands
- An environment that is protected and conserved for future generations
- Renewable energy options that are understood and accessible by the community

How we will get there

- 4.1 Provide (appropriate) infrastructure and services including water cycle management, waste management, and sewer management
- 4.2 Aim to minimise the impact of natural events and climate change, for example, floods, bushfires and coastal erosion
- 4.3 Facilitate development that is compatible with the natural and built environment
- 4.4 Plan for integrated transport systems that help people get around and link our communities
- 4.5 Plan for integrated and connected communities across the Port Macquarie-Hastings area
- 4.6 Restore and protect natural areas
- 4.7 Provide leadership in the development of renewable energy opportunities
- 4.8 Increase awareness of issues affecting our environment, including the preservation of flora and fauna



Item: 12.01**Subject: NOTICE OF ALTERATION OF A MOTION - PETITION - REQUEST
FOR OCEAN TIDAL POOL IN PORT MACQUARIE**

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

RECOMMENDATION

That Council alter the “12.02 – Notice of Motion – Request for Ocean Tidal Pool in Port Macquarie” adopted at the April 2018 Ordinary Council meeting to:

That Council:

- 1. Note the 2016 petition for an ocean tidal pool in Port Macquarie resubmitted to the Mayor by the Port Macquarie Tidal Pool Committee Incorporated.**
- 2. Note the petition received by the Mayor from Jenny Broughton in March 2017 in favour of an ocean tidal pool in Port Macquarie.**
- 3. Note that an ocean tidal pool in Port Macquarie is not a priority for Council.**
- 4. Request the two petitions be considered by Council as public submissions to the 2018-19 Operational Plan.**
- 5. Encourage the Port Macquarie Tidal Pool Committee Incorporated to make any future requests, submissions and grant applications through Council’s recognised engagement processes to ensure that the competing priorities of all volunteer and community groups in our area receive appropriate and equal consideration by Council.**

Comments by Councillor (if provided)

No comments have been provided.

Attachments

[1View](#). Minutes relating to 12.02 NOTICE OF MOTION - PETITION - REQUEST FOR OCEAN TIDAL POOL IN PORT MACQUARIE

[2View](#). Notice of Alteration of Motion

Item: 12.02

**Subject: NOTICE OF MOTION - UPGRADE OF PORT MACQUARIE
BREAKWALL BY CROWN LAND**

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

RECOMMENDATION

That Council:

- 1. Note the information contained in the Council report for Item 12.06 from the Ordinary Council Meeting in August 2017**
- 2. Note the continued lack of action by the NSW Department of Industry – Lands & Forestry (Minor Ports) with regard to the planned upgrade to the Port Macquarie Breakwall.**
- 3. Write to the Minister for Lands and Forestry, Mr Paul Toole MP and the Member for Port Macquarie, Mrs Lesley Williams MP, reminding them of the significant community consultation undertaken by Council on the Department's behalf, and requesting the commencement of this long-overdue priority project on behalf of our community.**

Comments by Councillor

No comments were provided.

Attachments

1 [View](#). Item 12.06 and Resolution from Ordinary Council Meeting August 2017

Item: 12.03

Subject: NOTICE OF MOTION - SHORT STREET PLAZA CAR PARK

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

RECOMMENDATION

That Council:

1. Note the significance of the Plaza site and adjoining lands and the intent of the Port Macquarie Foreshore Final Vision & Master Plan (2009), the Hastings Regional Crown Reserve Precinct A Plan of Management (2014), Development Control Plan 20 Port Macquarie Town Centre (2009) and Port Macquarie-Hastings Development Control Plan 2013, to support excellence in urban design for this land.
2. Note that Council resolution 12.07 on the 16 August 2017 has not solicited a reply.
3. Request the General Manager to write to Minister Niall Blair in his capacity as the Minister responsible for the Crown Land Estate offering \$2 for the purchase of the Plaza Car Park Site, otherwise known as LOT 701 DP1026899, indicating that council is interested in developing the site in accordance with:
 - a) The objectives of the Hastings Regional Crown Reserve – Precinct A, Plan of Management; and
 - b) The outcome of a Community Engagement Plan conducted by Council relating to the commercial and public activation of this site.
 - c) The dedication of the site as a public car park.
4. Attach relevant material to the letter including Council resolutions which directly relate to the site, such as:
 - a) Council's Expression of Interest, Item 8.01 Ordinary Council Meeting 4 February 2015 and attachments, which also documents public consultation.
 - b) The public petition that accrued approximately 12,700 signatures, noting their concerns regarding the site.
 - c) The resolution of the Ordinary Council Meeting 15 July, 2015 under Mayoral Minute which confirms the relevant planning instruments and principles of design which apply.
 - d) News article Port Macquarie News, 7 September 2015 which reports the positions of the parties including an undertaking by the Member for Port Macquarie and the Minister for Lands to protect the public car parking spaces by a positive covenant.
 - e) Council's letter of 28 September 2015 to the NSW Government asking their intentions for the site.
5. Request the General Manager to write to the Hon Leslie Williams requesting her urgent intervention to end the deadlock on the stalemate with regard to this important community asset.

6. **Request the General Manager to schedule a Councillor briefing session after receiving a reply from the Minister to consider options for Council to progress this matter.**

Comments by Councillor

Background:

At an extraordinary Council Meeting on 4 February 2015, Council resolved (8.01) as follows:

RESOLVED: Besseling/Turner

That Council:

1. Respond to an Expression of Interest to purchase Crown land known as the Plaza Car Park and described as Lot 701 DP 1026899 by the closing date of 6 February 2015.
2. Submit a purchase price of \$1.00.
3. Indicate in the Expression of Interest that Council proposes to develop the site in accordance with:
 - a) The objectives of the Hastings Regional Crown Reserve - Precinct A, Plan of Management; and
 - b) The outcome of a Community Engagement Plan conducted by Council relating to the commercial and public activation of this site.
4. Receive a further report on this matter should Council's application to this Expression of Interest be successful.

CARRIED: 7/2

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

AGAINST: Griffiths and Roberts

At the ordinary Council Meeting on 15 July 2015, Council resolved (06.02) as follows:

RESOLVED: Besseling

That Council:

1. Note the urban design significance of the Plaza site and adjoining lands and the intent of the Port Macquarie Foreshore Final Vision & Master Plan (2009), the Hastings Regional Crown Reserve Precinct A Plan of Management (2014), Development Control Plan 20 Port Macquarie Town Centre (2009) and Port Macquarie-Hastings Development Control Plan 2013, to support excellence in urban design for this land.
2. Prepare a draft planning proposal, pursuant to section 55 of the Environmental Planning and Assessment Act 1979, to amend the provisions of Port Macquarie-Hastings Local Environmental Plan 2011, in relation to Lot 701 DP1026899, Lot 2 Sec 70 DP 758852 & Lot 7084 DP 1105463 Short Street, Port Macquarie and Lot 7003 DP 1026692 William Street, Port Macquarie and Lot 702 DP 729806, Lot 703 DP729806, Lot 704 DP 729806 & Lot 705 DP 729806 Clarence Street, Port Macquarie to:

- a) Include the land in the Significant Urban Areas Map so that Clause 7.11A Design Excellence applies.
- b) Amend Clause 7.11A to include provisions that require the consent authority to have regard to the activation of foreshore frontages.
3. Forward the draft planning proposal to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to sections 56 - 58 of the Act.
4. Request that the Secretary of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.
5. Note that Development Control Plan 20 Port Macquarie Town Centre (2009), which is the basis for the Port Macquarie Town Centre provisions in Port Macquarie-Hastings Development Control Plan 2013, was prepared with assistance from the Department of Planning's Urban Design Advisory Service (UDAS) and GM Urban Design and Architecture Pty Ltd.

CARRIED: 8/0

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

AGAINST: Nil

At the ordinary Council Meeting on 16 August 2017, Council resolved (12.07) as follows:

RESOLVED: Intemann/Alley

That Council request the General Manager:

1. Write to the Member for Port Macquarie seeking latest information on any plans of the NSW Government and Crown Lands for the Plaza Car Park, Short Street, Port Macquarie and advocating for a high quality development of the site that preserves all the existing public car parking and integrates with the foreshore and adopted planning instruments.
2. Attach relevant material to the letter including Council resolutions which directly relate to the site, such as:
 - a) Council's Expression of Interest, Item 8.01 Ordinary Council Meeting 4 February 2015 and attachments, which also documents public consultation.
 - b) The public petition that accrued approximately 12,700 signatures, noting their concerns regarding the site.
 - c) The resolution of the Ordinary Council Meeting 15 July, 2015 under Mayoral Minute which confirms the relevant planning instruments and principles of design which apply.
 - d) News article Port Macquarie News, 7 September 2015 which reports the positions of the parties including an undertaking by the Member for Port Macquarie and the Minister for Lands to protect the public car parking spaces by a positive covenant.
 - e) Council's letter of 28 September 2015 to the NSW Government asking their intentions for the site.
3. Schedule a Councillor briefing session to consider options for Council to progress this matter.

CARRIED: 9/0

*FOR: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and
Turner*

AGAINST: Nil

AGENDA

ORDINARY COUNCIL
16/05/2018

Attachments

Nil

YOUR NATURAL AND
BUILT ENVIRONMENT

Item: 12.04

Subject: HASTINGS RIVER FLOOD STUDY UPDATE

Presented by: Development and Environment, Daniel Croft

Alignment with Delivery Program

4.2.2 Promote strategies to mitigate climate change.

RECOMMENDATION

That Council:

- 1. Place on public exhibition the updated Hastings River Flood Study commencing from 28 May 2018 for a minimum of 32 days.**
- 2. Place on public exhibition the revised Port Macquarie-Hastings Council Flood Policy from 28 May 2018 for a minimum of 32 days.**
- 3. Note that a further report is planned to be tabled at the August 2018 meeting of Council, detailing the submissions received from the public during the exhibition period.**

Executive Summary

In accordance with the adopted *Hastings River Floodplain Risk Management Plan (2014)*, Port Macquarie-Hastings Council (PMHC) update the *Hastings River Flood Study* to refine the existing 100 year (1% Average Exceedance Probability (AEP)) flood event and model five (5) climate change scenarios.

Flood Model Refinement

The *Hastings River Flood Study (2017)* documents updates to the digital terrain model (DTM) to include a number of land development (subdivisions), significant changes to topography such as the Pacific Highway and Oxley Highway embankments and associated bridge and culvert structures that have been constructed since the original flood study was completed in 2006.

Updated Flood Results

The *Hastings River Flood Study (2017)* recommends that the updated 100 year flood modelling results be adopted to define present day flood characteristics for the Hastings River catchment.

The updated modelling is predicting peak 100 year flood levels that are largely consistent with the *Hastings River Flood Study (2006)* results with any differences typically within +/- 0.1 metre (100mm).

Climate Change Assessment Results and Findings

Modelling of climate change was a high priority action in the *Hastings River Floodplain Risk Management Plan (2014)*.

Five (5) climate change scenarios were modelled as follows:

Scenario 1 – 1% AEP catchment event with 10% increase in rainfall intensity plus 900mm Sea Level Rise (SLR).

Scenario 2 – 1% AEP catchment event with 900mm SLR.

Scenario 3 – 1% AEP catchment event with 10% increase in rainfall intensity plus 400mm SLR.

Scenario 4 – 1% AEP catchment event with 400mm SLR.

Scenario 5 – Probable Maximum Flood (PMF) with 900mm SLR.

Note:

- 1% AEP is equivalent to a 100 year event.
- 400mm SLR is the estimated 2050 ocean condition.
- 900mm SLR is the estimated 2100 ocean condition.

Flood Policy Amendments

The *Hastings River Flood Study (2017)* recommends changes to flood levels within the Hastings River catchment.

Updated flood mapping has been developed to define Flood Planning Areas (FPA) within the Port Macquarie-Hastings Local Environmental Plan (LEP) 2011. The FPA is used to define land subject to flood related development controls.

Changes to development controls within the *Port Macquarie-Hastings Council Flood Policy* have also been proposed to ensure that the intent of the new flood mapping data is effectively incorporated into flood planning provisions for the Hastings River catchment.

The proposed changes to the *Port Macquarie-Hastings Council Flood Policy* address four (4) main categories:

- Flood Extents - revision and update to the flood extents based on new data.
- Flood Hydraulics - revision to the hydraulic categories (i.e. Floodway, Flood Storage and Flood Fringe) to incorporate new data.
- Specific precinct areas - changes to ensure that certain developments may remain allowable in specific areas affected by changes to the new flood extent and hydraulic category mapping data (eg. Wauchope CBD, The Binnacle, Hastings River Drive, within the Canal estates and other properties throughout the lower Hastings River catchment).
- Housekeeping - minor edits and clarifications that have been identified by staff since adoption of the policy in 2015.

Discussion

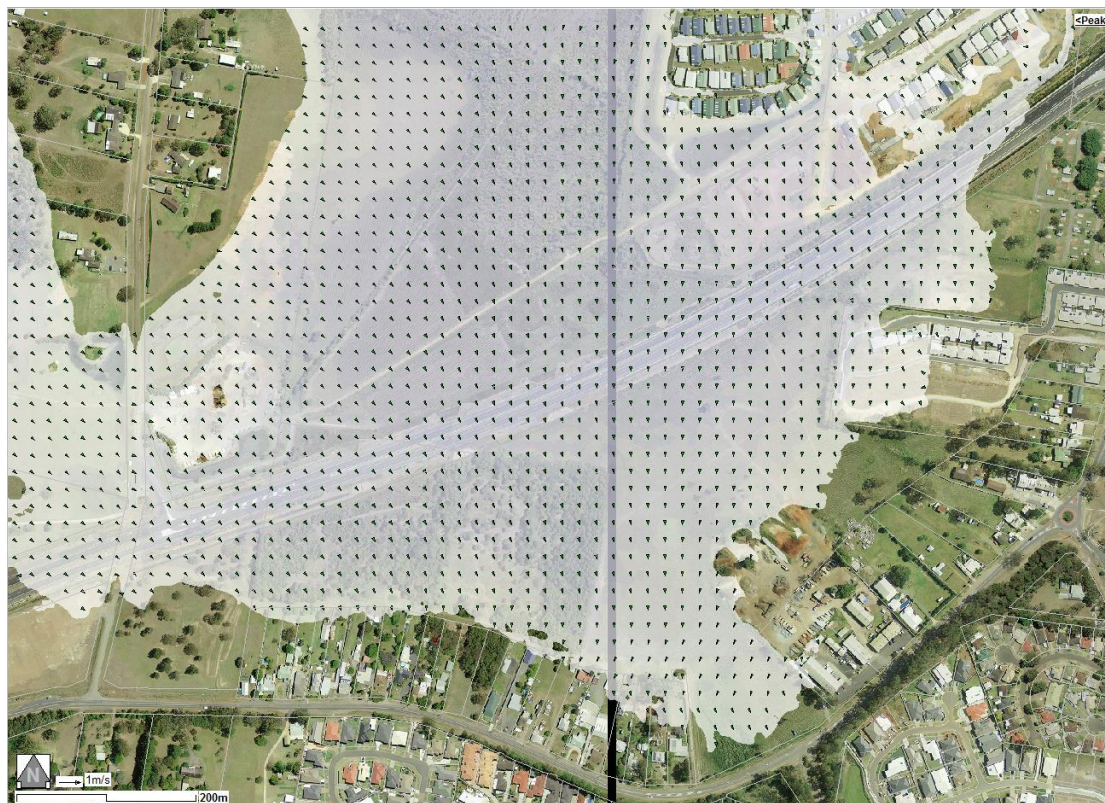
In accordance with the adopted *Hastings River Floodplain Risk Management Plan (2014)*, Port Macquarie-Hastings Council (PMHC) engaged Advisian Pty Ltd (formally Worley Parsons) in April 2016 to update the *Hastings River Flood Study* to refine the existing 100 year (1% Average Exceedance Probability (AEP)) flood event and model five (5) climate change scenarios.

Flood Model Refinement

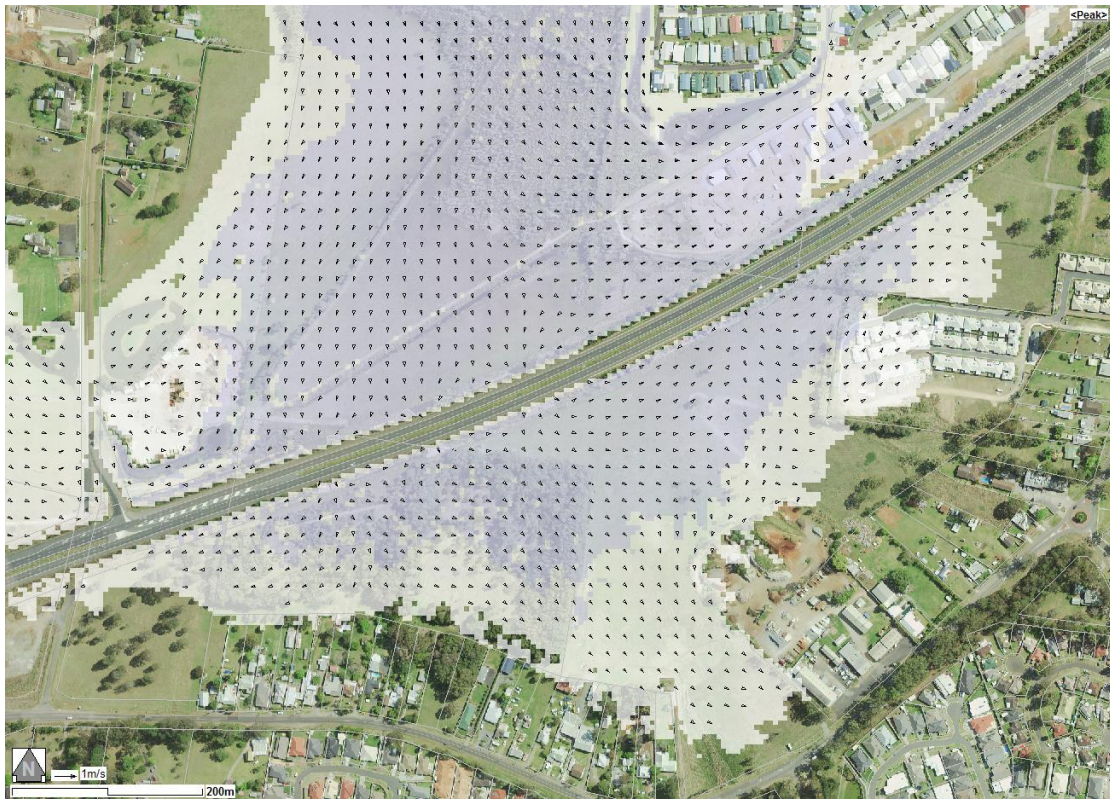
The project included an update to the hydraulic model (RMA-2) software to improve computational performance, accuracy and reliability. The RMA-2 software has undergone significant upgrades since it was originally used for the *Hastings River Flood Study* in 2006.

The digital terrain model (DTM) has also been updated (where data was available) to include a number of land development (subdivisions), significant changes to topography such as the Pacific Highway and Oxley Highway embankments and associated bridge and culvert structures. These features have been constructed since the original flood study was completed in 2006. These changes have been included in the model to improve flood estimating and reliability.

The flood model network has also been refined to ensure that flood storage volumes and flood extents are more accurately and reliably represented. The 2 maps below illustrate an example of where a change from 2006 to 2016 has been recognised in the model (i.e. Oxley Highway construction).



2006 Flood Mapping (note: Oxley Highway Corridor not shown)



2016 Flood Mapping (note: Oxley Highway Corridor shown)

Updated Flood Results

The *Hastings River Flood Study (2017)* recommends that the updated 100 year flood modelling results be adopted to define present day flood characteristics for the Hastings River catchment.

The updated modelling is predicting peak 100 year flood levels that are largely consistent with the *Hastings River Flood Study (2006)* results with any differences typically within ± 0.1 metre (100mm). As a result, changes to flood hazard and flood hydraulic mapping are not considered significant given that the flood level variations are generally minor. Where changes to flood levels, hazards and hydraulic categories have occurred, this is considered to be a more reliable representation of the floodplain due to updated terrain and other data.

A detailed review of the existing 100 year hydraulic category mapping documented in the *Hastings River Floodplain Risk Management Study (FRMS) (2012)* has not been undertaken as part of this study. The floodway extent is not expected to change given the floodway extent determined as part of the *FRMS (2012)* considered not only the 100 year flood, but also rarer events such as the 200 year flood. The minor changes in flood behaviour predicted as a result of the updated 100 year flood mapping is considered to have effectively been accounted for in the original floodway determination investigations. Accordingly no changes are proposed to the floodway for the 100 year flood event.

However the approach previously adopted as part of the *FRMS (2012)* to delineate the boundary between Flood Storage and Flood Fringe categories has been modified in the updated hydraulic category mapping. In the *FRMS (2012)*, the boundary between Flood Storage and Flood Fringe was generated based on a two-step

approach that included manual manipulation of the boundary. That is, although the boundary was based on a depth criterion of 0.3 metres, the final boundary was based on manual re-alignment to take into consideration of cadastral boundaries and relevant topographic features.

The adopted *Port Macquarie-Hastings Flood Policy (2015)* and updated procedures adopted as part of the hydraulic category mapping for the *Camden Haven Flood Study (2013)* has removed this two-step process. Accordingly, the mapping of Flood Storage and Flood Fringe extents is based solely on a 0.3 metre depth criterion.

Climate Change Assessment Results and Findings

Modelling of climate change was a high priority action in the *Hastings River Floodplain Risk Management Plan (2014)*. This stems from the fact that no comprehensive climate change modelling was undertaken for the *Hastings River Flood Study (2006)* or the *Hastings River Floodplain Risk Management Study (2012)*.

Updating the Hastings River flood model now brings the Hastings River catchment in-line with the modelling completed for the *Camden Haven River & Lakes System Flood Study (2013)*, specifically the simulation of the range of climate change scenarios which were considered under the Camden Haven study.

The climate change scenarios were based on combinations of increased rainfall intensities in the catchment and increased ocean elevation due to predicted sea level rise. These scenarios were formulated in accordance with the best available NSW State Government information and guidelines.

The scenarios modelled were as follows:

Scenario 1 – 1% AEP catchment event with 10% increase in rainfall intensity plus 900mm Sea Level Rise (SLR).

Scenario 2 – 1% AEP catchment event with 900mm SLR.

Scenario 3 – 1% AEP catchment event with 10% increase in rainfall intensity plus 400mm SLR.

Scenario 4 – 1% AEP catchment event with 400mm SLR.

Scenario 5 – Probable Maximum Flood (PMF) with 900mm SLR.

Note:

- 1% AEP is equivalent to a 100 year event.
- 400mm SLR is the estimated 2050 ocean condition.
- 900mm SLR is the estimated 2100 ocean condition.

The *Hastings River Flood Study (2017)* documents detailed flood modelling for five (5) climate change scenarios which provides an extensive analysis of the potential impacts of climate change on predicted peak flood levels in the Lower Hastings Valley. The report recommends that climate change scenario 1 be adopted for the purpose of flood planning and floodplain management. This is in line with best assessment practice for climate change, the approach taken in the *Camden Haven River & Lakes System Flood Study (2013)* and the *Port Macquarie-Hastings Flood Policy (2015)*. Both documents refer to scenario 1, however interim climate change measures are referenced for the Hastings River catchment until updated climate change modelling results are completed and adopted.

Council staff have reviewed the scenario findings and consider either scenario 1 or 3 to be the most appropriate.

The modelling results show that scenario 1 provides the most conservative estimate (*aside from the PMF modelling in Scenario 5*) for flood level increases, both across tidally influenced areas and areas further upstream. Scenario 1 is consistent with the previous *NSW Sea Level Rise Policy Statement* benchmarks, existing planning directions of Port-Macquarie-Hastings Council, and reflects the uncertainties of sea level rise while acknowledging the limitations of the predicted rainfall increases.

Scenario 3 also provides for a conservative estimate of the lower floodplain as it includes an allowance for increased rainfall increases and a possible sea level rise scenario. This scenario has been mapped in order to provide an alternative flood planning option.

Community Engagement & Internal Consultation

The *Hastings River Flood Study (2017)* has included consultation with flood specialists within the Office of Environment and Heritage (OEH) and PMHC staff.

The *Hastings River Flood Study (2017)* was reported to the Port Macquarie-Hastings Council Coast, Estuary & Floodplain Advisory sub-committee on 30 March 2017. The committee noted that a report will be presented to Council recommending the report be placed on public exhibition.

The public exhibition of these documents will form part of the community engagement. An information letter will be sent to property owners within the new flood extent area inviting them to make comment. Council will also write to the local development industry (HCIA) to draw their attention to the flood study findings and proposed policy changes.

A 'drop-in' session will be arranged for residents and industry practitioners to discuss the draft study with Council staff during the exhibition period.

Planning & Policy Implications

The *Hastings River Flood Study (2017)* recommends that the updated 1% flood levels and climate change scenario 1 be adopted for the purpose of flood planning and floodplain management. This is in line with best assessment practice for climate change, the approach taken in the *Camden Haven River & Lakes System Flood Study (2013)* and the *Port Macquarie-Hastings Flood Policy (2015)*. Both documents already refer to this scenario for the purpose of floodplain planning and management.

However when the *Port-Macquarie-Hastings Council Flood Policy* was adopted in 2015, interim measures for the Hastings River catchment were included until updated climate change modelling results were available.

Changes to flood related development controls within the *Port Macquarie-Hastings Council Flood Policy* have also been proposed to ensure that the intent of the new flood mapping data is effectively incorporated into flood planning provisions for the Hastings River catchment and that the development intent for low risk areas is maintained.

While some new properties are now included in planning controls, the new mapping data brings the Hastings River catchment into alignment with the Camden Haven catchments and the intent of the *Port Macquarie-Hastings Council Flood Policy* and NSW flood planning practices more generally.

Implications of new flood extents mapping data

The adoption of the proposed new flood levels are expected to result in changes to the Flood Planning Level (FPL) for some areas of 0.3 to 0.6 metres. In addition, an increase in the extent of the Flood Planning Area (FPA), and changes to the hydraulic category boundaries are also expected.

Properties no longer identified within the updated FPA can be attributed to flood model updates and refinements resulting in more accurate mapping which better reflects the terrain of the floodplain.

Areas where additional properties are now located within the FPA extent are largely centred on; the Wauchope CBD, The Binnacle, Hastings River Drive, within the Canal estates and other rural properties and individual properties throughout the lower Hastings River catchment.

These additional properties will now be subject to clause 7.3 (flood planning) of the *LEP 2011* and be required to meet flood related development provisions of the *Port Macquarie-Hastings Council Flood Policy (2015)* (eg. floor levels, flood proofing, site access and flood evacuation requirements). However, a number of the additional properties now within the FPA are only impacted in the lower portion of the property leaving the majority of the property (including improvements such as dwellings, sheds, access roads etc.) above the flood extents.

Properties already affected by the current FPA may also experience a change in hydraulic classification (eg. Flood Fringe to Flood Storage) requiring different flood controls.

Implications of new flood hydraulic categories

Hydraulic category mapping will be updated to reflect the characteristics of the new flood data.

The *Port Macquarie-Hastings Council Flood Policy* assesses development based on the hydraulic categorisation within the floodplain (i.e. Floodway, Flood Storage and Flood Fringe) by considering the compatibility of the development with the hydraulic category.

As discussed earlier, the Floodway extents are not subject to change, however the Flood Storage and Flood Fringe extents have been updated to reflect the new flood modelling. As a consequence additional areas are now within hydraulic category areas.

These properties largely accord with the additional properties now included within the updated FPA (i.e. Wauchope CBD, The Binnacle, Hastings River Drive, the Canal estates and other rural properties and individual properties throughout the lower Hastings River catchment).

These additional properties will now be required to meet the flood related development provisions of the *Port Macquarie-Hastings Council Flood Policy (2015)* (eg. floor levels, flood proofing, site access and flood evacuation requirements).

However, as with the FPA extent, a number of the additional properties now within the hydraulic category extents are only impacted in the lower portion of the property leaving the majority of the property (including improvements such as dwellings, sheds, access roads etc.) above the flood extents.

Properties already affected by the current hydraulic categories may also experience a change in hydraulic classification (eg. an increase from Flood Fringe to Flood Storage) requiring different flood controls.

Implications of climate changes scenarios

Adopting flood modelling that includes a climate change scenario is recommended for the purpose of future flood planning and floodplain management. This approach will ensure that development within the Hastings River catchment is consistent with the previous *NSW Sea Level Rise Policy Statement* benchmarks, existing planning directions of Port-Macquarie-Hastings Council (i.e. within the Camden Haven River catchment), and reflects the uncertainties of sea level rise while acknowledging the limitations of the predicted rainfall increases.

Council staff have assessed the climate change scenario changes to the FPA to determine the implications. The analysis provides a comparison between the number of properties affected within the existing FPA extents (i.e. as mapped under LEP 2011) and the number of properties within a climate change scenario FPA extent.

Council staff believe either scenarios 1 or 3 to be the most appropriate due to the inclusion of both an increase in rainfall intensity and sea level rise (SLR).

Adopting either scenario 1 or 3 will result in a general increase in the Flood Planning Level (FPL) for areas to the west and east of the Pacific Highway of up to 0.6 metres and 0.5 metres (respectively), a general increase in the extent of the Flood Planning Area (FPA) and, changes to the hydraulic category boundaries.

The assessment of climate change scenario 1 and 3 shown the following additional properties will be included within the FPA.

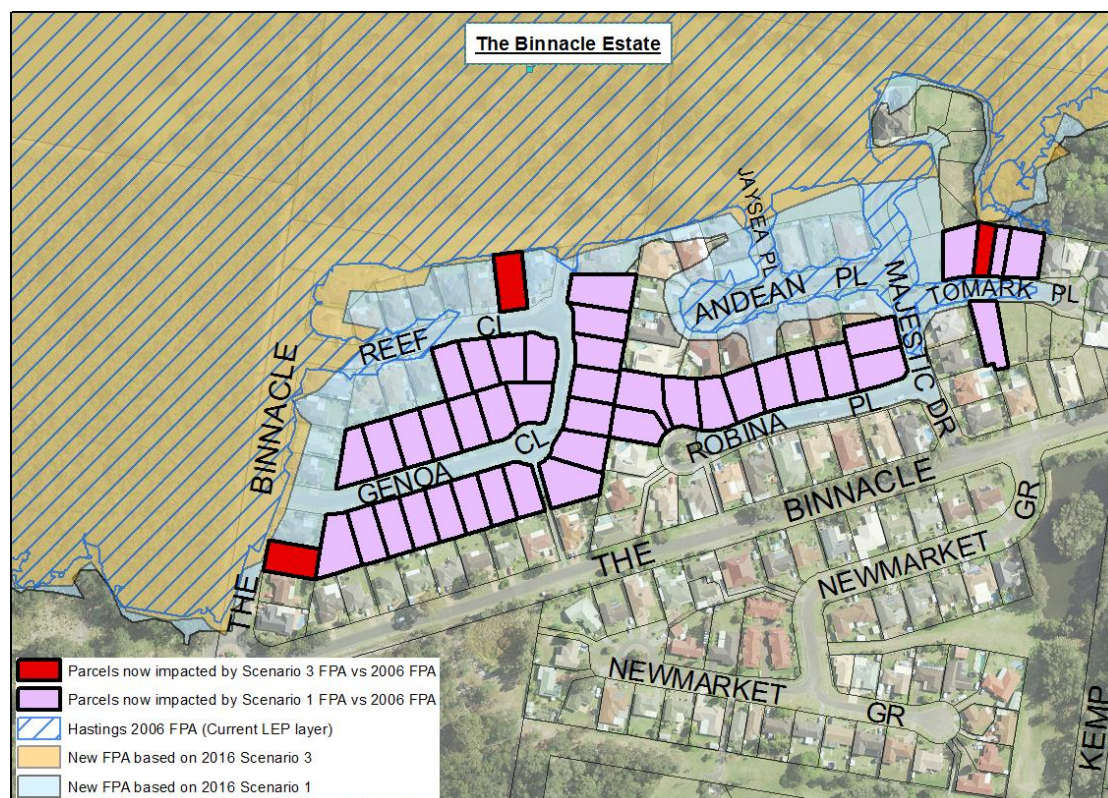
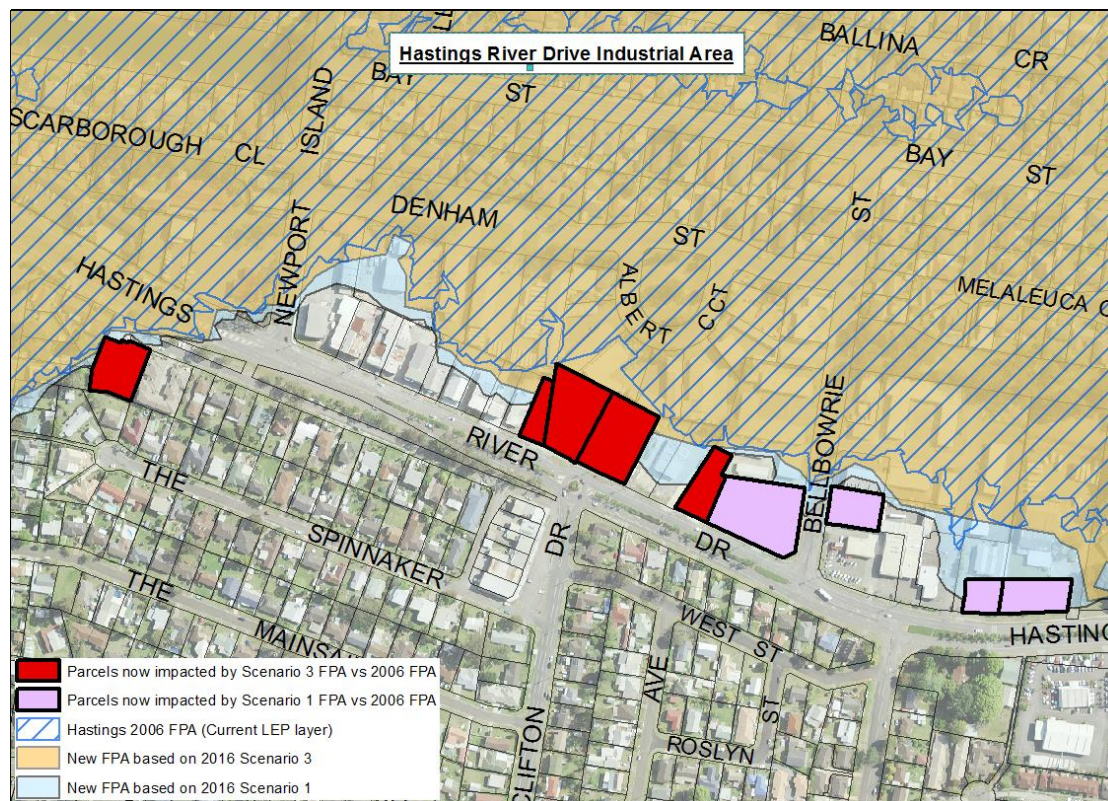
Scenario 1: An additional 384 properties would now be within the FPA.

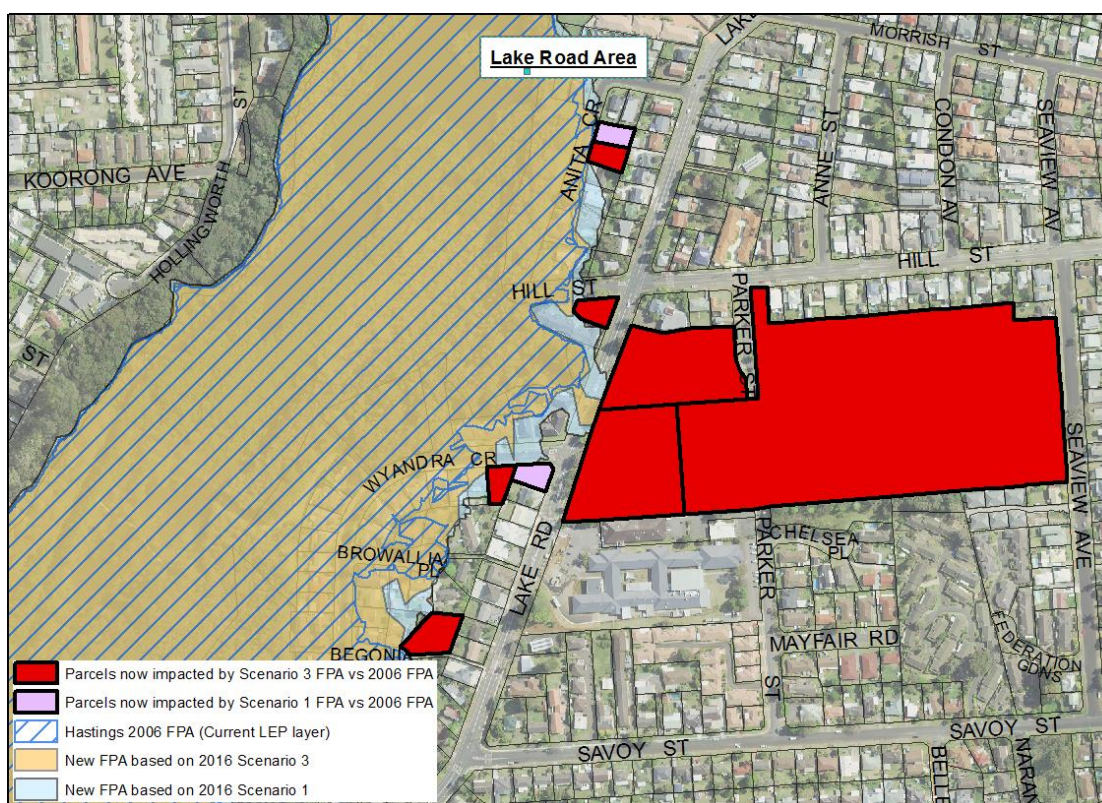
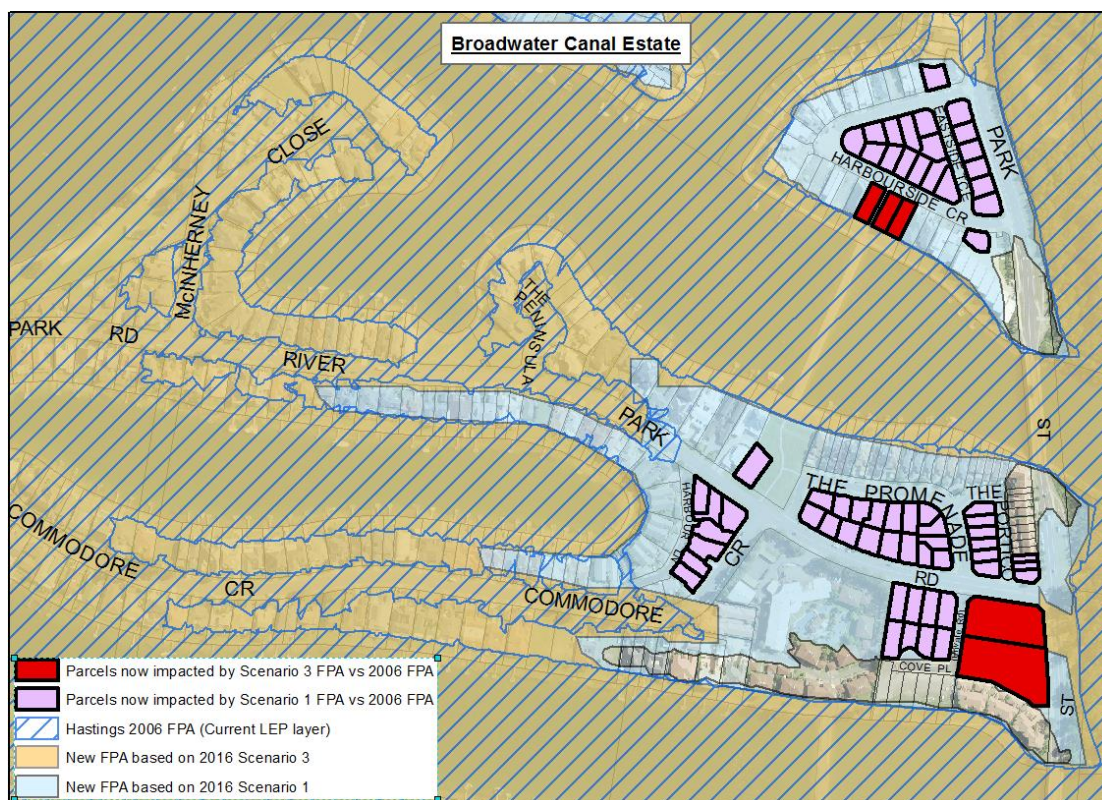
Scenario 3: An additional 264 properties would now be within the FPA.

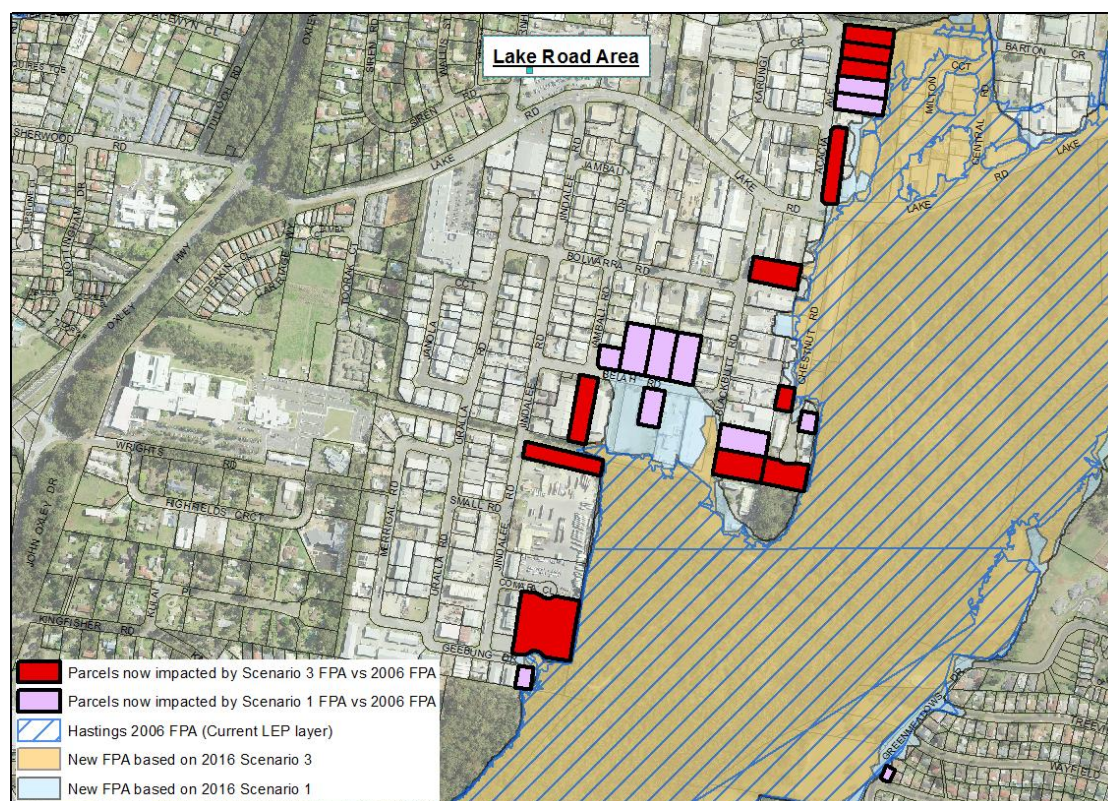
An example of areas where additional properties may be included in a future updated FPA extent are shown in the below maps.

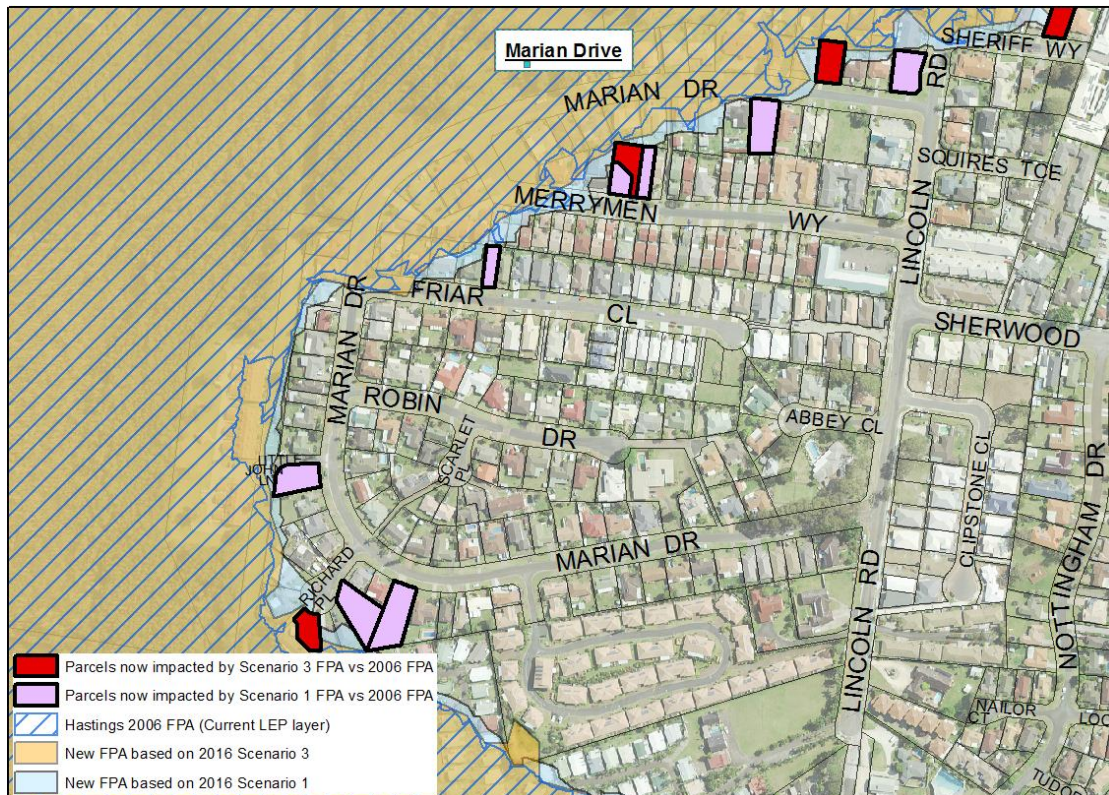
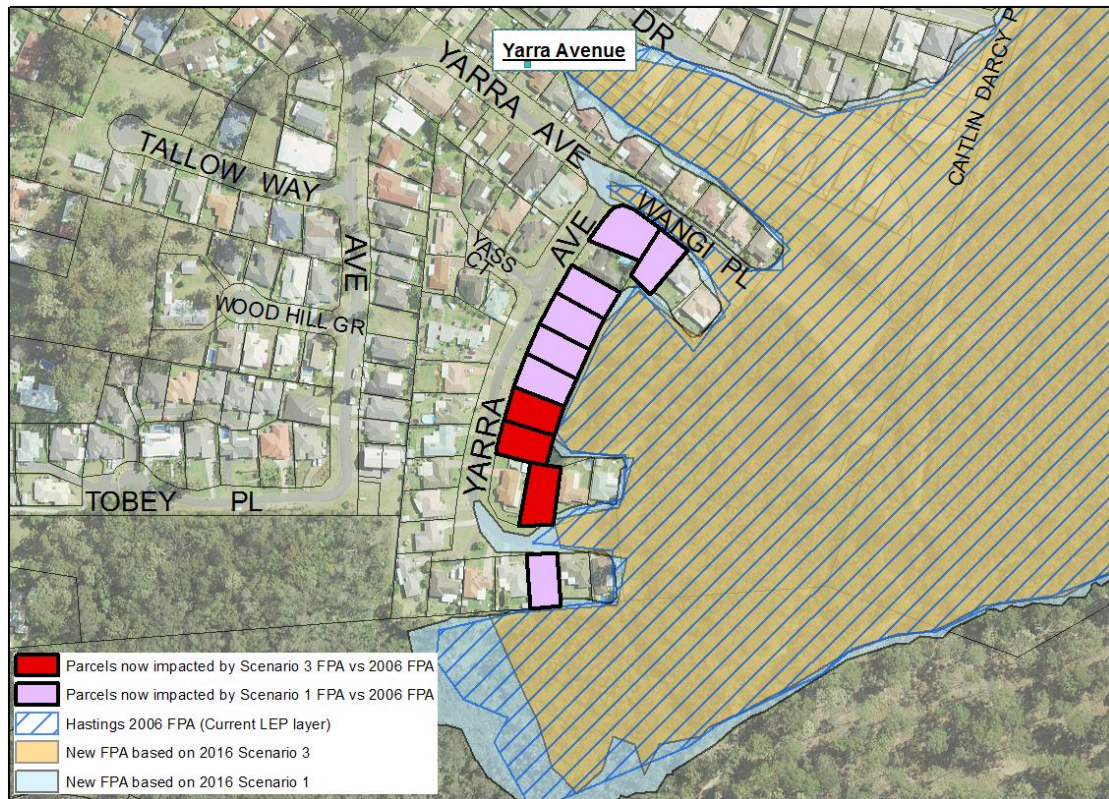
The areas are largely centred around the Wauchope CBD, The Binnacle Subdivision, Hastings River Drive and within the Canal Estates.

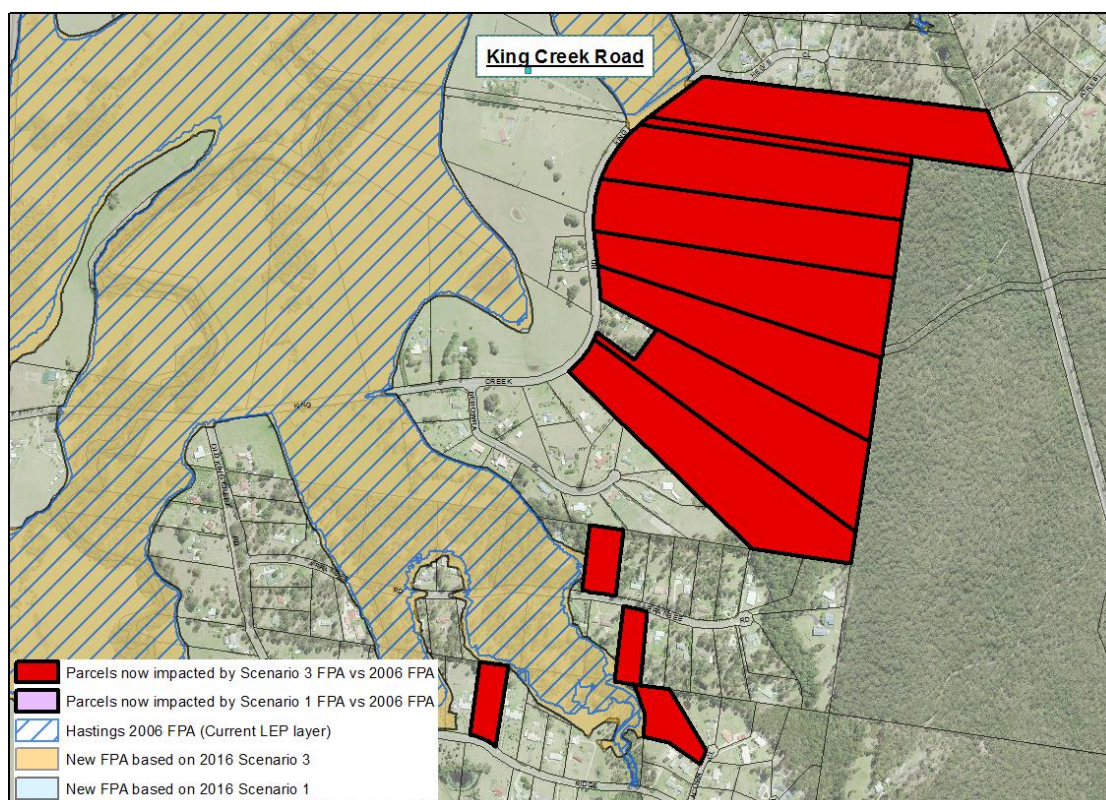
Changes to flood extent



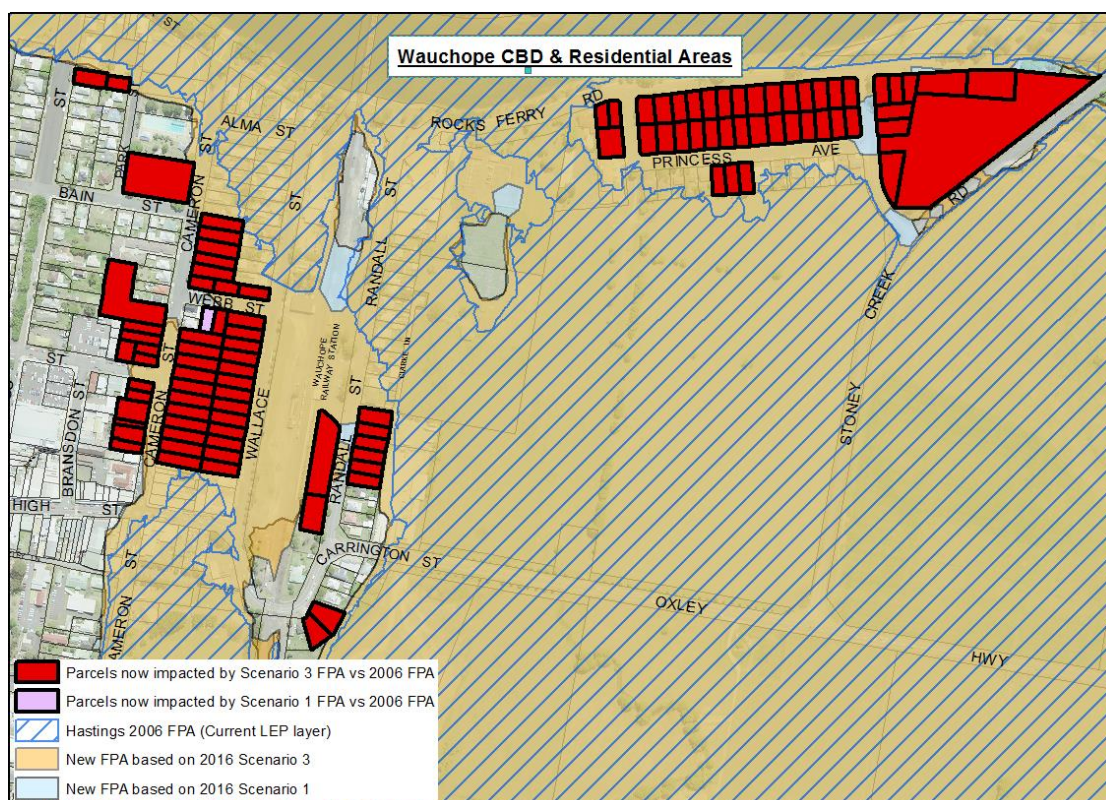








Note: The majority of these additional properties have been mapped within the FPA due to the terrain mapping better reflecting actual ground conditions at this location, (i.e. the culvert under King Creek Road is now represented in the flood model).



The properties shown in the above images in red (Scenario 3) or pink (Scenario 1) will now be subject to clause 7.3 of the LEP 2011 and would therefore be required to meet the prescriptive flood related development provisions of the *Flood Policy (2015)*.

Depending on the level of affectation one or more of the following controls listed under section 3.5 of the *Flood Policy* may be required to be met:

- Floor levels.
- Flood proofing.
- Flood impact on other properties.
- Site access and flood evacuation requirements.

Adopting either climate change scenario 1 or scenario 3 will affect hydraulic category mapping and will need to be updated to reflect the characteristics of the floodplain under the adopted scenario.

Under the *Flood Policy*, the assessment of development is based around the hydraulic categorisation of the floodplain; Floodway, Flood Storage and Flood Fringe.

In order to ensure that appropriate development remains permissible within the updated FPA several changes have been made to the *Flood Policy*.

An example of changes to the hydraulic category areas are shown in the below maps.

Changes to hydraulic category



2006 Flood Study 100 year Flood Hydraulic Categories (Note: red denotes Floodway, green denotes Flood Storage, yellow denotes Flood Fringe).



2016 Flood Study Scenario 1 Flood Hydraulic Categories (Note: there is no change to the Floodway extent).

Flood Policy - Specific precinct areas

As a result of new flood information within the *Hastings River Flood Study (2017)*, amendments are proposed to the *Port Macquarie-Hastings Council Flood Policy* to remove anomalies created by the new mapping in areas where development and flood risk is well understood.

Section 7 has been introduced into the draft updated policy to recognise this. Specific Precinct Controls of the *Port Macquarie-Hastings Council Flood Policy* has been revised to include the following additional specific precincts: Port Macquarie CBD (including Settlement City/Kmart areas), Hastings River Drive/ Bay Street, the Canals, Wauchope CBD & Hibbard East.

This revision will allow appropriate development (dual occupancies, multi dwelling housing etc.) to continue to occur in these low risk areas.

Flood Policy - Housekeeping

The opportunity has also been taken to include minor edits to the *Port Macquarie-Hastings Council Flood Policy* to provide clarity on issues that have become apparent during the previous three (3) years using the document. These changes generally include:

- Clarification of Flood Study requirements
- Additional reference to existing flood studies
- Clarification of wording

- Edits to formatting

Options

Council may elect to:

1. Exhibit the *Hastings River Flood Study (2017)* and the revised *Port Macquarie-Hastings Council Flood Policy* for a longer period,
2. Not exhibit the *Hastings River Flood Study (2017)* and the revised *Port Macquarie-Hastings Council Flood Policy*,
3. Request further edits to the revised *Port Macquarie-Hastings Council Flood Policy*,
4. Take other action.

Financial & Economic Implications

The development of the *Hastings River Flood Study (2017)* has been prepared using existing council and grant funding.

While there may be additional development costs for some landowners in the short term, the alignment of planning controls within the Hastings River and Camden Haven River catchments will reduce future flood related damage costs for the community.

Attachments

1[View](#). Hastings River Flood Study Update - Final Draft - March 2018

2[View](#). Port Macquarie-Hastings Flood Policy - Draft 2018

Item: 12.05

Subject: PLANNING PROPOSAL: BUNDALEER AGED CARE CENTRE, 4-8
JOHNSTONE STREET AND 67 HIGH STREET, WAUCHOPE

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development.

RECOMMENDATION

That Council:

1. Prepare a Planning Proposal pursuant to section 3.33 of the Environmental Planning and Assessment Act 1979 for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011 to permit development of the land for the purpose of residential care facilities to exceed the maximum height of building and maximum floor space ratio controls applying to land in Wauchope, as follows:
 - a) In respect to Lot 1 DP 603483, 4-8 Johnstone St:
 - i) maximum height of 11.5m for the area labelled "A" and 14.5m to the area labelled "B" shown in Figure 17 of this report
 - ii) maximum floor space ratio of 1.30:1,
 - b) In respect to Lot A DP 157092, being 67 High St:
 - i) maximum height of 11.5m for the area labelled "A" in Figure 17 of this report,
 - ii) maximum floor space ratio of 1.00:1.
2. Forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979.
3. Prepare a draft Development Control Plan in respect to the land, and exhibit concurrently with the Planning Proposal, incorporating the provisions described in the report.
4. Request that the Secretary of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 3.36 of the Act in respect of the Planning Proposal.
5. Delegate authority to the General Manager to make any minor amendments to the Planning Proposal as a result of the Section 3.34 Gateway Determination, prior to public exhibition of the proposal.
6. Undertake community consultation in accordance with the Gateway Determination.

7. **Receive a report following the public exhibition period to demonstrate compliance with the Gateway Determination and to assess any submissions received.**

Executive Summary

The purpose of this report is to consider a Planning Proposal to increase the maximum floor space ratio and maximum building height for an aged care facility on Lot 1 DP 603483 being 4-8 Johnstone Street and Lot A DP 157092 being 67 High Street, Wauchope.

The land is the subject of a request to prepare a Planning Proposal lodged by Love Project Management on behalf of Bundaleer Care Services, a not-for-profit residential care provider located in Wauchope. There is an existing nursing home on 4-8 Johnstone Street constructed c.1978, which requires complete demolition and reconstruction to satisfy current nursing home standards.

Bundaleer Care Services are seeking to provide a 140 bed aged care facility on 4-8 Johnstone St and a Sub-Acute care facility on 67 High St. Bundaleer Care Services have indicated that grant funding is being sought for the aged care facility subject to specific timeframes for the construction of the development.

The proposed Residential Care Facility is a significant development in Wauchope and it is acknowledged that there are social and economic benefits associated with the proposal. The key question is to what extent Council should vary the established building height and floor space ratio (FSR) provisions for the land on which the Residential Care Facility is proposed, having regard to the impacts on surrounding land and the character of Wauchope generally.

An independent urban design review has been completed by Architectus Pty Ltd (March 2018), on behalf of Council. The urban design review provides expert advice on appropriate maximum height and floor space ratio (FSR) controls to ensure the development does not significantly impact on adjoining properties or the character of the Wauchope Township and provides justification for an inconsistency with the North Coast Urban Design Guidelines.

The urban design review provides support for a significant increase in height and FSR above that currently permitted on the subject land, in recognition of the beneficial outcomes for the provision of additional aged care facilities in Wauchope.

The recommendations provided by Architectus do not support the full increase in height and FSR being sought by Bundaleer Care Services.

The recommendations for 4-8 Johnstone Street almost coincide with the massing diagram submitted with the request by Love Project Management.

The recommendations for 67 High St will require the proposed Sub Acute Facility to be reduced in height.

It is recommended that Council proceed with a Planning Proposal as described in this report and seek a Gateway Determination from the NSW Department of Planning and Environment pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979.

Discussion

Background

This proposal commenced as a development application proposal considered at a pre-lodgement meeting on 2 May 2017. The proposal was for:

- Four storey nursing home development on 4-8 Johnstone St, and
- Three storey sub-acute facility on 67 High St, as shown in Figure 1.

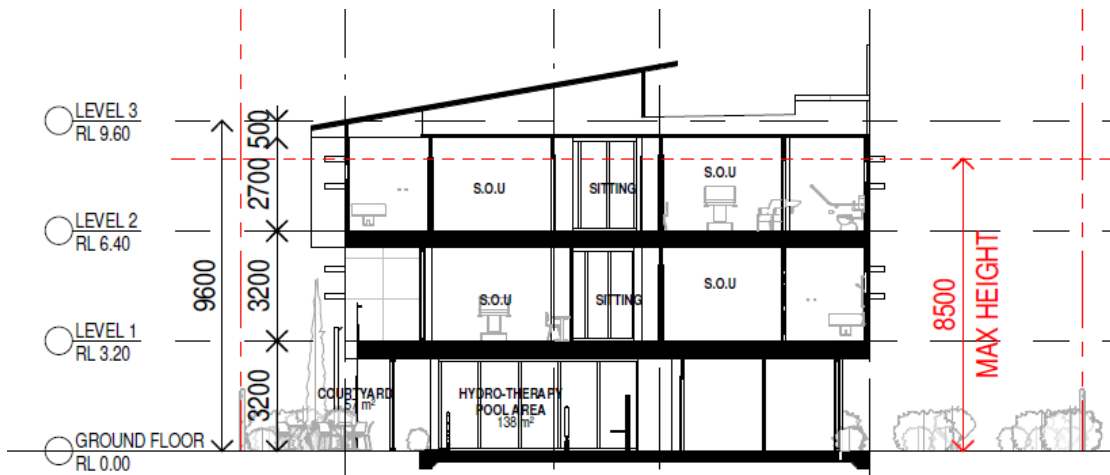


Figure 1 - Proposed Sub Acute Facility, April 2017

The applicant was advised to conform to the 8.5m maximum height limit noting that a minor variation (up to 10%) may have merit, and if a greater height limit was to be pursued, it would require Council to support a rezoning proposal to amend the height controls.

Council resolved on 16 August 2017 to include investigation of a Planning Proposal for the site in its Strategic Land Use Planning Program.

Council engaged an external contractor in October 2017 to expedite preparation of the Planning Proposal and the applicant was invited to attend a pre-lodgement meeting arranged for 14 November 2017 (Meeting notes attached as Attachment 1).

At the meeting, the applicant's architect tabled a draft design of the sub-acute facility that sought to address the streetscape to High St through an increased street setback for two storey and then a further setback for a third storey.

The following issues were identified in the Meeting notes, for the proponent to address in the rezoning request:

- Landscape assessment of proposed height variations.
- Reference Wauchope Framework Plan and provide justification for variation to its recommendations.
- Provide visual analysis from key locations.
- Streetscape analysis of High St and Johnstone St/McKay St.
- Consider options for stepping height limits from property boundary to address potential impacts.

On 21 December 2017, a formal request was received from Love Project Management for the preparation of a Planning Proposal (Refer Attachment 2). This proposal sought an increase in height to 4-storey on 67 High St and expanded the footprint for 4 storey development on 4-8 Johnstone Street (Attachment 3 – Sheet 2. Also see Figure 4 of this report).

To assist staff in the assessment, expert advice was sought using the following brief. The brief acknowledged the social and community benefits of the proposed development and sought urban design advice:

- a. To review the information submitted by the Applicant for the Planning Proposal,
- b. To undertake an independent urban design assessment of the Planning Proposal in the context of the Wauchope Framework Plan (2009),
- c. To provide recommendations in relation to the appropriate massing and built form controls (height, floor space ratio and other development controls) for the subject site to inform Council's review and assessment of the Planning Proposal.

As an outcome, Council engaged Architectus Pty Ltd to provide expert urban design advice on 5 March 2018.

The Wauchope Framework Plan provides the strategic policy framework for planning controls that apply to development in Wauchope. The Framework Plan proposes that the highest density and tallest buildings would be located in the Wauchope Town Centre, and is subject to a maximum height limit of 11.5m (3 storeys).

A meeting was held between Architectus, the architect for Bundaleer Aged Care Services and Council officers on 12 March 2018, to enable the architect to explain the design criteria for the project.

Architectus submitted their final urban design review report on 29 March 2018, and a draft report to Council was prepared for the meeting scheduled for 18 April 2018.

The urban design review was provided to Love Project Management on 4 April 2018. Love Project Management requested a meeting with staff to discuss the project. A meeting was held on 9 April, and following that meeting, Love Project Management requested that the report to Council be deferred to the May meeting, to allow a formal response to the Architectus report to be provided.

On 20 April 2018, Love Project Management provided an additional street view of the proposed High Street building titled "High Street Elevation and Visual Analysis" prepared by ADG Architects on behalf of Bundaleer Aged Care Services.

A detailed review of the submitted "High Street Elevation and Visual Analysis" is provided below.

On 2 May 2018, Love Project Management submitted a document titled "Development and Design Statement" prepared by ADG.

The purpose of this report is to present the proposal, and the urban design review, to determine whether to proceed with a Planning Proposal and, if so, what form that Planning Proposal should take.

The Site

The site has a total area of 10,052m² and is comprised of two land parcels: Lot 1 DP 603483 being 4-8 Johnstone Street and Lot A DP 157092 being 67 High Street Wauchope. The site is within the residential area of Wauchope.

Under Port Macquarie-Hastings LEP 2011, the site is zoned R1 General Residential and is subject to a maximum height limit of 8.5m and a floor space ratio of 0.65:1.

Lot 1 DP 603483, 4-8 Johnstone Street

This lot has an area of 7,712m² with its northern boundary having a frontage of about 67m to Johnstone St. There is an existing single storey nursing home on the site, constructed c.1978.

Land adjoining to the west contains a single storey dwelling house with detached single storey structures. Land to the south contains Wauchope District Hospital, which is a single storey weatherboard and fibro building with a metal hipped roof.

Land adjoining to the north east forms part of the grounds of Wauchope Public School. Part of the eastern boundary adjoins 41 Campbell St, which is the site of the Wauchope Presbyterian Church, a locally listed heritage item.

Lot A DP 157092, 67 High Street

This lot has an area 2,340m² with its southern boundary having a frontage of about 24.8m to High St and is currently vacant.

The western boundary adjoins Wauchope District Hospital, with the rear section of the western boundary adjoining the other lot the subject of the Planning Proposal.

The eastern side boundary adjoins land containing a single storey dwelling house currently adapted for use as a dental clinic. The rear boundary adjoins the site of the Wauchope Presbyterian Church.

Figure 2 shows the location of the site in context of the Wauchope urban area. The plan at Figure 3 shows the location of the site in relation to existing zones.

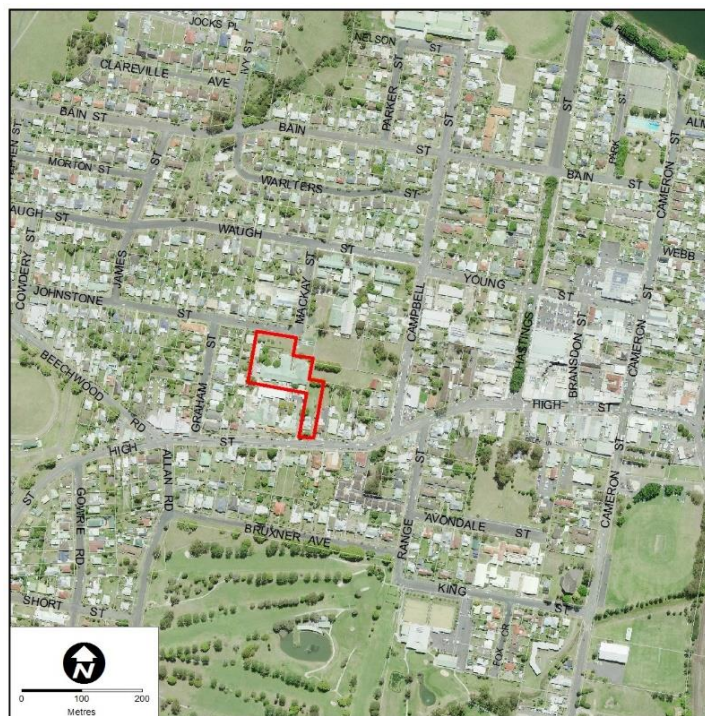


Figure 2: Locality Context



Figure 3: Site Context

Applicant's Planning Proposal Request

Bundaleer Care Services engaged ADG Architects to prepare a concept design for redevelopment of the site, and Love Project Management have submitted the request for a Planning Proposal to be prepared.

The concept proposes a part four storey, 140 bed aged care facility to replace the existing nursing home on 4-8 Johnstone Street. The design will include single rooms and also facilities available for elderly couples, and 26 beds for higher care dementia residents.

The concept also proposes a four storey, Sub-Acute residential facility for 40 beds for rehabilitation / palliative care and therapy facilities on 67 High Street.

The Applicant has requested an increase in the maximum building height controls to 14.5m for part of each site as shown in Figure 4.

The Applicant has also requested an increase in the maximum floor space ratio from 0.65:1 to 1.4:1 for the entire site (both land parcels).



Figure 4: Applicant's Requested Changes: Height Limits

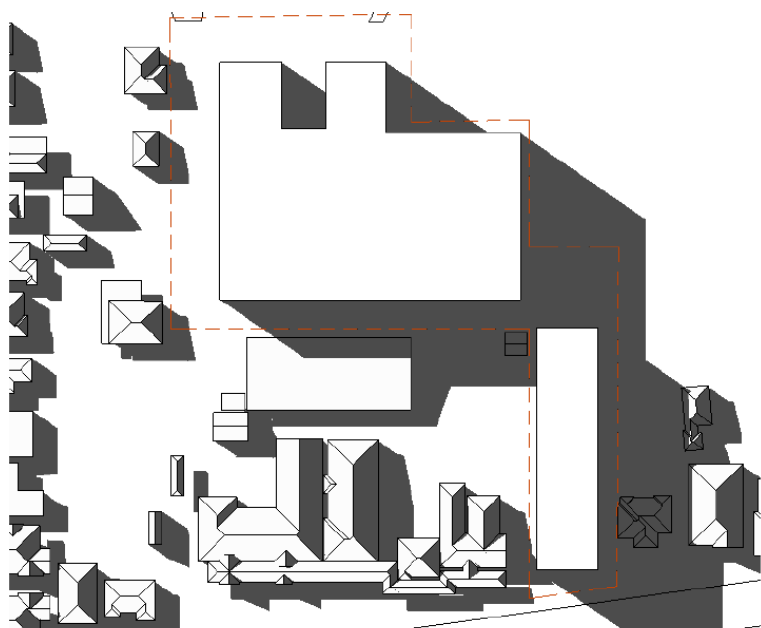
Figures 5 and 6 provide shadow diagrams of the proposal submitted by the Applicant, however, assessment indicates that the shadow depicted for the building on 67 High St is for a three storey building, not 4 storey as proposed by the applicant.

Figures 7 and 8 provide the Applicant's photomontages of the concept design viewed from Johnstone St and High St.



1 SHADOW DIAGRAM JUNE 22 9AM GENERIC

Figure 5: Overshadowing: Morning



3 SHADOW DIAGRAM JUNE 22 3PM GENERIC

Figure 6: Overshadowing Afternoon



Figure 7: Photomontage – Johnstone St Frontage



Figure 8: Photomontage – High St Frontage

Policy and Strategy Considerations

Port Macquarie Urban Growth Management Strategy 2011 – 2031 (UGMS)

The UGMS provides the strategic framework for residential, rural residential, retail, industrial and tourism development in the Port Macquarie-Hastings local government area.

The UGMS provides Urban Consolidation Planning Principles, including:

- To promote urban consolidation in central, well-connected locations that provides a range of services or recreation opportunities for residents.
- To provide a mix of housing types and facilitate an increased supply of affordable and adaptable housing.
- To improve the streetscape and amenity of the public domain in and around areas of urban consolidation.
- To encourage good urban design, including mixed use development.

The principles relate to improving the streetscape and amenity of the public domain and encouraging good urban design. They require careful consideration of the request for increase in height limit and floor space ratio.

The site is relatively centrally located, and will provide a supply of residential care housing. Subject to consideration of streetscape, character, amenity and good urban design, it is considered that the proposal is generally consistent with the UGMS.

Wauchope Framework Plan

Council adopted the Wauchope Framework Plan in 2009. The Plan aims to provide an urban design framework that creates a sense of community identity and unique character for the Wauchope Town Centre. The Framework Plan was prepared by GM Urban Design & Architecture, on behalf of Council, and was adopted after community consultation and review.

The focus of the Plan is principally on the character of development in and around the Wauchope Town Centre.

In relation to height of buildings, the Framework Plan adopts a Height Strategy, which is shown in Figure 9. A maximum height limit of 3 storeys applies across Wauchope Town Centre. The subject site is within a 2 storey precinct.

The Applicant's proposal for a four storey development is higher than any residential or commercial building within Wauchope, including the central business area.

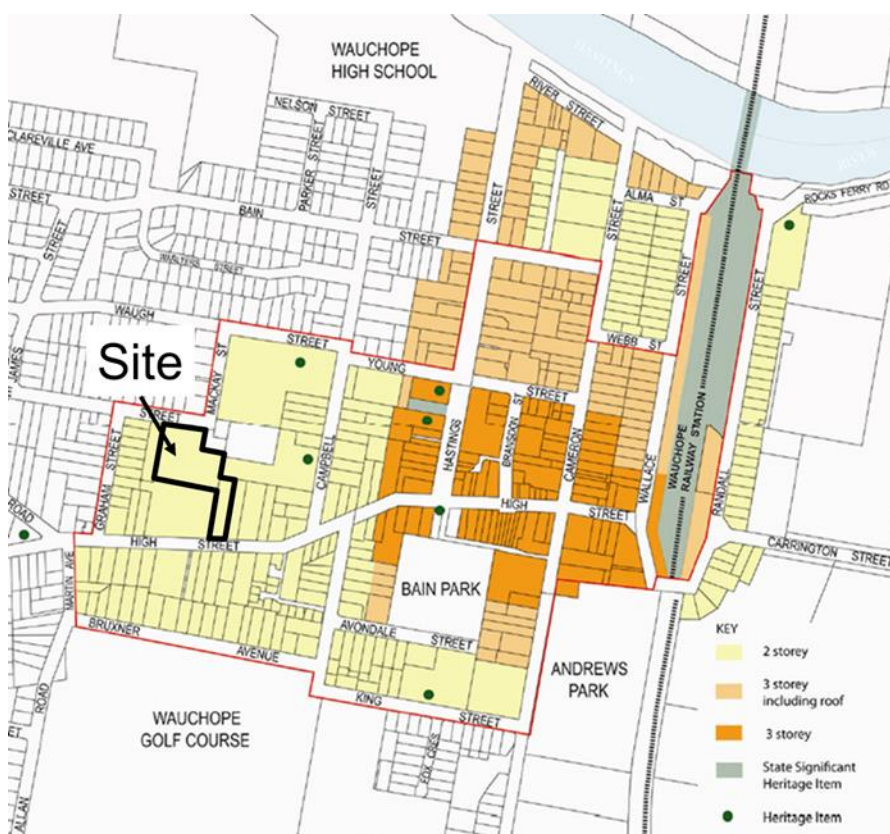


Figure 9: Height Strategy – Wauchope Framework Plan

North Coast Regional Plan 2036 (NCRP) and North Coast Urban Design Guidelines (NCUDG)

The NCRP provides a strategic framework for the North Coast Region, and contains a series of Goals, supported by Strategic Directions, and specific Actions. Planning Proposals must demonstrate consistency with the NCRP, or provide clear justification for any inconsistency.

Under the NCRP, Direction 20 Maintain the region's distinctive built character includes the following action:

Action 20. 1 Deliver new high-quality development that protects the distinct character of the North Coast, consistent with the North Coast Urban Design Guidelines (2009).

Chapter 10 of the North Coast Urban Design Guidelines (NCUDG) provides settlement growth guidelines. Relevant principles to apply to all future development are:

- Ensure development responds sensitively to the density and scale of the existing settlement,
- Concentrate new development and increased heights and densities in town centres and in areas of greatest public amenity/services/ infrastructure that have already been influenced by urban development.

Residential and commercial development in Wauchope is predominately single storey in scale, with some two storey development in the Town Centre and a scattering of two storey residential development across the urban area.

The Wauchope Framework Plan provided justification for a three storey height limit in the Town Centre and the area immediately adjoining to the north.

Any increase in height limit outside of the Town Centre requires justification as an inconsistency with the NCUDG and NCRP.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP)

This Policy aims to encourage the provision of housing (including residential care facilities) that will:

- (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and
- (b) make efficient use of existing infrastructure and services, and
- (c) be of good design.

The Seniors SEPP sets out design principles that should be followed to achieve built form that responds to the characteristics of its site and form.

In particular, the SEPP provides:

Neighbourhood amenity and streetscape (clause 33):

The proposed development should:

- (a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and
- (b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and
- (c) maintain reasonable neighbourhood amenity and appropriate residential character by:
 - i. providing building setbacks to reduce bulk and overshadowing, and
 - ii. using building form and siting that relates to the site's land form, and
 - iii. adopting building heights at the street frontage that are compatible in scale with adjacent development, and
 - iv. considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and
- (d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line.

Clause 48 of the Seniors SEPP permits a floor space ratio up to 1:1 for residential care facilities despite the maximum permitted under Port Macquarie-Hastings LEP 2011.

The Seniors SEPP overrides some provisions of the PMHLEP 2011, but specifically does not permit heights of buildings to exceed 8.5m unless the LEP permits a greater maximum height.

Port Macquarie-Hastings LEP 2011 (LEP 2011)Existing Height Controls in Wauchope

LEP 2011 adopts two height limits within the business and residential zones of Wauchope:

- Areas coloured green and labelled “I” – height limit of 8.5m and
- Areas coloured yellow and labelled “L” – height limit of 11.5m

These areas are shown in Figure 10.

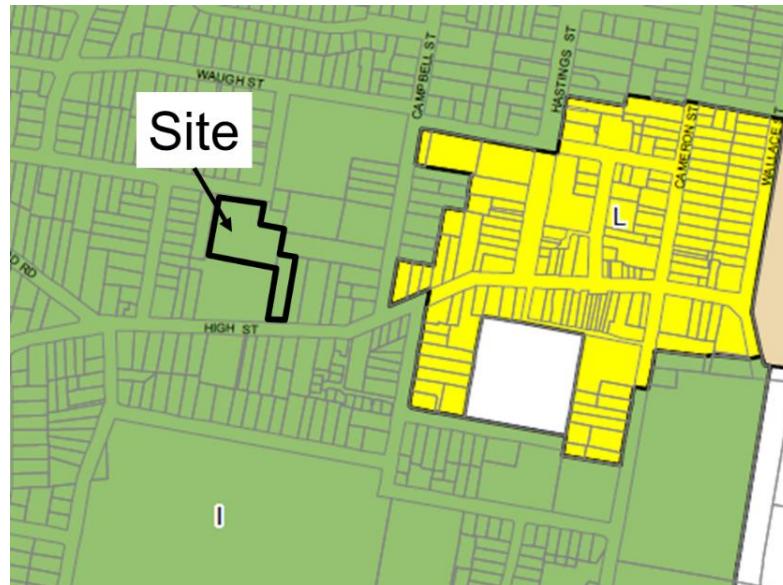


Figure 10 Existing Height Limits in Wauchope

Typical urban structure identifies the commercial centre of towns to be the location for the tallest buildings, (other than industrial areas). Residential areas are typically limited to two storey, and 8.5m height limit.

Existing Floor Space Ratio Controls in Wauchope

LEP 2011 adopts three floor space ratio limits within the business and residential zones of Wauchope as shown in Figure 11:

- Areas coloured green and labelled “G” – floor space ratio of 0.65:1,
- Areas coloured light tan and labelled “N” – floor space ratio of 1.0:1 and
- Areas coloured pink and labelled “S1” – floor space ratio of 1.5:1.

The higher floor space ratio (higher density development) is focused within the Wauchope Town Centre area. The 1.5:1 floor space ratio applies to the B2 Local Centre zone and the 1.0:1 floor space ratio applies to the B4 Mixed Use Zone to the north of the Wauchope Town Centre.



Figure 11: Existing Floor Space Ratio controls in Wauchope

Urban Design Review by Architectus

Architectus Pty Ltd was engaged by Council to undertake an urban design review of the requested increase in height limits and floor space ratios submitted by the Applicant, and provide recommendations for appropriate height limits and floor space ratios, having regard to the social and community benefits of the proposed development.

Any Planning Proposal inconsistent with the NCRP and NCUDG requires justification in order to secure a Gateway Determination to proceed. The urban design review will underpin a justification for an inconsistency with the NCRP and NCUDG.

A copy of the urban design report is attached (Attachment 4).

Architectus modelled 4 built form scenarios, including development under the existing controls (Scenario 1), the Applicant's request (Scenario 2), residential development under increased height limit controls (Scenario 3a) and "institutional" development (nursing home) under increased height limit controls (Scenario 3b).

The Applicant's request, as modelled by Architectus, is shown in Figure 12.

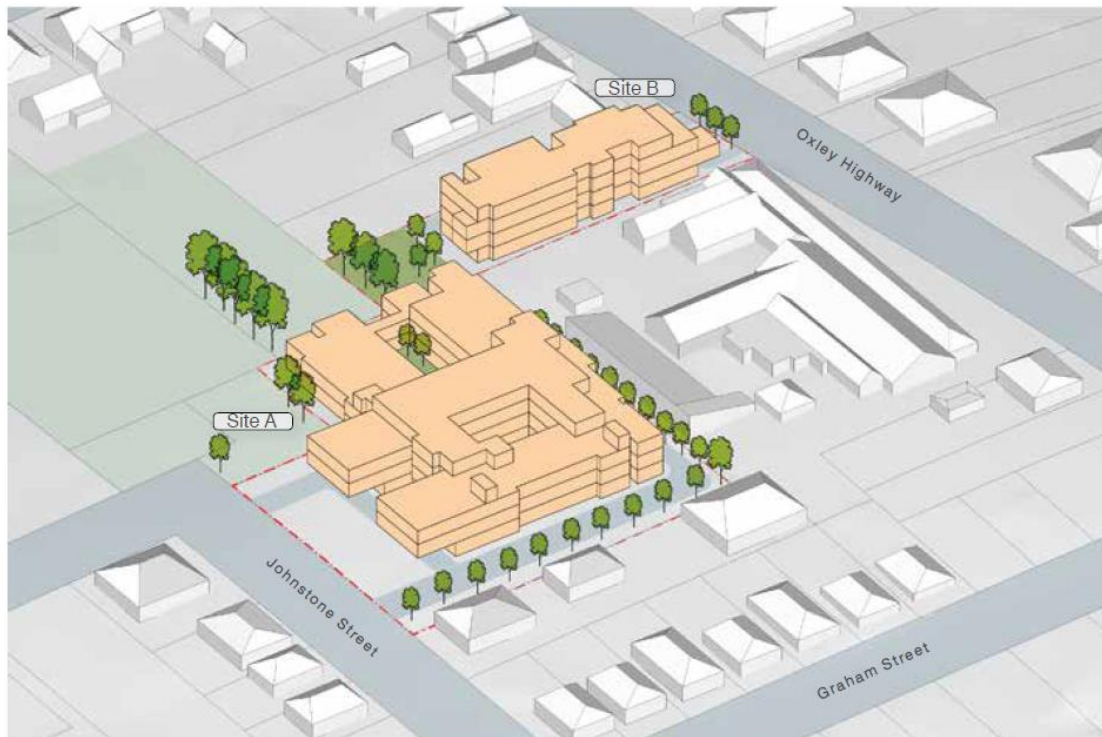


Figure 12 – Applicant's request: Built form envelope

Architectus undertook an iterative process of testing the impacts of building envelopes. This testing included considering multiple views from around the site to help determine appropriate heights and setbacks.

Architectus emphasise that their recommendations are based on the development having social benefits of the additional aged care beds and would not be supported if it was for standard residential development.

Architectus was encouraged to provide a maximum building envelope that they would be willing to recommend having regard to Council's support for the proposed aged care development of the site.

Architectus has recommended support for Scenario 3b as shown in Figure 13. The specific recommendations are less than those requested by the Applicant, but are considered to be the maximum building envelope that can be supported for the site, and able to be justified as an inconsistency with the NCRP and NCUDG.

The recommendations for 4-8 Johnstone Street almost coincide with the massing diagram submitted with the request by Love Project Management.

The recommendations for 67 High St will require the proposed Sub Acute Facility to be reduced in height.

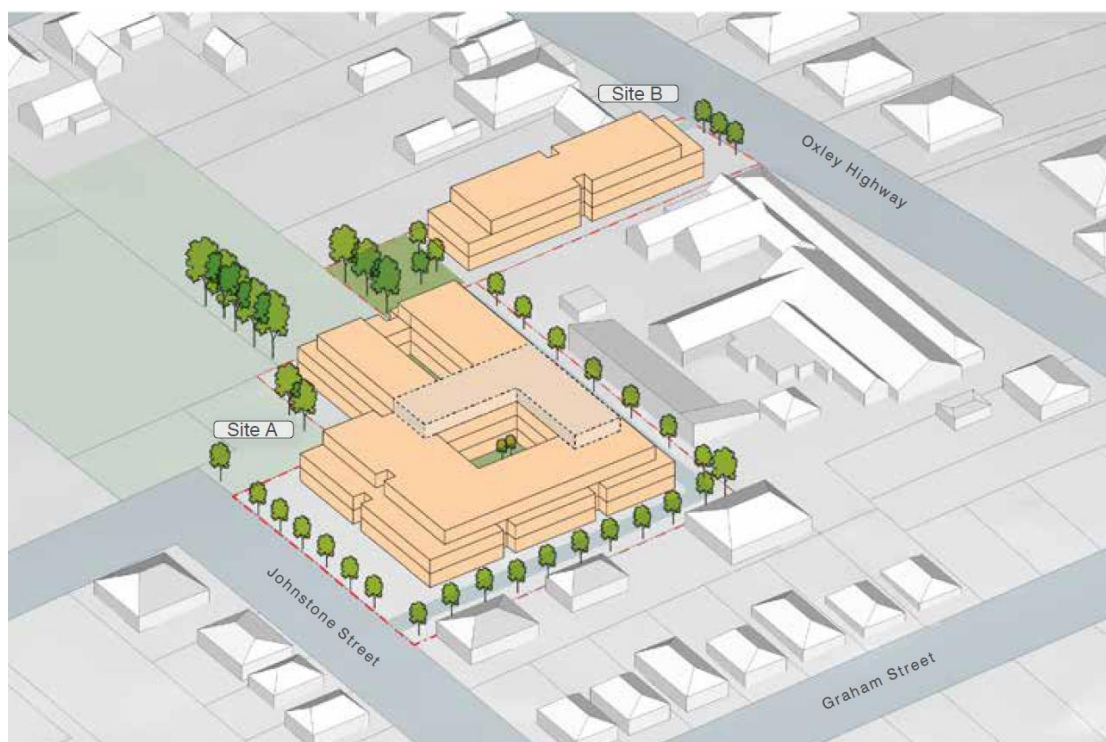


Figure 13 – Recommended built form envelope

The recommended maximum building heights are:

- 67 High Street 11.5m,
- 4-8 Johnstone Street 11.5m, with an identified area of 14.5m conditional upon demonstration of no negative visual or amenity impacts,

The recommended maximum floor space ratios are:

- 67 High Street 1.0:1.
- 4-8 Johnstone Street 1.3:1,

The Urban Design Review also recommends the addition of a section in the relevant DCP that specifically relates to the site and includes provisions for setbacks as represented in Figure 14.

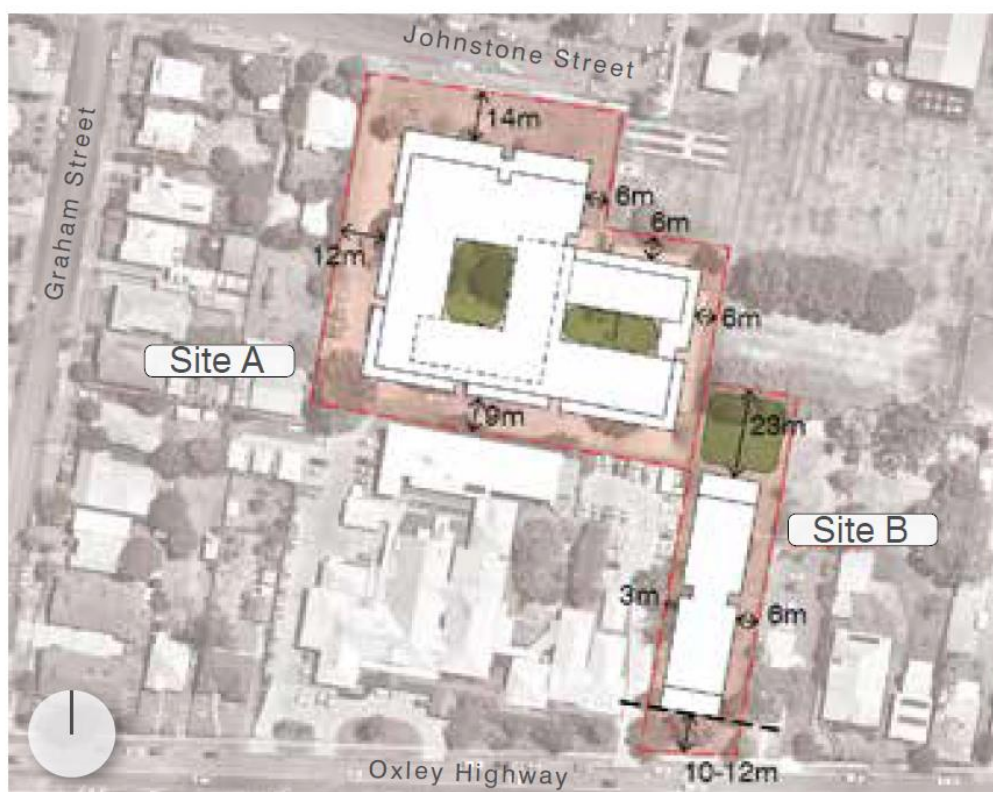


Figure 14 – Recommended setbacks

The recommended setbacks, shown on Figure 14, are set out in the following Table:

Street	Front	Side			Rear
		West	East	North	
67 High St					
First 2 storeys	10-12m	3m	6m	NA	23m
3rd storey	16-18m	3m	6m	NA	29m
4-8 Johnstone St					
First 2 storeys	14m	12m	6m	6m	9m
3rd storey	20m	15m	9m	9m	12m
4th storey	36-44m	24m	Align with extension of west side McKay St		15m

In addition, the report provides DCP control recommendations in respect to:

- Landscaping,
- Building articulation,
- Building colours, and
- Roof forms.

Further Submission from Love Project Management

The urban design review by Architectus was provided to Love Project Management, who requested the opportunity to respond to the recommendations of the review.

A document titled “*High Street Elevation & Visual Analysis*” prepared by ADG Architects (20 April 2018, Attachment 5) was submitted by Love Project

Management in support of the requested 14.5m height limit on 67 High St. An extract is provided below in Figure 15.



Figure 15 – High Street Elevation & Visual Analysis, by ADG Architects

The Visual Analysis by ADG shows the distinct difference between the existing low rise residential buildings in this section of High Street, and the proposed development.

Architectus recommends two storey development at the front of 67 High St stepping up to 3 storey, with a roof form above the two storey component resulting in the third storey behind the roof and relatively concealed.

Figure 16 provides a streetscape view prepared by Council staff generally consistent with the recommendations of the urban design review by Architectus.

It is considered that these design elements will reasonably maintain the character of the High Street streetscape.



Figure 16 – High Street based on Architectus Recommendations

The document titled “Development and Design Statement” prepared by ADG Architects (submitted 2 May 2018, Attachment 7) provides some background to the evolution of the current design over the past 2 years, including the change from 3-storey development to a 4 storey development at 67 High Street between May 2017 and December 2017.

The document also advises that Bundaleer Care Services has sought design input from a range of experts in aged care, and also expert advice in respect to their business model and the economic viability of the proposal. The document argues that there is a significant need to co-locate the redeveloped nursing home at 4-8 Johnstone St with the Sub Acute Care Facility on 67 High St.

This design information has generally been discussed with Council staff and with Architectus during the assessment of the proposal. Council staff have accepted the social and economic benefits of the proposal, as the basis for in-principle support to change the height limit and Floor space ratio on the site.

ADG Architects argue that the design of the development will be consistent with the streetscape of High St and Wauchope generally. However, this conclusion is not supported in the independent review by Architectus.

Whilst economic viability is a relevant consideration in this case, it has to be balanced in an overall assessment of the proposal. The question is, to what extent can a change in height limit and floor space ratio be justified for a Residential Care Facility having regard to expected impact on neighbours, the streetscape and character of the area.

Recommended Planning Proposal

The recommended Planning Proposal (Refer Attachment 6) is to amend the Port Macquarie-Hastings Local Environmental Plan (PMHLEP) 2011 to permit an increase in height limit and floor space ratio, generally consistent with scenario 3b in the Architectus review.

The recommended area for a 14.5m height limit on 4-8 Johnstone Street is larger than the area recommended by Architectus, and closely resembles the 4 storey footprint shown in the massing diagram submitted by the Applicant (see Figure 18).

The proposed changes to height and FSR will only be for residential care facilities, and not a general change to the height limit and floor space ratio controls for standard residential redevelopment of the site, should the Bundaleer proposal not proceed.

The recommended changes are:

- a) In respect to Lot 1 DP 603483, being 4-8 Johnstone St:
 - i. Increase the maximum height to 11.5m for the area labelled "A" and 14.5m to the area labelled "B" shown in Figure 17,
 - ii. Increase the maximum floor space ratio to 1.30:1,
(a)
- b) In respect to Lot A DP 157092, being 67 High St:
 - iii. Increase the maximum height to 11.5m for the area labelled "A" in Figure 17,
 - iv. Increase the maximum floor space ratio to 1.00:1.
(b)
- c) The flexibility provisions under clause 4.6 Exceptions to development controls, and 5.6 Architectural roof features, will not apply to the additional permitted height limits.



Figure 15 – Additional height areas

Comparison with Massing Diagram Submitted by the Applicant

The request for preparation of a Planning Proposal included the massing diagram shown in Figure 18 below. The recommended height limits for 4-8 Johnstone Street almost coincide with the massing diagram, and would require minimal changes to the 4th storey of the development to comply with the recommended height limits.

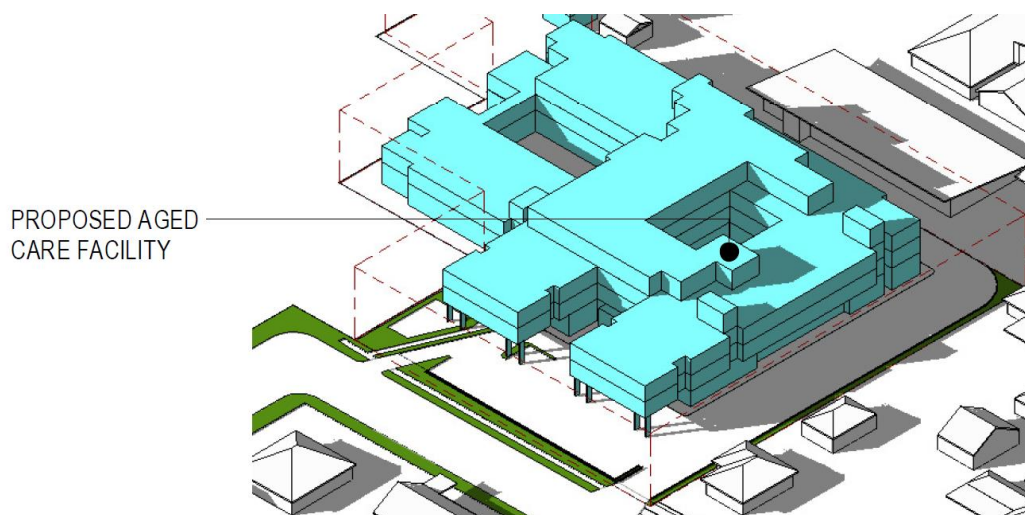


Figure 18 – Applicant's Proposal: Massing Diagram

Preparation of Development Control Plan provisions (Amendment to DCP 2011)

To support the proposed changes to the height limit and FSR, it is proposed to prepare and exhibit development control provisions to incorporate the provisions recommended in the Urban Design Review report, described above. The exhibition of draft DCP provisions will be undertaken concurrently with exhibition of the Planning Proposal.

Options

Council's options are to:

1. Do nothing (the land would remain subject to existing height and floor space ratio limits, and would require Bundaleer Care Services to significantly reduce the scale of the concept design).
2. Resolve to prepare a Planning Proposal based on the information contained in this report and to send it to the NSW Department of Planning and Environment for a Gateway Determination. This would require Bundaleer Care Services to reduce the scale of the concept design in respect to 67 High St. However, only minor changes would be required to the design of the proposed nursing home on 4-8 Johnstone Street shown in the Applicant's submitted massing diagram.
3. Resolve to prepare a Planning Proposal supporting the Applicant's request, and send it to the NSW Department of Planning and Environment for a Gateway Determination.

Option 1 does not provide any additional scope for development of the site.

Option 2 is recommended as a reasonable increase in height and floor space ratio that can be accommodated on the site, and is able to be justified as an inconsistency with the NCRP and NCUDG. This option also requires only minimal change to the development proposal as shown in the massing diagram submitted by the Applicant in respect to the nursing home on 4-8 Johnstone Street.

Option 3 would allow the development of 67 High Street as proposed by the Applicant but is difficult to justify in terms of the inconsistency with the NCRP and NCUDG.

Community Engagement & Internal Consultation

The Department of Planning and Environment's Gateway Determination will specify consultation requirements.

Community consultation for Planning Proposals will include notification in a local newspaper, notification to adjoining landowners and on Council's website for the duration of the exhibition. In addition, the exhibition material will be available at the Council's Wauchope and Port Macquarie Customer Service Centres.

Planning & Policy Implications

The proposed increase in height limit and floor space ratio is inconsistent with Council's adopted Wauchope Framework Plan (adopted October 2009).

However, it is considered that the increases, as recommended, will reduce any impacts. These impacts are considered to be justified having regard to the merit of the proposed additional residential care accommodation that may be secured for Wauchope and the region more broadly.

Financial & Economic Implications

The preparation of the Planning Proposal is to be completed as part of Council's Strategic Land Use Planning program.

Should a Residential Care Facility proceed on the subject site there will be economic benefits in terms of health care and employment in Wauchope and the Port Macquarie-Hastings more generally.

Attachments

- 1 [View](#). Pre-lodgement Meeting Notes - 14 November 2017
- 2 [View](#). Planning Proposal request prepared by Love Project Management (December 2017)
- 3 [View](#). Planning Proposal Plans prepared by ADG Architects (December 2017)
- 4 [View](#). Architectus Urban Design Assessment (March 2018)
- 5 [View](#). High Street Elevations and Visual Analysis by ADG Architects (April 2018)
- 6 [View](#). Draft Planning Proposal for submission to NSW Department of Planning and Environment (April 2018)
- 7 [View](#). Development and Design Statement May 2018

Item: 12.06

Subject: PLANNING PROPOSAL: PROPOSED HIGHWAY SERVICE
CENTRE, 1179 OXLEY HIGHWAY, SANCROX

Presented by: Strategy and Growth, Jeffery Sharp

Alignment with Delivery Program

4.5.2 Plan for infrastructure that supports population growth.

RECOMMENDATION

That Council:

1. Prepare a Planning Proposal pursuant to section 3.33 of the Environmental Planning and Assessment Act 1979 for the amendment of the provisions of Port Macquarie-Hastings Local Environmental Plan 2011 to permit development of Lot 11 DP 1029846, 1179 Oxley Highway, Sancrox:
 - a) To permit development for the purpose of a Highway Service Centre, including ancillary hotel or motel accommodation for heavy vehicle drivers, and
 - b) to permit subdivision to excise the Highway Service Centre from the balance of the site, despite the minimum lot size provisions.
2. Forward the Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979, upon:
 - a) Satisfactory arrangements being demonstrated by the Applicant for a coordinated access point from the proposed highway service centre to the Oxley Highway, which can service the southern and northern gateway sites and Billabong Drive, and
 - b) Written advice being received from the Roads and Maritime Services that the proposed highway service centre can be safely and efficiently integrated into the Pacific and Oxley Highways, and
 - c) Satisfactory arrangements being in place for the connection of the site to reticulated sewer.
3. Request the General Manager facilitate a meeting between the Applicant, their traffic consultants and Roads and Maritime Services, to discuss the resolution of transport planning issues associated with the Planning Proposal, including the location and design of access from the Highway Service Centre to the Oxley Highway.

4. **Request that the Secretary of the Department of Planning & Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 3.36 of the Act in respect of the Planning Proposal.**
5. **Delegate authority to the General Manager to prepare a planning proposal in accordance with this report and to make any minor amendments to the Planning Proposal as a result of the Section 3.34 Gateway Determination, prior to public exhibition of the proposal.**
6. **Undertake community consultation in accordance with the Gateway Determination.**
7. **Prepare a draft Development Control Plan, in respect to the land and the northern Gateway site, incorporating provisions described in this report accordance with clause 18 of the Environmental Planning and Assessment Regulation 2000.**
8. **Receive a further report providing details of proposed amendments to the Development Control Plan for approval prior to the Planning Proposal and draft Development Control Plan being exhibited concurrently.**
9. **Receive a report following the public exhibition period to demonstrate compliance with the Gateway Determination and to assess any submissions received.**

Executive Summary

The purpose of this report is to consider a Planning Proposal request to enable the development of a Highway Service Centre on land which is located on the south west corner of the Pacific Highway and the Oxley Highway, being Lot 11 DP 1029846, 1179 Oxley Highway, Sancrox.

The land is the subject of a request to prepare a Planning Proposal lodged by GEM Planning Projects on behalf of Scott PDI on 27 February 2018. A Development Application has been lodged in conjunction with the Planning Proposal for the subdivision of the land and the construction of the Highway Service Centre.

The land is currently zoned RU1 Primary Production under Port Macquarie-Hastings LEP 2011 and development for the purposes of a Highway Service Centre is prohibited in the zone.

The land is identified in the current *Port Macquarie-Hastings Urban Growth Management Strategy 2011-2031* as a Gateway Site, and the western side of the Pacific Highway has been identified by the Roads and Maritime Services (RMS) as a potential location for a future Highway Service Centre.

Key issues are traffic generation and access arrangements to the site from both the Pacific and Oxley Highways, which will need to be to RMS satisfaction, disposal of effluent and the design of the proposed Highway Service centre to create a positive at this key gateway site to Port Macquarie and Wauchope.

Ecological impacts, bushfire and stormwater are considered capable of being addressed for the site.

The Applicant has proposed a north bound exit ramp from the Pacific Highway directly into the site, with entry and exit to the site from the Oxley Highway. Traffic modelling has been undertaken by the proponent and this is currently being reviewed by NSW Roads and Maritime Services (RMS). The RMS has not formally accepted the proposed access arrangements at the time of preparation of this report.

Council's Transport and Stormwater Network (TSN) section advises that any access to/from the Oxley Highway should achieve a four way intersection with Billabong Drive to coordinate with the future local road network. Subject to this being satisfactorily addressed and written advice that the RMS has accepted the proposed access arrangements, access issues will have been satisfactorily addressed to enable the proposal to proceed to Gateway determination.

On-site sewage management is proposed by the Applicant. However, this is not considered an acceptable long-term solution for a high intensity commercial use of this nature, particularly as a reticulated sewerage system is expected to be available to this locality in the future.

It is proposed that Council staff consult with the proponent regarding on-site disposal as a potential short-term, interim arrangement and to identify satisfactory arrangements for connection to reticulated sewer in the future.

It is also proposed that Council prepare draft Development Control Plan provisions for the Gateway sites, including provisions related to visual impact, landscaping and signage for concurrent exhibition with a Planning Proposal, as recommended in this report.

Subject to satisfactory resolution of the access and sewerage issues, it is recommended that Council prepare and forward a Planning Proposal to the NSW Department of Planning and Environment requesting a Gateway Determination.

Discussion

Background

The Port Macquarie-Hastings *Urban Growth Management Strategy (UGMS) 2011-2031* flagged the potential for a highway service centre at the intersection of the Pacific and Oxley Highways. The draft UGMS 2017-2036 lists "*consider proposals to plan for Highway Service centre and associated tourist uses*" for the gateway site at this intersection as a short term (5 years) action to promote economic development (Vol. 1, p.25).

Action 9.3 of the *North Coast Regional Plan 2036* includes the establishment of a highway service centre at this intersection. A policy review of *Highway Service Centres along the Pacific Highway* undertaken by the RMS (May 2014) identified that a Highway Service Centre may be established on the western side of the Pacific Highway at the interchange of the Pacific and Oxley highways.

At its meeting of 16 August 2017, Council resolved to commence investigations for a site-specific planning proposal to allow the development of a highway service centre on this site.

Lodgement of Planning Proposal

On 27 February 2018, a formal request for Council to prepare a Planning Proposal to amend the Port Macquarie Hastings LEP 2011 was received from GEM Planning Projects, together with the following supporting information and reports:

1. Planning Proposal (GEM Planning Projects)
2. Site Plans (Hopkins Consultants)
3. Concept Plans and Photomontages (TRG Queensland Pty Ltd)
4. Biodiversity Development Assessment Report (Biodiversity Australia)
5. Traffic Impact Assessment (TTM)
6. Acoustic Assessment (Matrix Thornton)
7. Preliminary Lighting Assessment (Light Harmony, Queensland)
8. Onsite Sewage Management – Site Feasibility Assessment (HMC Environmental Consulting Pty Ltd)
9. Stormwater Management Plan (Hopkins Consultants)
10. Stage 1 Contaminated Site Assessment (Commercial Asset Management Services Pty Ltd)
11. Aboriginal Cultural Heritage Assessment (Birpai Local Aboriginal Land Council)
12. Economic Impact Assessment (Foresight Partners Pty Ltd)
13. Bushfire Hazard Assessment (Midcoast Building and Environmental)

The Planning Proposal request is contained in Attachment 1 of this report and the supporting information and reports are contained in Attachments 2 and 3.

A Development Application (DA) has been lodged in conjunction with the Planning Proposal for the construction of the Highway Service Centre and to create the lot upon which the Highway Service Centre will be situated. The DA is unable to be determined until such time as the making of an amendment to the LEP to allow a Highway Service Centre on the site is imminent and certain.

Highway Service Centres

Highway Service Centre is a land use defined in the State Government's Standard Instrument LEP as follows:

Highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:

- a) a restaurant or cafe,
- b) take away food and drink premises,
- c) service stations and facilities for emergency vehicle towing and repairs,
- d) parking for vehicles,
- e) rest areas and public amenities.

Further to this the RMS Policy Review imposes the following requirements on Highway Service Centres:

- Centre to open 24 hours, 7 days a week
- All traffic arrangements to be safe and efficient
- At least 25 heavy vehicle parking spaces to be provided (nominally to suit B-Doubles, with capacity to expand to cater for longer combinations in the future)
- A number of parking spaces for recreation vehicles and coaches
- The provision of children's play areas and tourist information
- Use of toilets and other amenities to be free of obligation to purchase goods and services
- Separate undercover fuel areas for heavy and light vehicles
- No alcohol to be sold on site.

The Site

The site is located on the south west corner of the Pacific Highway and the Oxley Highway, being Lot 11 DP 1029846, and known as 1179 Oxley Highway, Sancrox (Refer Figure 1).

Under Port Macquarie-Hastings Local Environmental Plan (LEP) 2011, the site is zoned RU1 Primary Production, which is a rural zone that prohibits highway service centres.

The site has frontage to both the Pacific Highway and the Oxley Highway and has a total area of 51.81ha. The request for preparation of a Planning Proposal is for an area of about 18.43ha, to be excised from the land to accommodate the highway service centre and associated parking and effluent disposal areas.

The site is mostly cleared with a stand of vegetation along the eastern and northern boundaries and a larger patch of forest in the south east corner of the site. There is a ridge that runs east west through the middle of the site, with a saddle that extends north south from the centre of the site to a point to the west of the centre of the northern boundary.

Land surrounding the subject site to the north, south and west is generally zoned RU1 Primary Production. There is a small area south west of the site along Birralelee Drive and Burrawan Forest Drive which is zoned RU5 Village. Land to the east of the site on the opposite side of the Pacific Highway (south of the Oxley Highway) is generally zoned RU1 Primary Production and further to the east, R1 General Residential. An existing highway service centre is located on the south eastern corner of the Pacific Highway and Oxley Highway in Thrumster.



Figure 1: Subject Site

Applicant's Planning Proposal Request

1. Proposed amendments to Port Macquarie-Hastings LEP 2011

The request for preparation of a Planning Proposal relates to an area of the land in the north east corner of the site with an area of 18.43 hectares (Refer Figure 2). The Applicant's Planning Proposal request (Attachment 1) seeks to:

- Amend Schedule 1 Additional Permitted Uses of LEP 2011 to insert a clause to make permissible with development consent a Highway Service Centre and ancillary uses on part of the subject site,
- Include the land on the Additional Permitted Uses Map Sheet,
- Remove part of the site (approximately 18.43ha) from the application of the Lot Size Map which requires a minimum lot size of 40 hectares.

The Planning Proposal does not propose to change the zoning of the land as RU1 Primary Production, and the Applicant advises that the residual area of Lot 11 (approximately 33.38ha) would remain zoned rural.

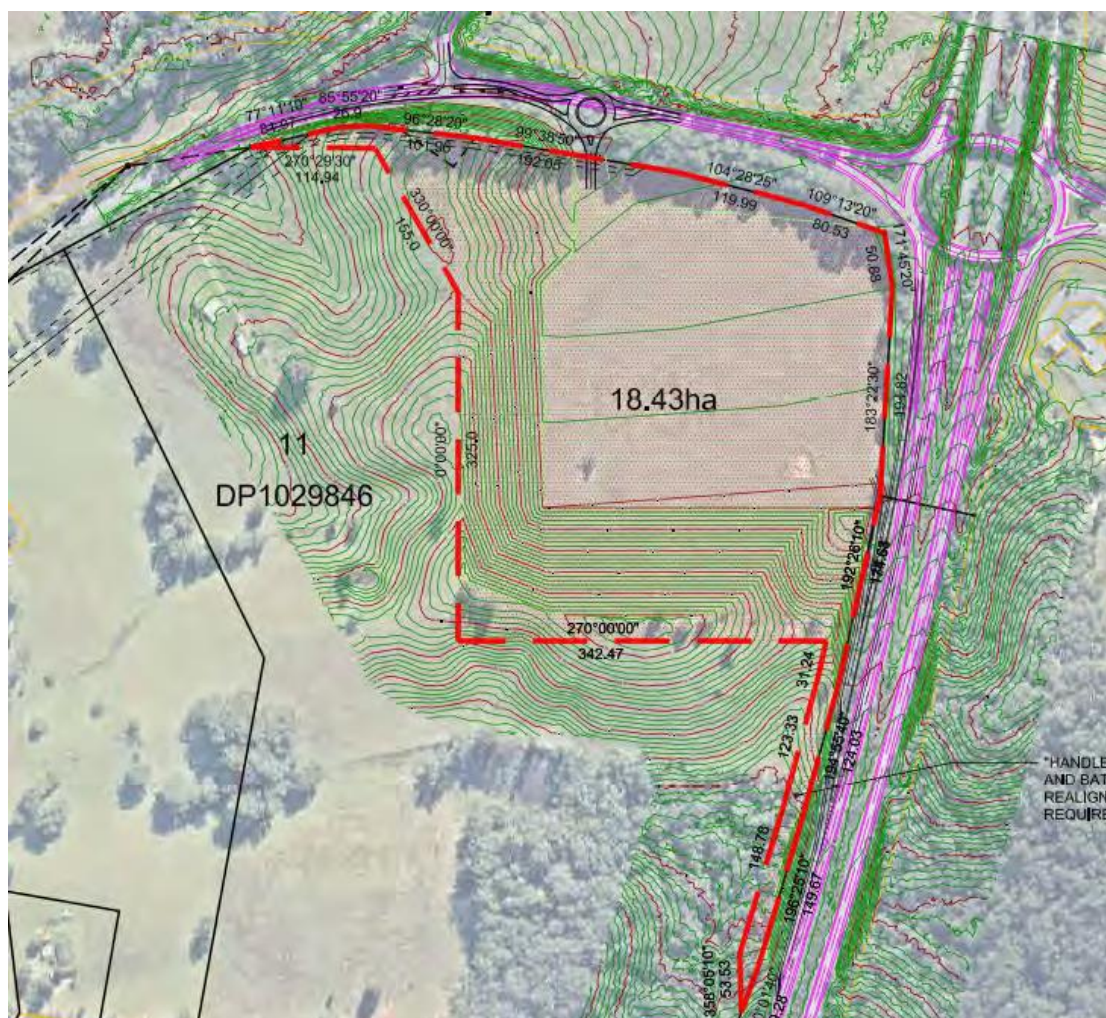


Figure 2: Land subject to Planning Proposal request (Source: Hopkins Consultants)

2. Indicative Development Concept

The Applicant's indicative development concept for the site is shown in Figure 3 and includes:

- Service station
- Service station restaurant with 3 food & drink outlets and drive through
- Stand-alone food and drink outlet with drive-through
- 8 room motel
- Truck service facility including truck wash
- 102 car parking spaces
- 5 x car and trailer (boat, caravan) parking spaces
- 25 x semi-trailer (<19 metres) parking spaces
- 70 parking spaces suitable for B-doubles
- 10 B-double plus parking spaces
- 4 Pylon Signs

The area proposed to be developed is largely cleared and generally located below the ridge and saddle, meaning that the subject area falls to the Pacific Highway and Oxley Highway frontages.

The area is relatively steep, and the development proposal is to excavate the site to create a level pad for the development. A north bound exit ramp from the Pacific Highway directly into the site is proposed with entry and exit from Oxley Highway.



Figure 3: Applicant's Indicative Development Concept (February, 2018)

Key Issues

1. Traffic and Access Arrangements

a. Applicant's Traffic Report

The Applicant has submitted a Traffic Impact Assessment (TTM Consulting, 2017) that assessed access arrangements for the site. A copy of the traffic assessment is

included as part of the supporting information for the Planning Proposal in Attachment 3 to this report.

The Applicant's submission proposes the construction of an off ramp from the Pacific Highway and a roundabout on the Oxley Highway to provide direct access to the site. The proposed roundabout on the Oxley Highway is located between the Pacific and Oxley highways interchange and the T-intersection with Billabong Drive as shown in Figure 4.

The Oxley Highway is a State road and the Roads and Maritime Services is the Road Authority responsible for approval of any new access points. The RMS has not formally endorsed the proposal as submitted at the time of preparation of this report.

Council's Senior Transport Engineer has recommended that the preferred solution would be to align access to the site with the Billabong Drive intersection (or alternatively realigning Billabong Drive to achieve the required four way intersection). This is necessary to provide for a safe and efficient intersection that will cater for future growth in the Bushlands Drive, Sancrox Road and Rawdon Island Road areas. It will also preserve suitable access provisions for future development on the northern gateway site.

The assessment report by TTM rejected the option of aligning the access with Billabong Drive because of the embankment on the southern side of Oxley Highway in this location, which is about 14m high. It is noted that the proposal includes excavations of approximately 15m within the development site.

It is also noted that no planning work has been carried out by the Applicant to determine the feasibility of realigning Billabong Drive to match a more preferred access point for the service centre thus achieving a four way intersection.

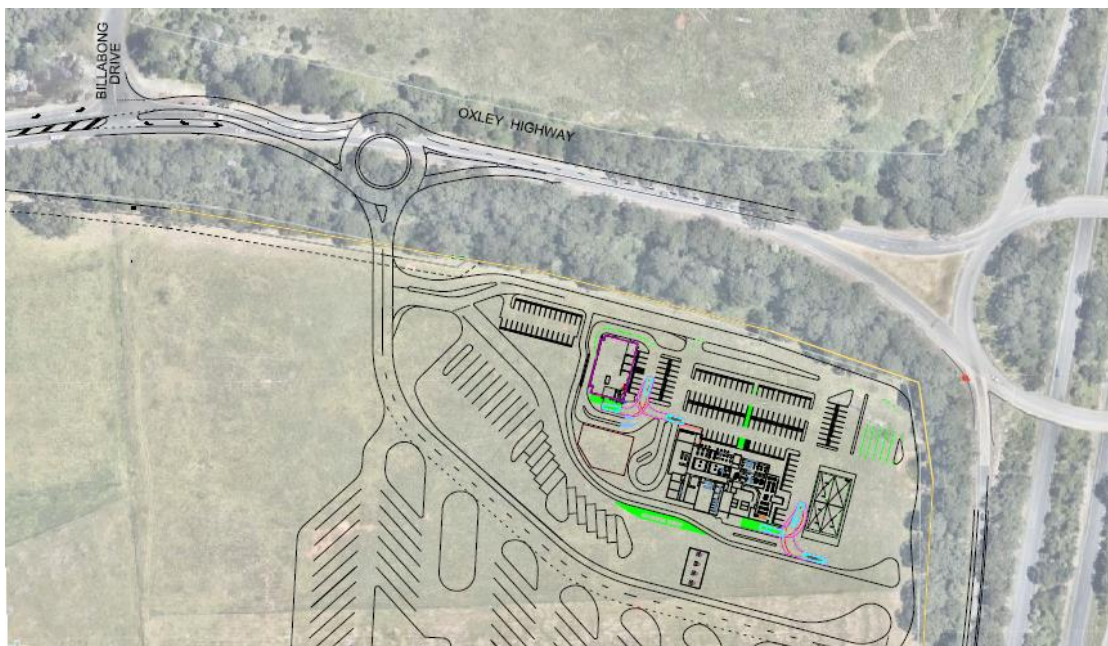


Figure 4: Applicant's Concept Plan – Oxley Highway Roundabout Access Option (Source: TTM Consulting Pty Ltd)

b. Council's Preferred Access Option for Oxley Highway

As discussed above, a new roundabout on the Oxley Highway in the location proposed by the Applicant is not supported by Council's Transport engineers. An aligned four way intersection between the proposed highway service centre access, Oxley Highway and Billabong Drive is the preferred access solution.

Alignment of the access intersection with Billabong Drive is to provide a safe and efficient access point but also to minimise traffic impacts on the arterial road network. Major intersections on arterial roads should ideally be spaced as far apart as possible to minimise queuing between adjacent intersections.

A Billabong Drive access point is preferable to increase the separation from the Pacific /Oxley Highway interchange.

The Applicant's Traffic Impact Assessment assumes that the majority of traffic generated by the development will be "pass-by" traffic, i.e. traffic already on the road network. However, highway service centres are destinations in their own right and attract new trips onto the road network. The proposed highway service centre will attract new trips from places such as Port Macquarie and Wauchope because they will offer facilities and experiences not available elsewhere in the region.

Resolution of access arrangements at the Oxley Highway with RMS and Council will therefore be needed and satisfactory arrangements demonstrated for a coordinated access point to service both southern and northern gateway sites as well as Billabong Drive, prior to the Planning Proposal being forwarded to the DPE for a Gateway determination.

It is proposed that Council facilitate a meeting between the proponent, RMS and Council representatives to seek a resolution to these issues.

c. Ministerial Planning Direction for the Pacific Highway

In order to submit the Planning Proposal for a Gateway Determination, it is necessary for Council to comply with a series of Ministerial directions, or to justify any inconsistency.

In respect to Planning Proposals for highway service centres, *Local Planning Direction 5.4 Commercial and Retail Development along the Pacific Highway, North Coast* is of key relevance. This direction applies when a Council prepares a Planning Proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway and provides that development with frontage to the Pacific Highway must consider the impact on the safety and efficiency of the highway.

The Direction identifies that the establishment of a highway service centre may be permitted on the western side of the Pacific and Oxley Highway Interchange, provided that the RMS is satisfied that the highway service centre can be safely and efficiently integrated into the Highway interchange.

At the time of finalising this report, consultation is ongoing between Council staff, RMS and the Applicant's traffic consultants (TTM Consulting) in relation to traffic and access issues for the proposed highway service centre. This is a major Planning Proposal on a key gateway entry site into Port Macquarie, and it is critical for this

issue to be resolved to both the RMS and Council's satisfaction at this stage of the rezoning process.

To date, the RMS has not provided formal endorsement of the proposed access arrangements for a Highway Service Centre in this location and its integration into the Pacific and Oxley highways.

d. Next Steps

This report recommends that Council facilitate a meeting between the Applicant, their traffic consultants and Roads and Maritime Services, prior to forwarding the Planning Proposal to the Department of Planning and Environment, to discuss the resolution of transport planning issues associated with the Planning Proposal, including the location and design of access of the highway service centre to the Oxley Highway.

The Planning Proposal to be prepared by Council and forwarded to DPE will include the advice received from the RMS and further consultation with the RMS would occur in accordance with any Gateway Determination.

2. Sewage Management

The Applicant has submitted an Onsite Sewage Management – Site Feasibility Assessment report (HMC Environmental Consulting Pty) that proposes to provide an on-site sewage management system for the proposed development and seeks to demonstrate that sewage is able to be disposed on-site. A copy of the feasibility report is included as part of the supporting information for the Planning Proposal contained in Attachment 3 to this report.

Council staff have reviewed the report and identified a range of concerns with the long term feasibility of on-site disposal for the proposed highway service centre. The key concerns are summarised below and include:

- The report does not cite examples of successful on-site disposal of service station waste-waters to show that long term effluent disposal and compliance with standards can be achieved.
- The proposed disposal method of sub-surface irrigation requires a higher level of treatment before disposal which means higher, ongoing operational and maintenance costs for the system.
- Sub-surface irrigation is also prone to blockages, which over large sites can be problematic and increase when there is insufficient maintenance of the treatment system.
- The wastewater calculations in the report have been based on the Chinderah highway service centre south of Tweed Heads. Whilst this site is also on the Pacific Highway this service station disposes to a mound system, not sub-surface irrigation as is proposed by the Applicant, and the size of the service station at Sancrox is larger than the one at Chinderah.
- The new highway service centre at South Kempsey ('Puma site') whilst being designed for wastewater loading greater than predicted in the original application

to Kempsey Council, has had continual issues since installation and started to fail soon after commissioning. The system is currently on pump-out requirements once the design limit is breached and effluent quality cannot be maintained.

Council experienced issues with onsite disposal for the highway service centre on the eastern side of the Pacific Highway at Thrumster, prior to its connection to sewer.

The development is considered to be of an urban nature and connection of the site to a reticulated sewerage system is the preferred and recommended option for sewage disposal.

Council's engineers advise that the site is able to be serviced by the Sancrox Sewerage Pumping Station (SPS), located on the western side of the Pacific Highway, and on the northern side of Sancrox Road, some 2.5km north of the site.

The Applicant has not proposed to connect the site to the sewer due to the costs and issues relating to the location of a suitable route to connect to the Sancrox Road SPS.

It is proposed that the Applicant prepare a Sewer Strategy, in consultation with Council, to examine options for connecting the site to sewer, and undertake further analysis of the costs associated with the onsite sewage management system as against the costs associated with connection of the site to sewer. The Sewer Strategy should identify proposed arrangements for connection to sewer where on-site disposal is proposed as a short term interim arrangement.

It is necessary that satisfactory arrangements are established for the connection of the site to sewer, prior to the exhibition of the Planning Proposal to guarantee that the developer, or any future owner of the development, will contribute to the cost of a future sewerage system in the Sancrox area and connect the site to sewer once a reticulated system is available.

Due to the tight timeframe for the reporting of this Planning Proposal to the May Council meeting, it has not been possible to discuss these concerns with the Applicant. If Council resolves to proceed in accordance with the recommendation, it is proposed to meet with the Applicant to further discuss how the issue will be resolved, prior to proceeding to a Gateway Determination.

3. Water Quantity and Quality

The proposed change in land use type from pasture to predominantly hardstand will result in a significant increase in the volume of stormwater runoff, which if not properly managed could result in downstream erosion, the waterlogging of land and damage to habitat.

Water quality control facilities must be incorporated into the proposed development to ensure that the quality of stormwater discharge from the development is appropriate for the downstream receiving waters. Water quality controls will need to be designed to achieve the same targets specified for the downstream Area 13 development.

The stormwater management plan submitted in support of the proposal (Attachment 3) indicates that the proposed development includes:

- on-site stormwater detention (OSD) facilities designed to limit site stormwater discharge to pre-development rates, and
- water quality controls designed to achieve the percentage reduction targets specified within AUSPEC D7 via the provision of mechanical gross pollutant traps.

The report does not indicate whether the existing culvert downstream of the site has capacity to convey pre-development flow rates. The large size of the site appears sufficient to provide additional OSD storage if required to further reduce the site stormwater discharge.

The stormwater management plan does not consider stormwater volume management and it is likely that the design will need to include a “water sensitive urban design” approach to the extensive areas of pavement and the use of landscaped areas for water retention.

The proposal to treat water quality via the use of mechanical gross pollutant traps is acceptable, subject to detailed design and the submission of modelling/computations. It is considered that these issues can be addressed as part of a future development application for the proposal.

4. Ecological Impacts

The Planning Proposal to be forwarded to the DPE will be required to address the environmental impacts of the proposal in terms of whether any critical habitat or threatened species or ecological communities will be adversely affected.

The Applicant has identified the need to clear the existing vegetation along the eastern and northern boundaries, including vegetation within the road reserve. The RMS have provided written confirmation to the Applicant that they support the proposed clearing from a traffic safety perspective.

The Applicant has submitted a Biodiversity Development Assessment Report (BDAR) in accordance with the new *Biodiversity Conservation (BC) Act 2016* (Biodiversity Australia, April 2018). This is contained in Attachment 3 to this report. The assessment report identifies the need to remove approximately 3ha of native vegetation which exceeds the threshold for triggering the Biodiversity Assessment Method under the BC Act.

The assessment identifies measures to avoid, minimise and mitigate impacts, including the purchase of biodiversity credits to offset vegetation losses. The assessment report concludes that the proposal will not have serious and irreversible impacts on threatened species or ecological communities.

It is considered that the proposed development is able to be approved under the BC Act 2016.

5. Proposed Motel

The Applicant's overall development concept for the site (Figure 2) includes an eight (8) room motel. The Applicant has advised that the motel is only for the truck drivers attending the highway service centre and contends that it is an ancillary use to the highway service centre.

The proposed motel is included within a standalone building located in the south western part of the site which also contains a truck office, and is surrounded by heavy vehicle parking.

The definition of a highway service centre in the Standard Instrument LEP does not include a motel. A motel is included within the definition of "hotel or motel accommodation" in the Standard LEP as follows:

Hotel or motel accommodation means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Therefore, while the motel may be development which is ancillary to the highway service centre, in terms of the Planning Proposal request, the amendment to Schedule 1 of LEP 2011 will need to identify that "hotel or motel accommodation" is permissible with consent, in addition to the highway service centre. The Department of Planning & Environment has confirmed this is the case, and advised that "hotel or motel accommodation" would need to be listed as permissible with consent in Schedule 1 of the LEP.

6. Minimum Subdivision Lot Size

The site is currently zoned RU1 Primary Production and is subject to a minimum lot size requirement of 40 hectares under clause 4.1 (Minimum Subdivision Lot Size) and the Lot Size Map of Port Macquarie-Hastings LEP 2011.

The total site area is 51.81ha. It is intended to excise the Highway Service Centre site on a lot with an area of 18.43ha, leaving a residue of about 33.4ha.

The Applicant has requested that the Lot Size Map be amended to remove the lot size restriction over the land.

However, it is not appropriate to remove the minimum lot size provisions. The provisions ensure that the land is not further subdivided, which may create additional access issues on the Pacific and Oxley Highways. The existing controls should continue to apply in the event that the Highway Service Centre does not proceed.

It is proposed to permit in Schedule 1 Additional Permitted Use of Port Macquarie-Hastings LEP 2011, subdivision of the site to excise the Highway Service Centre site from the residual area of the existing lot.

7. Design and appearance

The design of development on the gateway sites has been highlighted as an important issue due to the visual prominence of these sites at the gateway entry points for Port Macquarie and Wauchope.

Figures 5, 6, and 7 provide the Applicant's photomontages of the concept design viewed from the Pacific Highway Roundabout and the Oxley Highway.



Figure 5: Applicant's photomontage – Pacific Highway Roundabout View



Figure 6: Applicant's photomontage – Oxley Highway Access View**Figure 7: Applicant's photomontage – Oxley Highway View**

The photomontages are useful as a starting point at the Planning Proposal stage but do not confirm that development can take place in a form that will be acceptable to Council and the community on the gateway site.

The proposal as described by the proponent will involve large scale earth works, removal of existing vegetation along the Pacific and Oxley Highway boundaries to the site and large-scale development features such as pylon signs.

Due to the significance of the site, and its importance as a showcase site for the Port Macquarie Hastings region for tourists and the travelling public, it is recommended that Council establish development control plan provisions in relation to the visual appearance of development on the gateway sites.

8. Preparation of Development Control Plan Provisions

It is proposed that Council prepare a draft Development Control Plan (DCP) in consultation with the Applicant for the subject site and the northern Gateway site, including but not limited to provisions related to design and appearance, landscaping, advertising and signage and access, for concurrent exhibition with a Planning Proposal, as recommended in this report.

If adopted, Council will then receive a further report providing details of proposed amendments to the DCP for endorsement, prior to the draft DCP being concurrently exhibited with the Planning Proposal.

It is noted that there are requirements in *State Environmental Planning Policy No 64 – Advertising and Signage* in relation to advertisements on rural land which will be considered further in the preparation of the Planning Proposal and draft DCP.

9. Other Assessment Issues

The Applicant has submitted assessment reports in respect to potential contamination of the site, bushfire hazard, Aboriginal Cultural Heritage Assessment, and noise impacts. It is considered that these issues are able to be addressed and would not prevent the Planning Proposal proceeding for a Gateway Determination. Council's engineers have also advised that the site is able to be supplied with reticulated water.

Options

Council's options include:

1. To not support the Planning Proposal.
2. To defer a decisions pending resolution of access and sewage disposal issues before resolving to support the Planning Proposal.
3. To resolve to proceed to Gateway Determination subject to access and sewage disposal issues.
4. To proceed directly to seek a Gateway determination prior to resolution of access and sewerage disposal issues.

Option 1 is not supported. The proposal generally has merit and is consistent with the Urban Growth Management Strategy 2011, Action 9.3 of the *North Coast Regional Plan 2036* and *Ministerial Direction 5.4 Commercial and Retail Development along the Pacific Highway, North Coast*.

Option 2 will ensure that Council has resolved key issues associated with the development before proceeding with the rezoning. However, this will require a further report to Council following resolution of the outstanding issues described in this report.

Option 3 is the recommended option. Due to the Ministerial directions regarding highway service centres, it is critical for the RMS to agree to the access arrangements in order to secure a Gateway determination to proceed. In respect to sewage disposal, the intensity of development and the development type is considered to be urban in nature and experience indicates problems arise in the short term with the effectiveness and viability of onsite disposal systems. The development should be incorporated into a strategic plan for its connection to a reticulated sewerage system. The solution may include on-site disposal in the short term with commitments in place for connection at a later date. This will avoid potential water quality impacts and health issues in the future.

Option 4 is not recommended because the key issues of access and sewerage infrastructure are fundamental to Council's support for this proposal and to the consideration of the Gateway panel. The approval of the RMS for the proposed highway access arrangements is also important in terms of Ministerial Direction 5.4 *Commercial and Retail Development along the Pacific Highway, North Coast*.

Community Engagement & Internal Consultation

The Department of Planning and Environment's Gateway Determination will specify consultation requirements.

Community consultation for Planning Proposals will include notification in a local newspaper, notification to adjoining landowners and on Council's website for the duration of the exhibition. In addition, the exhibition material will be available at the Council's Wauchope and Port Macquarie Customer Service Centres.

Consultation will be undertaken with the Applicant and the land owner of the northern Gateway site in relation to the preparation of the draft DCP.

Planning & Policy Implications

The proposal is consistent with the recommendations of the draft UGMS, the North Coast Regional Plan 2036 and a policy review undertaken by RMS in relation to highway service centres along the Pacific Highway.

Financial & Economic Implications

The provision of a highway service centre on the western side of the Pacific Highway is considered to be a key economic action under the draft UGMS to be investigated in the short term.

Attachments

- 1 [View](#). Attachment 1 - Planning Proposal Request Submitted by GEM
- 2 [View](#). Attachment 2 - Applicant's Concept Plans and Photomontages
- 3 [View](#). Attachment 3 - Supporting Information and Reports

Item: 12.07

Subject: RECYCLED WASTE

RECOMMENDATION

That Council note the information contained within the report.

Executive Summary

At the April 2018 Ordinary Council Meeting, Council resolved:

That Council request the General Manager bring back a report to the May 2018 Council Meeting to address the likely impact of recent changes to global markets for recycled waste, including:

- 1. Impact on current waste management processes.*
- 2. Impact on current and future Council budgets.*
- 3. Impact on Council's Waste Strategy.*

CARRIED: 7/0

FOR: Alley, Cusato, Hawkins, Intemann, Levido, Pinson and Turner

AGAINST: Nil

This report has been prepared to address the above resolution.

Discussion

Since 1980, China has been the world's largest importer and processor of recycled paper and plastics taking more than 30 million tonnes of waste from Australia, Europe, the United States and Japan. China purchased mixed paper and plastic with higher levels of contamination and at higher prices than Australian domestic markets could use or afford.

In mid-July 2017, China notified the World Trade Organisation (WTO) that in order to address its pollution problems, it planned to ban the import of post-consumer plastics, textiles, unsorted paper, artificial fibres, and certain metals along with a variety of solid wastes and recyclables.

In addition to materials banned outright, some sub-categories were to be subject to a 0.5% contamination rate (including paper and plastics) which is so restrictive it can be viewed as an effective ban.

The Chinese "*National Sword*" policy, became effective on 1 January 2018 and has resulted in disruption to recycling markets, affecting waste management companies and governments around the world. According to the Waste Management Association of Australia, an annual average of 1.3 million tonnes of materials generated in Australia will be affected by China's National Sword policy.

1. Impact on Current Waste Management Processes

Potential impacts on waste management processes for Council are not yet fully known. The following points outline some known impacts and further investigations that are taking place:

- A local market for paper and cardboard has been secured. It is understood from Council's waste contractor that this market costs significantly more than previously available markets.
- Alternative arrangements with other operators for recycled plastics are currently being investigated.
- Further reduction in recycling contamination (yellow) bins is needed to safeguard new market options. This message is being incorporated into ongoing waste education initiatives.
- The Environmental Protection Authority is allowing temporary variations to recyclable material stockpiles. Staff are investigating options for stockpiling where there are delays in sourcing suitable markets.
- Council is trialling the use of crushed glass in infrastructure works with a view to including the use of recycled products in standard specifications and require a proportion of application when procuring infrastructure work in the future.

2. Impact on Current and Future Council Budgets

The financial impact of China's 'National Sword' policy in Australia is being felt throughout the supply chain, particularly by Material Recovery Facility (MRF) operators. Until recently, MRFs had been earning most of their revenue through the sale of recyclable paper and cardboard and plastic. With buoyant commodity prices, MRF operators offered very good processing rates to local government.

However, the current situation and loss of the China market is likely to impact revenues. At this point in time the extent of this impact is not known. Whilst Council has an existing contract in place, prices for the processing of recyclables are likely to rise in the future. Staff are working with the waste contractor to better understand this impact.

Staff are also considering the implications of raised processing fees on other MRF commercial clients given that their newly increased MRF processing fee is currently more expensive than the gate fee for general waste going to landfill.

3. Impact on Council's Waste Strategy

Council's Waste Strategy will need to incorporate significant future investment in MRF operations and recycling process improvements to achieve better quality end products and ensure market supply. Capital MRF improvements are expensive but necessary if Council is to create a high value end material, irrespective of where it ultimately goes. There is a possibility that future investment in the MRF could be shared across local government areas (LGAs) and supported via NSW government funding.

With fewer export markets, local domestic reprocessing and re-use (especially for paper and plastics) will need to be encouraged, with the Waste Strategy reflecting targeted LGA investment to ensure a resilient recycling system. Council have

already written to State government to advocate for support in developing local domestic reprocessing capacity and a circular recycling economy.

Council's Waste Strategy could also be adjusted to recommend sustainable procurement and tendering policies. Such sustainable government policies will model responsible behaviour, drive demand for recyclable products and services as well as build local recycling capacity. It should also incorporate additional recycling waste communications and education and robust evaluation of the effectiveness of such programs.

Despite the readjustment needed to accommodate the impacts of China's National Sword policy, in the long-term, it may present significant opportunities for the Australian recycling and reprocessing sector and may actually rejuvenate domestic and local markets.

Options

This report is for information only.

Community Engagement & Internal Consultation

Initial communications to encourage continued recycling behaviours and reassure the community that no recycled waste collected by Council is going to landfill are ongoing. Targeted community education and recycling waste communications on the yellow recycling bin are a priority and will focus on facilitating lower contamination rates.

Council staff are monitoring the issue carefully with priority actions taken to encourage the community to continue to recycle and to reassure that all Council collected recycling waste is not going to landfill. Staff are meeting with several other nearby Councils to discuss the situation and progress solutions which promote and support the local recycling industry.

Planning & Policy Implications

At this stage it is too early to identify and understand all potential planning and policy implications.

Council will be further briefed on the matter as more information comes to hand.

Financial & Economic Implications

At this stage it is too early to identify and understand all potential financial and economic implications.

Council will be further briefed on the matter as more information comes to hand.

Attachments

Nil

Item: 12.08

Subject: DA2017 - 1062.1 - TWO (2) LOT SUBDIVISION INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.1 (MINIMUM LOT SIZE) OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 - LOT 180 DP 1197447 NO. 8 HIGHFIELDS CIRCUIT, PORT MACQUARIE

Report Author: Daniel Croft

Applicant: Beukers and Ritter Consulting
Owner: Highfields Development Pty Ltd
Estimated Cost: N/A
Parcel no: 63971

Alignment with Delivery Program

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

RECOMMENDATION

That the determination of DA 2017 – 1062.1 for a two (2) lot subdivision including clause 4.6 variation to clause 4.1 (minimum lot size) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot 180, DP 1197447, No. 8 Highfields Circuit, Port Macquarie, be noted.

Executive Summary

This report is for Council's information and relates to the approval of the subject Development Application under delegated authority by the Group Manager Development Assessment. Granting consent involved use of Clause 4.6 of Port Macquarie-Hastings Local Environmental Plan 2011 (LEP) to vary Clause 4.1 (minimum lot size) by not more than 10%.

The size of the lots under the application are 3476m² and 2821m², which do not comply with the minimum lot size standard of 3000m² applying to the site. The variation equates to 179m² or 5.9%.

Having assessed the application and the Clause 4.6 objection to Clause 4.3 of the LEP, the variation was considered acceptable primarily for the following reasons:

- The site is currently occupied by a medical centre, which will be within Lot 1 (3476m²) and Lot 2 (2821m²), which has an approved DA for a medical centre – DA2013 – 625 as modified (latest modification DA2013 – 625.10).

- The proposed subdivision will facilitate efficient use of land to reflect accommodating landuse ownership to the existing medical centre and approved medical centre.
- The variation will not be readily visible.
- There is a proposed 7.175m right of access (shown as restriction (F)) for both proposed Lots to be shared centrally as shown on the submitted proposed subdivision plan. This equates to 506m² of site area being shared, which is essentially available as additional driveway circulation area for the undersized lot.
- The development is consistent with the zoning and lot size objectives of the LEP 2011 and is unlikely to have any implications on State related issues or the broader public interest.
- The public benefit of the standard is not compromised or eroded.

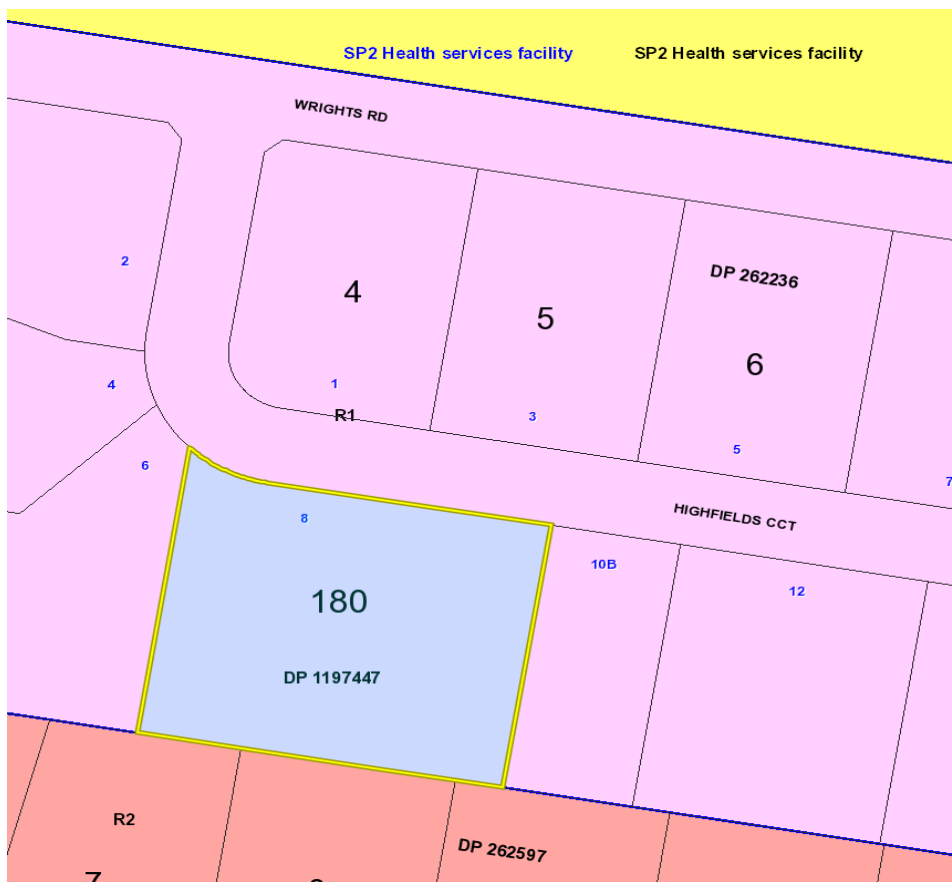
The Department of Planning and Environment's circular PS 18-003 provides for the Director General's assumed concurrence where a variation is not more than 10% of the standard. The circular advises that where Clause 4.6 variations are approved under delegated authority that Council be advised of the decision made and it be appropriately recorded.

1. BACKGROUND

Existing sites features and Surrounding development

The site has an area of 6297m².

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



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



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Two (2) lot subdivision associated with two (2) approved medical centres.

Attachments

1 [View](#). DA 2017 - 1062.1 Consent Approval

2 [View](#). DA2017 - 1062.1 Approved Plan

Item: 12.09

Subject: DA2018 - 112.1 - ALTERATIONS AND ADDITIONS TO DWELLING INCLUDING CLAUSE 4.6 VARIATION TO CLAUSE 4.3 (HEIGHT OF BUILDING) OF PORT MACQUARIE-HASTINGS LOCAL ENVIRONMENTAL PLAN 2011 AT LOT A DP 23431, NO.18 TABLE STREET, PORT MACQUARIE

Report Author: Daniel Croft

Applicant:	LA Schubert & B F Ford
Owner:	LA Schubert & B F Ford
Estimated Cost:	\$160K
Parcel no:	22990

Alignment with Delivery Program

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

RECOMMENDATION

That the determination of DA 2018 – 112.1 for alterations and additions to dwelling including clause 4.6 variation to clause 4.3 (height of buildings) of Port Macquarie-Hastings Local Environmental Plan 2011 at Lot A DP 23431, No. 18 Table Street, Port Macquarie, be noted.

Executive Summary

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

The height of the proposed dwelling under the application is 8.9m, which does not comply with the building height standard of 8.5m applying to the site. The variation equates to 0.4m or 4.7%.

Having assessed the application and the Clause 4.6 objection to Clause 4.3 of the LEP, the variation was considered acceptable primarily for the following reasons:

- The majority of the building is within the height limit, with only the very tip of the roof being over the height limit.
- The roof pitch has been matched with the current pitch in the same material, in an effort to preserve the character of the building/locality.
- As only a small amount of the roof is over the height limit, it is unlikely that there will be any disruption to views or privacy.

- No effect of shadows in the area as there is 11.02m setback to the southern boundary and 5.08 to the eastern boundary.
- The variation is minor at approximately 4.7%.
- There are no heritage items in the area.

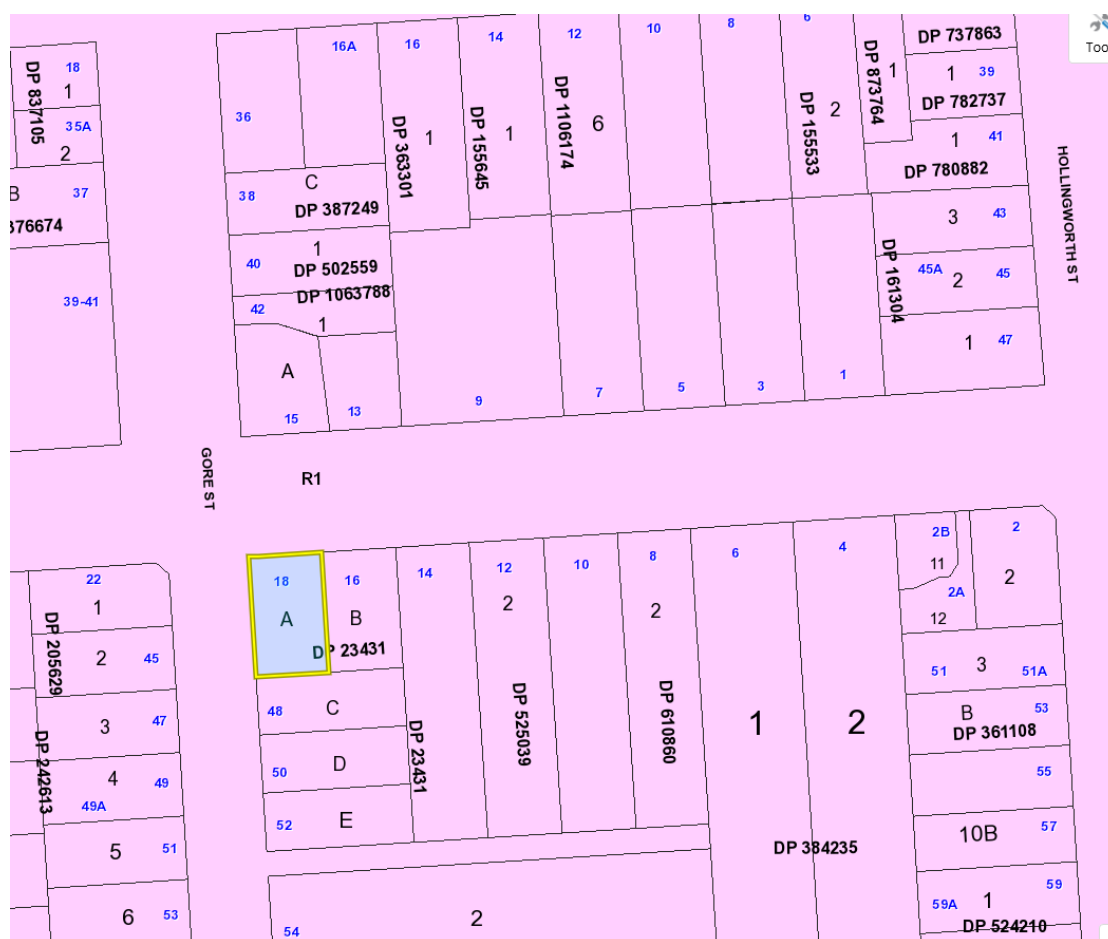
The Department of Planning and Environment's circular PS 18-003 provides for the Director General's assumed concurrence where a variation is not more than 10% of the standard. The circular advises that where Clause 4.6 variations are approved under delegated authority that Council be advised of the decision made and it be appropriately recorded.

1. BACKGROUND

Existing sites features and Surrounding development

The site has an area of 551.7m².

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



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



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Alterations and additions to existing dwelling

Refer to attachments at the end of this report.

Attachments

1 [View](#). DA2018 - 112.1 Approved Plans

2 [View](#). DA2018 - 112.1 DA Consent Approval

Item: 12.10

Subject: DA2017 - 1084.1 CLUBHOUSE - LOT 7054 DP 1074173, NO. 12
MARITIME LANE (OXLEY OVAL), PORT MACQUARIE

Report Author: Daniel Croft

Applicant:	Hastings Valley Vikings Rugby Union Club
Owner:	Crown Land (Trustee - Port Macquarie-Hastings Council)
Estimated Cost:	\$300,000
Parcel no:	32429

Alignment with Delivery Program

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

RECOMMENDATION

That DA 2017 – 1084.1 for a clubhouse at Lot 7054, DP 1074173, No. 12 Maritime Lane (Oxley Oval), Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

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

Following exhibition of the application, 3 submissions have been received.

The proposal is for development on Council owned/managed land and the application is required to be considered by the Development Assessment Panel and referred to Council for determination in accordance with Council's Development Applications – Conflict of Interest Policy.

The proposal was considered by Council's Development Assessment Panel on 26 April 2018, and the Panel came to the following consensus:

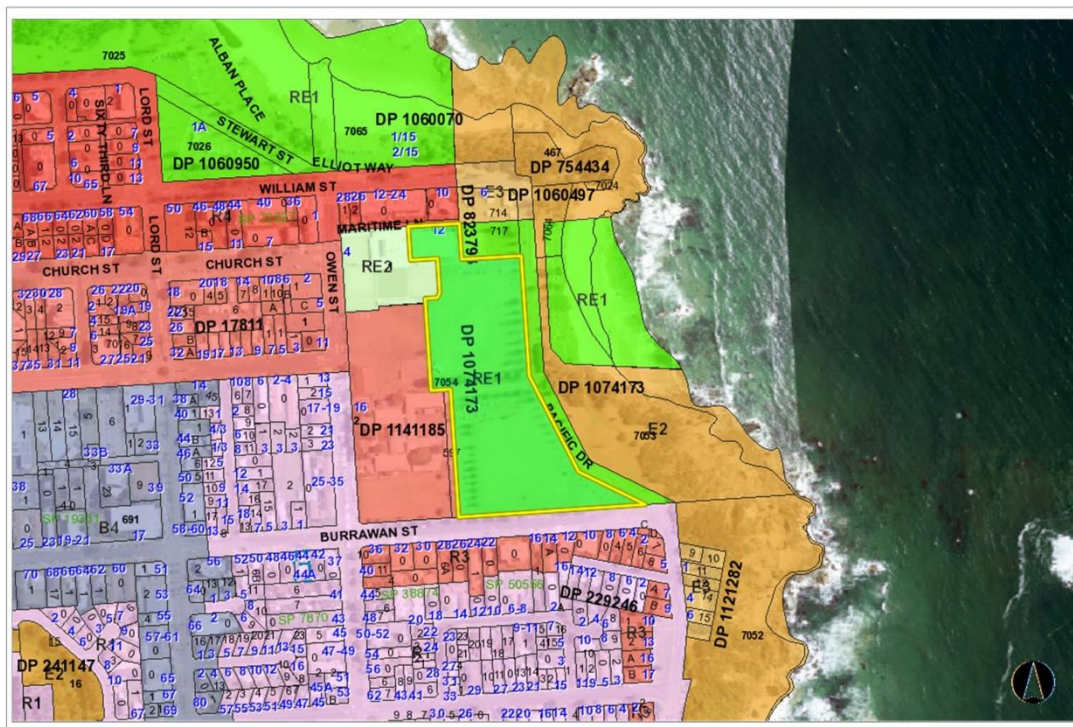
"That it be recommended to Council that DA 2017 – 1084.1 for a clubhouse at Lot 7054, DP 1074173, No. 12 Maritime Lane (Oxley Oval), Port Macquarie, be determined by granting consent subject to the recommended conditions."

1. BACKGROUND

Existing sites features and surrounding development

The site has an area of 5.1 hectares.

The site is zoned RE1 Public Recreation in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



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



2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Removal of two Norfolk Island Pine trees;
- Construction of a clubhouse building ancillary to the existing recreation area (Oxley Oval), including amenities, changing facilities, canteen and bar.

Refer to attachments at the end of this report.

Application Chronology

- 5 December 2017 – Application lodged.
- 18 December 2017 to 12 January 2018 – neighbour notification.
- 21 December 2017 – Additional information requested from Applicant.
- 19 February 2018 – Further additional information requested from Applicant.
- 13 April 2018 – Amended plans submitted by Applicant in response to additional information request.
- 26 April 2018 – Proposal considered by Council's Development Assessment Panel.

3. STATUTORY ASSESSMENT

Section 4.15(1) Matters for Consideration

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

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

State Environmental Planning Policy No. 44 - Koala Habitat Protection

With reference to clauses 6 and 7, the subject land is greater than 1 hectare (including any adjoining land under same ownership) and therefore the provisions of SEPP must be considered.

The land does not contain 15% Schedule 2 Koala feed tree species and therefore does not meet the definition of potential koala habitat. No further investigation is required.

State Environmental Planning Policy No. 55 – Remediation of Land

Following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

Given the nature of the proposed development and proposed stormwater controls the proposal will be unlikely to have any adverse impact on existing aquaculture industries

State Environmental Planning Policy No. 71 – Coastal Protection and Clause 5.5 of Port Macquarie-Hastings Local Environmental Plan 2011

The site is located within a coastal zone noting clause 4 of the SEPP.

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

Having regard for clauses 2, 8 and 12 to 16 of the SEPP and clause 5.5 of the PMH LEP 2011, the proposed development will not result in any of the following:

- a) any restricted access (or opportunities for access) to the foreshore
- b) any adverse amenity impacts along the foreshore and on the scenic qualities of the coast;
- c) any adverse impacts on flora and fauna;
- d) the development being subject to any adverse coastal processes or hazards;
- e) any significant conflict between water and land based users of the area;
- f) any adverse impacts on any items of archaeological/heritage;
- g) reduction in the quality of the natural water bodies in the locality (due to effluent & stormwater disposal, construction impacts, landuse conflicts);
- h) adverse cumulative impacts on the environment;
- i) a form of development that is unsustainable in water and energy demands;
- j) development relying on flexible zone provisions.

State Environmental Planning Policy (Infrastructure) 2007

Clause 45 – The proposal includes works in proximity to electricity infrastructure. Essential Energy were given written notice of the proposal on 16 February 2018 and

provided with the opportunity to make comment. No comments were received within the statutory timeframe for response.

Port Macquarie-Hastings Local Environmental Plan 2011

The proposal is consistent with the LEP having regard to the following:

- Clause 2.2, the subject site is zoned RE1 Public Recreation. In accordance with clause 2.3(1) and the RE1 zone landuse table, the proposed development for a recreation area (ancillary clubhouse/amenities building) is a permissible landuse with consent.

The objectives of the RE1 zone are as follows:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

In accordance with Clause 2.3(2), the proposal is consistent with the zone objectives having regard to the following:

- The proposal is a permissible landuse;
- The development would support the use of the site for sporting and recreational activities.

- Clause 5.5 - Development within the coastal zone - relevant objectives of this clause are addressed by SEPP 71 section (see above).
- Clause 5.10, the site does not contain or adjoin any known heritage items or sites of significance.
- Clause 7.13, satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development.

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

No draft instruments are applicable to the proposal.

(iii) any Development Control Plan in force:

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Chapter 4.3 - Port Macquarie East			
DCP Objective	Development Provisions	Proposed	Complies
4.3.2.1	Development generally in accordance with the precinct structure plan.	The proposal is generally consistent with the precinct structure plan. A north-south pedestrian/cycle link is identified in the structure	Yes

		plan along the western boundary adjoining the school. The proposed clubhouse building would reduce the area available to accommodate the future link, but a sufficient corridor has been retained to ensure that the structure plan is still feasible.	
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DCP 2013: General Provisions			
DCP Objective	Development Provisions	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline: <ul style="list-style-type: none"> Casual surveillance and sightlines Land use mix and activity generators Definition of use and ownership Lighting Way finding Predictable routes and entrapment locations 	The proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area. The development would increase activity and improve lighting for this part of the site.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Less than 1m of cut and fill 1m outside the walls of the building.	Yes
2.3.3.2	1m max. height retaining walls along road frontages	No retaining walls at the road frontage proposed.	N/A
	Any retaining wall >1.0 in height to be certified by structural engineer	Retaining wall 0.75m high proposed.	N/A
	Combination of retaining wall and front fence height	No retaining wall/front fence combination proposed.	N/A
2.3.3.8 onwards	Removal of hollow bearing trees	None proposed to be removed.	N/A
2.6.3.1	Tree removal (3m or higher with 100mm diameter trunk and 3m outside dwelling footprint)	Two mature Norfolk Island Pines are proposed to be removed for construction of the clubhouse. The trees are not listed as Koala browse species and offset plantings are not required by the DCP.	Yes

2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads. Existing accesses rationalised or removed where practical	No new access proposed.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	No new access proposed.	N/A
2.5.3.3	Off-street parking in accordance with Table 2.5.1. (Provision to consider reduced parking where supported by parking demand study)	The proposal is ancillary to the existing recreation area and is not expected to increase demand for off-street parking. The site has 98 existing parking spaces, including 4 accessible spaces.	Yes
2.5.3.11	Section 94 contributions	Refer to main body of report.	Noted

(iiiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4:

No planning agreement has been offered or entered into relating to the site.

iv) any matters prescribed by the Regulations:

New South Wales Coastal Policy:

The proposed development is consistent with the objectives and strategic actions of this policy. See comments earlier under SEPP No. 71 – Coastal Protection.

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

Context and Setting

The site has a general easterly street frontage orientation to Pacific Drive and a southerly frontage to Burrawan Street.

Adjoining the site to the north is a tennis club. Adjoining the site to the east is Oxley Beach. Adjoining the site to the south is distant medium density residential development. Adjoining the site to the west is a bowling club and school.

The proposal does not have a significant adverse impact on existing view sharing.

The proposal does not have significant adverse lighting impacts.

There is no adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

Roads

The site has road frontage to Pacific Drive and Burrawan Street.

Adjacent to the site, both streets are sealed public roads under the care and control of Council.

Traffic and Transport

The traffic associated with the development is unlikely to have any adverse impacts to the existing road network within the immediate locality.

Parking and Manoeuvring

The proposal is ancillary to the existing recreation area and is not expected to increase demand for off-street parking. The site has 98 existing parking spaces, including 4 accessible spaces.

Water Supply Connection

Council records indicate that the development site does not currently have a water meter. Final water service sizing will need to be determined by a hydraulic consultant to suit the components of the development, as well as fire service and backflow protection requirements in accordance with AS3500.

Refer to relevant conditions of consent.

Sewer Connection

Council records indicate that the development site is connected to sewer via a junction to the existing sewer line to the east of the proposed amenities block. The proposed development may discharge all sewage to the existing point of connection to Council's sewer system.

Refer to relevant conditions of consent.

Stormwater

The site in the location of the proposed clubhouse naturally grades to the north-west. The development is capable of draining to Council's existing stormwater drainage infrastructure.

Existing stormwater drainage from the car park located to the south of the proposed clubhouse building will need to be relocated to the east as part of a separate Council project for installation of a new substation for upgrades to the lighting at Oxley Oval. The location of the proposed clubhouse building has been reviewed and amended through the assessment process to ensure that an adequate corridor is retained to carry out the future stormwater relocation work.

A detailed site stormwater management plan will be required to be submitted for assessment with the S.68 application and prior to the issue of a Construction Certificate.

Other Utilities

Telecommunication and electricity services are available to the site.

Heritage

No known items of Aboriginal or European heritage significance exist on the property.
No adverse impacts anticipated.

Other land resources

The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle

The proposed development will be unlikely to have any adverse impacts on water resources and the water cycle.

Soils

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

Air and microclimate

The construction and/or operations of the proposed development will be unlikely to result in any adverse impacts on the existing air quality or result in any pollution.
Standard precautionary site management condition recommended.

Flora and fauna

Construction of the proposed development will not require any removal/clearing of any habitat and therefore will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated. Standard precautionary site management condition recommended.

Energy

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of Section J of the Building Code of Australia. No adverse impacts anticipated.

Noise and vibration

The proposed clubhouse building would be ancillary to the existing recreational use of the site and is not expected to result in any significant increase in noise generation. A condition is recommended restricting use of the clubhouse/kiosk/bar to occasions when the recreation area is being used for sporting/recreational events.

A condition is also recommended restricting construction to standard construction hours.

Bushfire

The site is not identified as being bushfire prone.

Safety, security and crime prevention

The proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area. The development would increase activity and improve lighting for this part of the site.

Social impacts in the locality

Given the nature of the proposed development and its' location, the proposal is unlikely to result in any adverse social impacts. It is recommended that the use of the facility, including the bar, be restricted to the times when the recreation area is being used for sporting activities. This is expected to reduce the potential for anti-social behaviour associated with the consumption of alcohol at the premises.

A separate liquor licence would also be required for the bar and would need to go through that associated process.

Economic impact in the locality

No adverse impacts. A likely positive impact is that the development will maintain employment in the construction and recreation industry, which will lead to flow impacts such as expenditure in the area.

Site design and internal design

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

Construction

No potential adverse impacts identified to neighbouring properties with the construction of the proposal.

Cumulative impacts

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

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

The proposal will fit into the locality and the site attributes are conducive to the proposed development.

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

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

Three (3) written submissions have been received following public exhibition of the application.

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

Submission Issue/Summary	Planning Comment/Response
Are there alternative options or locations for the clubhouse that would have less impact on trees and use of public space?	<p>It is understood that there has been considerable negotiation between the proponent and Council's Recreation and Buildings Section and various alternatives have been investigated. The location in the current proposal is understood to be the only one that was suitable in principle to both parties.</p> <p>The assessment of the application needs to consider the development proposed (rather than alternatives).</p>
The loss of two Norfolk Island Pines will affect the attractiveness of the oval landscape and the quality of views from Burrawan Street and the adjacent Oxley Oval Reserve.	In the location of the proposed development, the existing Norfolk Island Pines have been planted in two rows (one row along the edge of the oval and the other row along the northern edge of the parking area). The proposal to remove two trees from the row adjoining the oval would have less visual impact when viewed from the south due to the second row of trees. The development would not create an obvious 'gap' in the plantings when viewed from the locations noted.
The proposal has not considered Council's Social Impact Assessment Policy.	The potential social impacts of the development have been considered in the assessment report. Council's Social Impact Assessment Policy only requires a Social Impact Comment for recreational facilities that have a capacity for greater than 100 people. The proposal facility is not expected to accommodate such numbers.
Has there been any pre-lodgement consultation with Council's Duty Planner? If so what were the issues raised to be dealt with by the proponents?	There has been no formal pre-lodgement meeting regarding the proposal.
Approval of the proposal would create a precedent for other sporting groups to construct independent facilities.	The proposal is understood to be a shared facility for both the cricket and rugby union users. It is not expected that the development would result in multiple clubhouse/amenity facilities at the oval. The development will be located on Council managed land and Council will have the ability to manage the future use of the facility.
Remedial landscaping is essential if approval is granted for removal of the existing Norfolk Island Pines.	A condition is recommended requiring offset plantings at a 2:1 ratio to the satisfaction of Council's Tree Management Section.
Competition impacts of proposed bar on nearby licenced premises.	Competition is not a relevant planning consideration.
Social impacts in the locality associated with the proposed bar area in the clubhouse.	The proposed bar will essentially formalise a use that already exists at the site. It is understood that a mobile bar is currently used during rugby

Submission Issue/Summary	Planning Comment/Response
	<p>union games and an appropriate liquor licence is in place for this activity.</p> <p>The consumption of alcohol at the premises is expected to generally be by spectators during games and players at the completion of games during pack up and any presentations.</p> <p>A condition is recommended restricting the use of the bar to times when there are sporting event at the site. This would prevent independent functions from being carried out at the site.</p>

(e) The Public Interest:

The proposed development satisfies relevant planning controls and is unlikely to impact on the wider public interest.

4. CONCLUSION

The application has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

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

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

Attachments

- 1[View](#). DA2017 - 1084.1 Recommended Conditions
- 2[View](#). DA2017 - 1084.1 Submission - Brown
- 3[View](#). DA2017 - 1084.1 Submission - Hazenveld
- 4[View](#). DA2017 - 1084.1 Submission - Port City Bowling Club
- 5[View](#). DA2017 - 1084.1 Application Plans

Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE

RECOMMENDATION

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

Item 14.01 Property Purchase by Sewer Fund

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 14.02 Property Purchase by Property Reserve

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 14.03 Council Owned Land in William Street Port Macquarie (PIN 34119)

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 14.04 T-18-04 Supply and Delivery of Chemicals

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 14.05 T-18-06 Invasive weed control, vegetation management for bushfire Works and Feral Animal Management 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 14.06 T-18-02 Southern Arm Trunk Main Cowarra Balance Tank to Pacific Highway

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

2. That pursuant to Section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole on the basis that the items to be considered are of a confidential nature.
3. That the recommendations made in Confidential Committee of the Whole be made public as soon as practicable.

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

RECOMMENDATION

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

Item 14.01 Property Purchase by Sewer Fund

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RECOMMENDATION