



PORT MACQUARIE-HASTINGS  
COUNCIL



# Ordinary Council

## Business Paper

**date of meeting:** Wednesday 19 February 2020

**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

# Ordinary Council Meeting

Wednesday 19 February 2020

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

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

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

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

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

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**RECOMMENDATION**

That the apologies received be accepted.

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

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**RECOMMENDATION**

1. That the Minutes of the Ordinary Council Meeting held on 11 December 2019 be confirmed.
2. That the Minutes of the Extraordinary Council Meeting held on 22 January 2020 be confirmed.

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## **PRESENT**

### ***Members:***

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

### ***Other Attendees:***

General Manager (Craig Swift-McNair)  
Director Corporate Performance (Rebecca Olsen)  
Director Development and Environment (Melissa Watkins)  
Director Infrastructure (Dan Bylsma)  
Director Strategy and Growth (Jeffery Sharp)  
Group Manager Governance (Michael Ferguson)  
Governance Support Officer (Bronwyn Lyon)  
Communications Manager (Andy Roberts)

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The meeting opened at 5:30pm.

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## **01 ACKNOWLEDGEMENT OF COUNTRY**

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

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## **02 LOCAL GOVERNMENT PRAYER**

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Pastor Simon Chen from the Baptist Church delivered the Local Government Prayer.

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### **03 APOLOGIES**

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*RESOLVED: Intemann/Griffiths*

That the apology received from Councillor Dixon be accepted.

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

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### **04 CONFIRMATION OF MINUTES**

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*RESOLVED: Intemann/Griffiths*

That the Minutes of the Ordinary Council Meeting held on 20 November 2019 be confirmed.

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

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### **05 DISCLOSURES OF INTEREST**

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Councillor Alley declared a Non-Pecuniary, Significant Interest in Item 13.10 - Update on Site Specific Planning Proposal Requests, the reason being that this item includes property immediately adjacent to property that is owned by the Trustees of Church Property, Diocese of Newcastle which holds that property for the benefit of the Anglican Parish of the Camden Haven, of which Councillor Alley serves as the Treasurer on the Parish Council.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 13.03 - Sancrox and Fernbank Creek Planning Investigation, the reason being that Councillor Levido is the principal of Levido Law and Property. The Firm acts for various property owners within the areas, the subject of the report.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 13.10 - Update on Site Specific Planning Proposal Requests, the reason being that Councillor Levido is the principal of Levido Law and Property. The Firm acts for the owners of 2 properties within the areas, the subject of the report.

Councillor Levido declared a Non-Pecuniary, Significant Interest in Item 15.03 - T-19-28 Woods Street Construction Upgrade, the reason being that Councillor Levido is the principal of Levido Law and Property. The Firm acts for a principal of 1 of the tenderers, the subject of the report.

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Councillor Griffiths declared a Non-Pecuniary, Significant Interest in Item 13.12 - Sancrox Quarry State Significant Development Proposal, the reason being that Councillor Griffiths has family members who live in the Sancrox area within close proximity to the quarry.

Councillor Griffiths declared a Special Disclosure of Pecuniary Interest under Section 451(4) & (5) of the Local Government Act 1993 in relation to Item 13.03 - Sancrox and Fernbank Creek Planning Investigation.

Mayor Pinson declared a Pecuniary Interest in Item 13.12 - Sancrox Quarry State Significant Development Proposal, the reason being that Councillor Pinson owns a company Stabilcorp which has a commercial relationship with Hanson through the purchase of gravel products.

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## **06 MAYORAL MINUTES**

Nil.

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## **07 CONFIDENTIAL CORRESPONDENCE TO ORDINARY COUNCIL MEETING**

The General Manager advised that there is no confidential correspondence.

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## **08 PUBLIC FORUM – MATTERS NOT ON THE AGENDA**

The Mayor advised of requests to speak in the Public Forum - Matters Not On The Agenda from:

1. Ms Olivia Woollard regarding Climate Change.
2. Mr David Smith regarding The Climate Emergency.
3. Ms Danielle Maltman, President of Revive Lake Cathie Inc. regarding Lake Cathie / Lake Innes Estuarine System.
4. Mr Harry Creamer regarding Climate Change - Impacts and Policy.

*RESOLVED: Griffiths/Hawkins*

That the above requests to speak in the Public Forum - Matters Not On The Agenda be acceded to.

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



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## **08.01 CLIMATE CHANGE**

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Ms Olivia Woollard addressed Council in regard to Climate Change and answered questions from Councillors.

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## **08.02 THE CLIMATE EMERGENCY**

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Mr David Smith addressed Council in regard to The Climate Emergency and answered questions from Councillors.

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## **08.03 LAKE CATHIE / LAKE INNES ESTUARINE SYSTEM**

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Ms Danielle Maltman, President of Revive Lake Cathie Inc. addressed Council in regard to the Lake Cathie / Lake Innes Estuarine System and answered questions from Councillors.

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## **08.04 CLIMATE CHANGE - IMPACTS AND POLICY**

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Mr Harry Creamer addressed Council in regard to Climate Change - Impacts and Policy and answered questions from Councillors.

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## **09 PUBLIC FORUM – MATTERS ON THE AGENDA**

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The Mayor advised of requests to speak in the Public Forum - Matters On The Agenda from:

- Item 10.06 - Mr Mick Lyons in support of the recommendation.
  - Item 10.08 - Mr Fred Buys in opposition of the recommendation.
  - Item 11.04 - Ms Lisa McLeod in support of the recommendation.
  - Item 12.01 - Ms Rachel Sheppard in opposition of the recommendation.
  - Item 12.01 - Mr Bruce Hardy in support of the recommendation.
  - Item 13.01 - Mr Stephen Healy in opposition of the recommendation.
  - Item 13.01 - Mr Jake Wadsworth in support of the recommendation.
  - Item 13.03 - Mr Graham Burns, Land Dynamics Australia, in opposition of the recommendation.
  - Item 13.05 - Ms Lynda Binskin in support of the recommendation.
  - Item 13.05 - Ms Rachel Sheppard in support of the recommendation.
  - Item 13.06 - Mr Tony Thorne, King and Campbell Pty Ltd, in support of the recommendation.
  - Item 13.08 - Ms Cathy Eggert, Beechwood Biological Solutions, in opposition of the recommendation.
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Item 13.08 - Ms Lynda Binskin in support of the recommendation.  
Item 13.10 - Ms Michelle Love, Love Project Management, in support of the recommendation.  
Item 13.12 - Mr Frank Dennis in opposition of the recommendation.

*RESOLVED: Griffiths/Alley*

That the above requests to speak in the Public Forum - Matters On The Agenda be acceded to.

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

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## **SUSPENSION OF STANDING ORDERS**

*RESOLVED: Griffiths/Intemann*

That Standing Orders be suspended to allow items 10.06, 10.08, 11.04, 12.01, 13.01, 13.03, 13.05, 13.06, 13.08, 13.10 and 13.12 to be brought forward and considered next.

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

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## **10.06 INVESTMENTS - NOVEMBER 2019**

Mr Mick Lyons addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Intemann/Hawkins*

That Council:

1. Note the Investment Report for the month of November 2019.
2. Write to the parties with which it has investments asking each party to advise its position with respect to investment in fossil fuel projects and enterprises and investment in projects that ensure a low carbon emissions future, with a reply to Council requested by 28 January 2020.
3. Refer the investments issues raised in the public address to the Audit, Risk and Improvement Committee for its information and comment.

*CARRIED: 5/2*  
*FOR: Alley, Hawkins, Intemann, Pinson and Turner*  
*AGAINST: Griffiths and Levido*

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#### **10.08 DISCUSSION PAPER FOR A NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR LOCAL COUNCILS IN NSW**

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Mr Fred Buys addressed Council in opposition of the recommendation and answered questions from Councillors.

*RESOLVED: Hawkins/Griffiths*

That Council:

1. Endorse the submission to the included in this Discussion Paper for a New Risk Management and Internal Audit Framework for Local Councils in NSW report.
2. Request the General Manager lodge the submission referred to in 1. above to the Office of Local Government by the due date of 31 December 2019, including strong reference to continuing with Councillor representatives and concern as to the significant increase in costs under the proposal.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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#### **11.04 COMMUNITY PLANS FOR ENDORSEMENT**

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Ms Lisa McLeod addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Griffiths/Alley*

That Council:

1. Endorse the Community Plans for the following 2 communities:
  - a) Comboyne/Byabarra.
  - b) Pappinbarra.
2. Note the goals and actions identified for each of the communities as outlined in the Community Plans, for consideration in future Operational Plans.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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**12.01 30TH ANNIVERSARY OF SISTER CITY RELATIONSHIP BETWEEN  
PORT MACQUARIE-HASTINGS COUNCIL AND HANDA CITY COUNCIL  
- VISIT TO JAPAN 2020**

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Ms Rachel Sheppard addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Bruce Hardy addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Intemann/Turner*

That Council:

1. Note the information regarding potential costs, community benefits and budget allocation that would be associated with Mayoral and Councillor attendance at events to mark the April 2020 30<sup>th</sup> Anniversary of Sister City Relationship between Port Macquarie-Hastings Council and Handa City, in Handa Japan.
2. Note that up to six Council delegates have been invited to attend the 30<sup>th</sup> Anniversary celebrations by Handa City, Japan.
3. Request the General Manager to convene a meeting in January 2020, inviting relevant local parties, relevant staff and interested Councillors to discuss the value, cost and future direction of the Sister City relationship with Handa, and especially the planned and proposed exchange events in 2020.
4. Request the General Manager to report back to the February 2020 Council meeting on the above matters.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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**13.01 WATER SECURITY UPDATE**

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Mr Stephen Healy addressed Council in opposition of the recommendation and answered questions from Councillors.

Mr Jake Wadsworth addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Griffiths/Alley*

That Council note the information included in the Water Security Update report.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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### **13.03 SANCROX AND FERNBANK CREEK PLANNING INVESTIGATION**

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Councillor Griffiths declared a Special Disclosure of Pecuniary Interest under Section 451(4) & (5) of the Local Government Act 1993 in this matter and left the room and was out of sight during the Council's consideration, the time being 7:44pm.

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 7:44pm.

Mr Graham Burns, Land Dynamics Australia, addressed Council in opposition of the recommendation and answered questions from Councillors.

*RESOLVED: Turner/Hawkins*

That Council:

1. Endorse the information contained within Fernbank Creek and Sancrox Planning Investigation Area Discussion Paper and associated Fact Sheet and place on public exhibition for a period of 28 days from 22 January 2020 until 19 February 2020.
2. Use feedback received in relation to this public exhibition to inform the development of a Structure Plan for this area (previously referred to as an 'Outline Plan').
3. Delegate to the General Manager the authority to make any required minor or administrative amendments to these documents prior to exhibition.
4. Note that Council Staff have recently reviewed a suite of draft documents in support of a proposed future Planning Proposal for a number of landholdings collectively known as 'Le Clos Sancrox'. These documents are being reviewed in parallel with the progression of the Structure Plan following Council's resolution in relation to this matter at its Ordinary Meeting of 20 February 2019.
5. Encourage the Le Clos Sancrox land owner consortium to develop documents in support of the proposal in parallel with the development of the Structure Plan to ensure consistency in the strategic planning process.

*CARRIED: 5/0*

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

*AGAINST: Nil*

Councillor Levido returned to the meeting, the time being 8:01pm.

Councillor Griffiths returned to the meeting, the time being 8:01pm.

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### **13.05 SUSTAINABILITY INITIATIVES AND PROGRAMS**

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Ms Lynda Binskin addressed Council in support of the recommendation and answered questions from Councillors.

Ms Rachel Sheppard addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Intemann/Turner*

That Council:

1. Note the information provided in the Sustainability Initiatives and Programs report, but correcting the meaning of Mitigation to refer to reducing pollutant emissions, and the meaning of Adaptation to refer to reducing vulnerability to the consequences of a changed climate.
2. Request the General Manager to consider the development of a Sustainability Strategy as part of the draft 2020-2021 Operational Plan, including specific climate mitigation and adaptation strategies.
3. Request the General Manager to provide a report to the April 2020 Ordinary Council Meeting detailing general climate change information and predicted risks and opportunities, using information from reputable sources such as but not limited to CSIRO, NASA and Council's insurers.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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### **13.06 DRAFT PORT MACQUARIE-HASTINGS DEVELOPMENT CONTROL PLAN 2013 - AIRPORT BUSINESS PARK**

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Mr Tony Thorne, King and Campbell Pty Ltd, addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Levido/Alley*

That Council:

1. Endorse the Draft Port Macquarie-Hastings Development Control Plan 2013 - Airport Business Park, at Attachment 3, for public exhibition concurrently with the Airport Business Park Planning Proposal for the period of 29 January to 26 February 2020.
2. Seek an alteration to the Airport Business Park Planning Proposal Gateway Determination to include 'recreation area' as a permitted use in the B7 Business Park Zone.
3. Delegate authority to the Director Development and Environment to make any necessary minor changes to the Draft Development Control Plan, including mapping, before public exhibition.

- 
4. Receive a further report on any submissions to the Draft Development Control Plan following the public exhibition period.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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### **13.08 KOOLOONBUNG CREEK FLYING-FOX CAMP MANAGEMENT**

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Ms Cathy Eggert addressed Council in support of the recommendation and answered questions from Councillors.

Ms Lynda Binskin addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Griffiths/Alley*

That Council note the information presented in the Kooloonbung Creek Flying-Fox Camp Management Plan quarterly update report.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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### **13.10 UPDATE ON SITE SPECIFIC PLANNING PROPOSAL REQUESTS**

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Councillor Alley declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:41pm.

Councillor Levido declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:41pm.

Ms Michelle Love, Love Project Management, addressed Council in support of the recommendation and answered questions from Councillors.

*RESOLVED: Turner/Hawkins*

That Council:

1. Note the current status of site specific Planning Proposal requests as described in this report.
  2. Having regard to the deferral of the assessment report on the Planning Proposal Request for Ruins Way, Port Macquarie (PP2011-9.3) at the June 2019 Ordinary Council meeting, advise the Proponent that:
    - a) A revised Planning Proposal and supporting information describing proposed modifications to the proposal to achieve positive
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- environmental outcomes is to be submitted to Council by 28 February 2020, and
- b) If a revised Planning Proposal is not submitted to Council within the timeframe referred to in a.) above, the Council report (June 2019) recommending the proposal not be supported, be presented to Council for a decision in March 2020.
- 3. Request the General Manager write to the Minister for Planning and Open Spaces, in relation to the Planning Proposal for Bundaleer Aged Care, Wauchope (PP2017-6.1) requesting that pursuant to Section 3.35(4) of the Environmental Planning & Assessment Act 1979, the Planning Proposal not proceed.
  - 4. Receive a further update report in six months regarding the progress of site specific Planning Proposal requests.

*CARRIED: 5/0*

*FOR: Griffiths, Hawkins, Intemann, Pinson and Turner*

*AGAINST: Nil*

Councillor Alley returned to the meeting, the time being 8:43pm.

Councillor Levido returned to the meeting, the time being 8:43pm.

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### **13.12 SANCROX QUARRY STATE SIGNIFICANT DEVELOPMENT PROPOSAL**

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Councillor Griffiths declared a Non-Pecuniary, Significant Interest in this matter and left the room and was out of sight during the Council's consideration, the time being 8:44pm.

Mayor Pinson declared a Pecuniary Interest in this matter, vacated the Chair and left the room and was out of sight during the Council's consideration, the time being 8:44pm.

Deputy Mayor Intemann assumed the Chair.

Mr Frank Dennis addressed Council in opposition of the recommendation and answered questions from Councillors.

The Director of Development and Environment tabled Council's submission of concerns dated 11 December 2019 to the Department of Planning Industry and Environment in relation to the State Significant Development Proposal SSD 7293 Sancrox Quarry Expansion Project.

*RESOLVED: Hawkins/Alley*

That Council:

- 1. Note the information contained within the Sancrox Quarry State Significant Development Proposal report.
- 2. Request the General Manager table Council's submission of concerns dated 11 December 2019 to the Department of Planning Industry and Environment in relation to the State Significant Development Proposal SSD 7293 Sancrox Quarry Expansion Project and make it public on Council's website.



- 
3. Request the General Manager make public on Council's website the correspondence relating to this submission as resolved at the November 2019 Council Meeting.
  4. Request the General Manager write to the Minister for Planning to request a public hearing be held in relation to the Sancrox Quarry Expansion Project State Significant Development Proposal.

*CARRIED: 5/0*

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

*AGAINST: Nil*

Deputy Mayor Intemann vacated the Chair.

Mayor Pinson returned to the meeting and resumed the Chair, the time being 9:13pm.

Councillor Griffiths returned to the meeting, the time being 9:13pm.

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#### **10.01 MAYORAL DISCRETIONARY FUND ALLOCATIONS - 7 NOVEMBER TO 27 NOVEMBER 2019**

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Councillor Hawkins left the meeting, the time being 9:13pm.

*RESOLVED: Pinson/Griffiths*

That Council note the allocations from the Mayoral Discretionary Fund for the period 7 to 27 November 2019 inclusive.

*CARRIED: 6/0*

*FOR: Alley, Griffiths, Intemann, Levido, Pinson and Turner*

*AGAINST: Nil*

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#### **10.02 REQUEST FOR LEAVE OF ABSENCE - MAYOR PETA PINSON**

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*RESOLVED: Alley/Griffiths*

That Council:

1. Grant leave of absence for Mayor Peta Pinson for the period 20 February to 1 March 2020 inclusive.
2. Note that in accordance with Section 231(3) of the Local Government Act, the Deputy Mayor will perform all duties of the Mayor during this period.
3. Allocate the Mayoral allowance to the Deputy Mayor during this period in accordance with Section 249(5) of the Local Government Act.

*CARRIED: 6/0*

*FOR: Alley, Griffiths, Intemann, Levido, Pinson and Turner*

*AGAINST: Nil*

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### **10.03 STATUS OF REPORTS FROM COUNCIL RESOLUTIONS**

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Councillor Hawkins returned to the meeting, the time being 9:15pm.

*RESOLVED: Intemann/Griffiths*

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

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

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### **10.04 NOTICE OF MOTION - COUNCIL MEETING COMMENCEMENT TIME**

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#### **MOTION**

*MOTION: Pinson/Griffiths*

That Council, in light of Section 3.2 of the Code of Meeting Practice, where Council shall by resolution, set the frequency, time, date and place of its Ordinary Meetings:

1. Note that the meeting dates and locations for Ordinary Council meetings up until and including December 2020, have been determined by Council at its Ordinary meeting held 18 September 2019.
2. Request the General Manager to provide a briefing to Councillors in February 2020 on the benefits and consequences of a change of meeting time for Ordinary Council Meetings in the future.
3. Request the General Manager bring back a report to the April 2020 Meeting for further consideration.

#### **AMENDMENT**

*MOVED: Alley/Hawkins*

That Council, in light of Section 3.2 of the Code of Meeting Practice, where Council shall by resolution, set the frequency, time, date and place of its Ordinary Meetings:

1. Note that the meeting dates and locations for Ordinary Council meetings up until and including December 2020, have been determined by Council at its Ordinary meeting held 18 September 2019.
2. Request the General Manager to provide a briefing to Councillors in March 2020 to consider and discuss the timing and efficiencies of Ordinary Council Meetings.

**THE AMENDMENT WAS PUT AND CARRIED**

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*MOVED: Alley/Hawkins*

That Council, in light of Section 3.2 of the Code of Meeting Practice, where Council shall by resolution, set the frequency, time, date and place of its Ordinary Meetings:

1. Note that the meeting dates and locations for Ordinary Council meetings up until and including December 2020, have been determined by Council at its Ordinary meeting held 18 September 2019.
2. Request the General Manager to provide a briefing to Councillors in March 2020 to consider and discuss the timing and efficiencies of Ordinary Council Meetings.

*CARRIED: 6/1*

*FOR: Alley, Griffiths, Hawkins, Intemann, Levido and Turner*

*AGAINST: Pinson*

### **THE AMENDMENT BECOMES THE MOTION**

*RESOLVED: Alley/Hawkins*

That Council, in light of Section 3.2 of the Code of Meeting Practice, where Council shall by resolution, set the frequency, time, date and place of its Ordinary Meetings:

1. Note that the meeting dates and locations for Ordinary Council meetings up until and including December 2020, have been determined by Council at its Ordinary meeting held 18 September 2019.
2. Request the General Manager to provide a briefing to Councillors in March 2020 to consider and discuss the timing and efficiencies of Ordinary Council Meetings.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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### **10.05 MONTHLY BUDGET REVIEW - NOVEMBER 2019**

*RESOLVED: Intemann/Hawkins*

That Council:

1. Adopt the adjustments in the "November 2019 Adjustments" section of the Monthly Budget Review – November 2019.
2. Amend the 2019-2020 Operational Plan to include all budget adjustments approved in this report.

*CARRIED: 5/2*

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

*AGAINST: Griffiths and Pinson*

Item 10.06 Investments - November 2019 - has been addressed previously within the meeting.

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**10.07 RELIEF MEASURES FOR BUSHFIRE IMPACTED RESIDENTS**

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Councillor Turner left the meeting, the time being 9:48pm.

Councillor Turner returned to the meeting, the time being 9:49pm.

*RESOLVED: Intemann/Griffiths*

That Council:

1. Waive the fees and charges detailed in this report, in relation to owners of properties which have been damaged or destroyed in the 2019 Bushfires. These fees and charges include:
  - a) Interest on rates and charges
  - b) Water and sewerage charges
  - c) Waste management and tipping fees
  - d) Relevant fees and charges associated with building / construction
2. Delegate approval to the General Manager to enter into a formal agreement with an eligible applicant to repay outstanding rates and charges by periodical payments on a payment arrangement, where the applicant is the owner of a property which has been damaged or destroyed in the 2019 Bushfires, as identified by the NSW Rural Fire Service.
3. Amend the Rates and Charges Hardship Assistance Policy to include provisions for property owners who have had a house, facility or outbuilding determined to be destroyed or damaged by the responsible government agency as a result of a natural disaster.
4. Determine that the fees to be waived in accordance with point 1(d) above relating to fees and charges associated with building /construction applications be available for a period of 12 months until 28 January 2021.
5. Request the General Manager to raise the issue of regulated/statutory fees that may be applicable for payment in respect of development applications for fire impacted developments/building works at the Regional Recovery Meetings with a request that these state government fees also be waived for bushfire impacted properties as detailed in the report.
6. Request the General Manager to raise with the State Government the waiving of State Government fees listed in the first paragraph of page 63, namely:
  - a) the Plan First Levy / Planning Reform Fee.
  - b) the NSW Long Service Levy.
  - c) the Integrated Authority Referral Fee.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item - 10.08 Discussion Paper for a New Risk Management and Internal Audit Framework for Local Councils in NSW - has been addressed previously within the meeting.

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## **EXTENSION OF TIME**

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*RESOLVED: Alley/Hawkins*

That, as per Clause 18.2 of the adopted Code of Meeting Practice, Council extend the finishing time of this meeting to 11:00pm.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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## **10.09 CODE OF CONDUCT COMPLAINT STATISTICS**

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### **MOTION**

*MOTION: Hawkins/Intemann*

That Council:

1. Notes the Code of Conduct Complaint Statistics for the period 1 September 2018 to 31 August 2019.
2. Provide the report to the Audit, Risk and Improvement Committee for information.
3. Request the General Manager to report back to the March 2020 Meeting of Council (or earlier, if applicable) the response to his representations to the Minister of Local Government and / or Office of Local Government in relation to "strengthening the enforceability of the Code of Conduct" as resolved by Council at the Ordinary Meeting of Council on 20 November, 2019 as per Agenda Item 10.07.
4. Request the General Manager investigate options for reporting Code of Conduct complaints so as to include basic de-identified information sufficient to permit better analysis of the issues raised and therefore identify any useful corrective or educative action to be taken, and bring the findings to a Councillor briefing for discussion by March 2020.

### **AMENDMENT**

*MOVED: Pinson/Griffiths*

That Council:

1. Notes the Code of Conduct Complaint Statistics for the period 1 September 2018 to 31 August 2019.
  2. Provide the report to the Audit, Risk and Improvement Committee for information.
  3. Request the General Manager to report back to the March 2020 Meeting of Council (or earlier, if applicable) the response to his representations to the Minister of Local Government and / or Office of Local Government in relation to "strengthening the enforceability of the Code of Conduct" as resolved by Council at the Ordinary Meeting of Council on 20 November, 2019 as per Agenda Item 10.07.
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4. Request the General Manager to provide a copy of Item 10.09 of the Agenda and Minutes to the Minister of Local Government.
  5. Request the General Manager investigate options for reporting Code of Conduct complaints so as to include basic de-identified information sufficient to permit better analysis of the issues raised and therefore identify any useful corrective or educative action to be taken, and bring the findings to a Councillor briefing for discussion by March 2020.

#### **THE AMENDMENT WAS PUT AND LOST**

*MOVED: Pinson/Griffiths*

That Council:

1. Notes the Code of Conduct Complaint Statistics for the period 1 September 2018 to 31 August 2019.
2. Provide the report to the Audit, Risk and Improvement Committee for information.
3. Request the General Manager to report back to the March 2020 Meeting of Council (or earlier, if applicable) the response to his representations to the Minister of Local Government and / or Office of Local Government in relation to “strengthening the enforceability of the Code of Conduct” as resolved by Council at the Ordinary Meeting of Council on 20 November, 2019 as per Agenda Item 10.07.
4. Request the General Manager to provide a copy of Item 10.09 of the Agenda and Minutes to the Minister of Local Government.
5. Request the General Manager investigate options for reporting Code of Conduct complaints so as to include basic de-identified information sufficient to permit better analysis of the issues raised and therefore identify any useful corrective or educative action to be taken, and bring the findings to a Councillor briefing for discussion by March 2020.

*LOST: 3/4*

*FOR: Alley, Griffiths and Pinson*

*AGAINST: Hawkins, Intemann, Levido and Turner*

#### **THE MOTION WAS PUT**

*RESOLVED: Hawkins/Intemann*

That Council:

1. Notes the Code of Conduct Complaint Statistics for the period 1 September 2018 to 31 August 2019.
2. Provide the report to the Audit, Risk and Improvement Committee for information.
3. Request the General Manager to report back to the March 2020 Meeting of Council (or earlier, if applicable) the response to his representations to the Minister of Local Government and / or Office of Local Government in relation to “strengthening the enforceability of the Code of Conduct” as resolved by Council at the Ordinary Meeting of Council on 20 November, 2019 as per Agenda Item 10.07.

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4. Request the General Manager investigate options for reporting Code of Conduct complaints so as to include basic de-identified information sufficient to permit better analysis of the issues raised and therefore identify any useful corrective or educative action to be taken, and bring the findings to a Councillor briefing for discussion by March 2020.

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

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#### **10.10 DRAFT GLASSHOUSE PLAN 2020 - 2022**

*RESOLVED: Intemann/Turner*

That Council:

1. Note the draft Glasshouse Plan 2020-2022 as detailed in this report.
2. Place the draft Glasshouse Plan 2020-2022 on public exhibition for a minimum period of 28 days, from 24 January 2020 to 21 February 2020.
3. Note that a further report will be tabled at the March 2020 meeting of Council, detailing the submissions received during the exhibition period.

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

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#### **11.01 DRAFT PUBLIC ART POLICY**

*RESOLVED: Intemann/Alley*

That Council:

1. Note the draft Public Art Policy.
2. Place the draft Public Art Policy on public exhibition from 13 December 2019 until 21 February 2020.
3. Note that a further report will be tabled at the March 2020 meeting of Council, detailing the submissions received from the public during the exhibition period.

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



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## **11.02 RECOMMENDED ITEMS FROM THE MAYOR'S SPORTING FUND SUB-COMMITTEE - NOVEMBER 2019**

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*RESOLVED: Pinson/Hawkins*

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

1. That "the name is suppressed due to a sensitive privacy matter", receive \$350.00 to assist with the expenses they would have incurred travelling to and competing at the NSW Combined High Schools Track and Field Championships held at Sydney Olympic Park from 6 - 7 November 2019 inclusive.
2. That Nathan Graham receive \$750.00 to assist with the expenses he will incur travelling to and competing at the All Schools National Track and Field Championships to be held in Perth, Western Australia from 6 - 8 December 2019 inclusive.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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## **11.03 NEW YEAR'S EVE FIREWORKS 2019**

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*RESOLVED: Pinson/Intemann*

That Council:

1. Due to ongoing fire concerns cancel the New Year's Eve 9pm fireworks for 2019.
2. Reallocate the unexpended funds to The Wauchope Show Society, to assist with recouping some expenses incurred in their role as a venue for safe relocation of people and animals in the recent fire response.
3. Determine future fireworks support following the proposed engagement on community events, to be completed in the first half of 2020.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 11.04 Community Plans for Endorsement - has been addressed previously within the meeting.



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## **11.05 CLASSIFICATION AND CATEGORISATION OF COUNCIL MANAGED CROWN RESERVES**

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*RESOLVED: Intemann/Turner*

That Council:

1. Note the information contained within the Classification and Categorisation of Council Manager Crown Reserves report.
2. Request the General Manager to submit to the Minister for Housing, Property and Water the initial draft classification and categorisation of Council-managed Crown reserves as detailed within Attachment 1 of this report.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 12.01 30th Anniversary of Sister City Relationship Between Port Macquarie-Hastings Council and Handa City Council - Visit to Japan 2020 - has been addressed previously within the meeting.

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## **12.02 POLICY REVIEW - MARKETS POLICY**

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*RESOLVED: Turner/Hawkins*

That Council:

1. Note the review of Markets Policy, which has now been in place for 12 months.
2. Note the information relating to exceptions to the Markets Policy from February-November 2019 as detailed in this the Policy Review - Markets Policy report.
3. Extend the existing exception to the Markets Policy for the Real Food Market, which is to allow set-up from 11:00am and a start time of 12noon, until 28 February 2021, provided that the Real Food Market continues to comply with the requirement that only fresh local food products are offered.
4. Approve a one off exception for the Real Food Market for Tuesday 24 December 2019, to permit the market to set-up at 8:00am and a start time of 9.00am on that day only.
5. Request the General Manager review the Markets Policy and present a report to the Ordinary Council Meeting in December 2020.

*CARRIED: 7/0*

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

*AGAINST: Nil*

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### **12.03 DRAFT GREATER PORT MACQUARIE DESTINATION MANAGEMENT PLAN**

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*RESOLVED: Intemann/Turner*

That Council:

1. Note the Draft Greater Port Macquarie Destination Management Plan.
2. Place the Draft Greater Port Macquarie Destination Management Plan on public exhibition from 13 December 2019 until 21 February 2020.
3. Note that a further report will be tabled at the March 2020 meeting of Council, detailing the submissions received from the public during the exhibition period.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 13.01 Water Security Update - has been addressed previously within the meeting.

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### **13.02 PROPOSED PRIMARY AIRPORT ACCESS ROAD INTERSECTION WITH OXLEY HIGHWAY**

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*RESOLVED: Intemann/Levido*

That Council:

1. Note the information included in the Proposed Primary Airport Access Road Intersection with Oxley Highway report.
2. Request the General Manager ensure that options and assessments for the proposed Primary Airport Access Road be workshopped with Councillors and with the Port Macquarie Transport Network Community Consultative Committee.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 13.03 Sancrox and Fernbank Creek Planning Investigation - has been addressed previously within the meeting.

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#### **13.04 DEED OF ASSUMPTION AND VARIATION - LINCOLN ROAD PLANNING AGREEMENT**

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*RESOLVED: Levido/Griffiths*

That Council delegate authority to the General Manager to enter into and execute the Deed of Assumption and Variation Lincoln Road Planning Agreement.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 13.05 Sustainability Initiatives and Programs - has been addressed previously within the meeting.

Item 13.06 Draft Port Macquarie-Hastings Development Control Plan 2013 - Airport Business Park - has been addressed previously within the meeting.

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#### **13.07 MEMBERSHIP OF THE COAST, ESTUARY AND FLOODPLAIN SUB-COMMITTEE**

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*RESOLVED: Intemann/Turner*

That Council:

1. Note the information contained in the report.
2. Write to people who have submitted an application (Expression of Interest) and advise of Council's decision to re-initiate the recruitment process next year and that they do not need to re-apply.
3. Appoint Councillor Peter Alley as the Chair of the Coast, Estuary and Floodplain Sub-Committee and Deputy Mayor Intemann as Alternate Chair.
4. Recognise the highly valued and significant contribution to this Sub-Committee continuously since 1995 of Laurie Lardner and Patrick McEntee, sadly deceased during 2019, and report this resolution to the next meeting of the Sub-Committee.
5. Council receive an update report on recruitment at the April 2020 Ordinary Council meeting.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 13.08 Kooloonbung Creek Flying-Fox Camp Management - has been addressed previously within the meeting.

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### **13.09 PLANNING PROPOSAL POLICY - POST EXHIBITION REPORT**

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*RESOLVED: Intemann/Turner*

That Council:

1. Adopt the Planning Proposal Policy as exhibited.
2. Advertise commencement of the new Planning Proposal Policy effective 5 February 2020
3. Delegate authority to the Director Development and Environment to make any minor amendments to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the commencement of the Planning Proposal Policy.
4. Notify all persons who lodged a submission of Council's decision.
5. Advise the local planning and development industry of the commencement of the Planning Proposal Policy.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 13.10 Update on Site Specific Planning Proposal Requests - has been addressed previously within the meeting.

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### **13.11 ALTITUDE NIGHTCLUB, GALLERIA BUILDING, 27/128 WILLIAM STREET, PORT MACQUARIE**

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*RESOLVED: Hawkins/Griffiths*

That Council:

1. Note the contents of the Fire Safety Inspection Report, dated 5 August 2019, from NSW Fire & Rescue, in respect to an inspection of the premises by NSW Fire & Rescue on 22 June 2019, as shown in Attachment 1 to this report.
2. Exercise the powers conferred on Council by the Environmental Planning and Assessment Act, 1979 (The Act), to issue a Fire Safety Order to address outstanding fire safety concerns at the premises, Lot 27, 128 William Street, Port Macquarie.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 13.12 Sancrox Quarry State Significant Development Proposal - has been addressed previously within the meeting.

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## **14 ITEMS TO BE DEALT WITH BY EXCEPTION**

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Nil.

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### **CONFIDENTIAL COMMITTEE OF THE WHOLE**

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*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 15.01 Request for Proposal T-19-52 General Aviation Leasing and Development Opportunities at Port Macquarie Airport

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 15.02 T-19-21 Microsoft Enterprise Agreement

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 15.03 T-19-28 Woods Street Construction Upgrade

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 15.04 T-19-49 Port Macquarie Road Network Planning Project - Strategic Business Case

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 15.05 T-19-60 Beach to Beach Detailed Design & EIS

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.

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Item 15.06 T-19-66 Supply and Delivery of Scrubby Creek and Thompsons Bridges

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

3. That the resolutions made by the Council in 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, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner*

*AGAINST: Nil*

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**ADJOURN MEETING**

The Ordinary Council Meeting adjourned at 10:47pm.

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**RESUME MEETING**

The Ordinary Council Meeting resumed at 10:54pm.

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

*RESOLVED: Hawkins/Alley*

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

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 15.01 Request for Proposal T-19-52 General Aviation Leasing and Development Opportunities at Port Macquarie Airport

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.

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## RECOMMENDATION

That Council:

1. Accept the proposal from Dalabam Holdings Pty Limited for the lease of Hangar 9 as outlined in this RFP T-19-52 General Aviation Leasing and Development Opportunities at Port Macquarie Airport report.
2. Delegate authority to the General Manager to enter into a lease with Dalabam Holdings Pty Limited for the lease of Hangar 9 at Port Macquarie Airport, for an initial term of five (5) years commencing on 16 December 2019 and ending on 15 December 2024, with two (2) options to renew each for a further term of five (5) years which are exercisable by the lessee in accordance with the terms of the lease and subject to satisfactory performance by the lessee in accordance with the terms of the lease.
3. Maintain the confidentiality of the documents and considerations in respect of RFP T-19-52.

*CARRIED: 7/0*

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

*AGAINST: Nil*

### Item 15.02 T-19-21 Microsoft Enterprise Agreement

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. Pursuant to Section 55 (3)(a) of the Local Government Act 1993, resolve to not invite tenders for provision of Council's Microsoft Enterprise Agreement.
2. Accept the Quotation and Bill of Materials from Data#3 Limited for the renewal of the Microsoft Enterprise Agreement for a period of three (3) years commencing on 1 January 2020.
3. Maintain the confidentiality of the documents and consideration in respect of Request for Quotation T-19-21.

*CARRIED: 7/0*

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

*AGAINST: Nil*

### Item 15.03 T-19-28 Woods Street Construction Upgrade

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information

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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 Mid North Coast Contractors Pty Ltd for \$1,018,596.00 (exclusive of GST) for Woods Street Construction Upgrade.
2. Accept the Schedule of Rates from Mid North Coast Contractors Pty Ltd Pty Ltd for Woods Street Construction Upgrade.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and consideration in respect of Tender T-19-28.

*CARRIED: 6/0*

*FOR: Alley, Griffiths, Hawkins, Intemann, Pinson and Turner*

*AGAINST: Nil*

Item 15.04 T-19-49 Port Macquarie Road Network Planning Project - Strategic Business Case

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 revised tender from SMEC Australia Pty Ltd for the provision of the Port Macquarie Road Network Planning Project - Strategic Business Case for Phase 1 lump sum of \$295,230.85 (excl. GST) and Phase 2 being a provisional sum of \$465,800.25.
2. Accept the Schedule of Rates from SMEC Australia Pty Ltd for the provision of the Port Macquarie Road Network Planning Project - Strategic Business Case.
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of Tender T-19-49.

*CARRIED: 7/0*

*FOR: Alley, Griffiths, Hawkins, Intemann, Levado, Pinson and Turner*

*AGAINST: Nil*

Item 15.05 T-19-60 Beach to Beach Detailed Design & EIS

This item is considered confidential under Section 10A(2)(d(i)) of the Local Government Act 1993, as it contains commercial information



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of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

**RECOMMENDATION**

That Council:

1. Pursuant to Section 55(3)(a) of the Local Government Act 1993, resolve to not invite open tender and endorse the procurement strategy to seek quotes from consultants under Local Government Procurement Professional Services panel LGP1208-3 for the Beach to Beach Pathway Project Design and EIS.
2. Note that a further report will be tabled (for information only) detailing the outcome of the procurement strategy.
3. Maintain the confidentiality of the considerations as detailed in this report and in respect to Design of the Beach to Beach Pathway Project.

*CARRIED: 7/0*

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

*AGAINST: Nil*

Item 15.06 T-19-66 Supply and Delivery of Scrubby Creek and Thompsons Bridges

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. In accordance with Section 55(3)(i) of the Local Government Act, 1993, due to the extenuating circumstances, as described in this report, do not call for public tenders for the Supply and Delivery of Scrubby Creek and Thompson Bridges.
2. Accept the quote from InQuik Pty Ltd for the Supply and Delivery of Scrubby Creek and Thompson Bridges for \$352,000 (ex GST).
3. Affix the seal of Council to the necessary documents.
4. Maintain the confidentiality of the documents and considerations in respect of the Supply and Delivery of Scrubby Creek and Thompson Bridges and InQuik Pty Ltd engagement.

*CARRIED: 7/0*

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

*AGAINST: Nil*

The meeting closed at 10:54pm.

.....  
Peta Pinson  
Mayor

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## **PRESENT**

### **Members:**

Councillor Peta Pinson (Mayor)  
Councillor Lisa Intemann (Deputy Mayor)  
Councillor Rob Turner  
Councillor Sharon Griffiths  
Councillor Peter Alley  
Councillor Justin Levido  
Councillor Geoff Hawkins  
Councillor Lee Dixon

### **Other Attendees:**

General Manager (Craig Swift-McNair)  
Director Corporate Performance (Rebecca Olsen)  
Director Development and Environment (Melissa Watkins)  
Director Infrastructure (Dan Bylsma)  
Director Strategy and Growth (Jeffery Sharp)  
Group Manager Governance (Michael Ferguson)  
Governance and Legal Officer (Kirsty Callander)  
Governance Support Officer (Bronwyn Lyon)  
Communications Manager (Andy Roberts)

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The meeting opened at 5.30pm.

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## **01 ACKNOWLEDGEMENT OF COUNTRY**

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

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## **02 APOLOGIES**

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Nil.

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**03 DISCLOSURES OF INTEREST**

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Councillor Hawkins declared a Non-Pecuniary, Less Than Significant Interest in Item 07.01 - Water Restrictions - Level 4, the reason being that Councillor Hawkins and his wife are Directors, Trustees and Beneficiaries of own self managed superannuation fund which owns shares in several ASX listed public companies that are significantly involved in water processing and purification activities both in Australia and overseas and have no interests in any local business or activities in this area.

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**REQUEST TO SPEAK ON AGENDA ITEM**

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

Item 07.01 - Ms Meredith Howard, Port Pools By Design, in opposition of the recommendation.

Item 07.01 - Mr Jake Wadsworth in support of the recommendation.

Item 07.01 - Mr Brad Dingeldei, Cascade Pools, in opposition of the recommendation.

Item 07.01 - Mr Stephen Healy in support of the recommendation.

*RESOLVED: Griffiths/Dixon*

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

*CARRIED: 8/0  
FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner  
AGAINST: Nil*

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**07.01 WATER RESTRICTIONS - LEVEL 4**

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

Ms Meredith Howard, Port Pools By Design, addressed Council in relation to water usage in her business, pool building and the quality of water in residential pools and answered questions from Councillors.

Mr Jake Wadsworth addressed Council in support of the recommendation and answered questions from Councillors.

Mr Brad Dingeldei, Cascade Pools, addressed Council in relation to water usage within the pool maintenance industry.

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Mr Stephen Healy addressed Council in support of the recommendation.

Deputy Mayor Intemann left the meeting, the time being 6:21pm.

Deputy Mayor Intemann returned to the meeting, the time being 6:23pm.

*RESOLVED: Pinson/Hawkins*

That Council:

1. Implement Level 4 Severe Water Restrictions in response to continuing intense drought conditions, for residential use on 28 January 2020.
2. Noting the potential significant impacts of Level 4 Severe Water Restrictions on commercial users, delay implementation of Level 4 Severe Water Restrictions on commercial users until 25 February 2020, allowing time for engagement to take place between Council and commercial users on water saving measures that will assist to minimise the economic impact of these water restrictions on businesses.
3. Note that for definition purposes, a commercial user (as referred to in the second point above), is a registered business that relies on the use of water as part of their business activities to produce an income. For businesses who do not rely on water to produce an income, residential water restrictions apply.
4. Request the General Manager provide a report to the 19 February 2020 Council meeting for the purpose of providing an update on the combined water storage levels and any other relevant information relating to the implementation of Level 4 water restrictions.
5. Request the General Manager include in the proposed February 2020 Report on Water Security, specific details as to exactly what Council is required to do under current NSW Government Acts, Policies and Regulations, in order to enable Port Macquarie-Hastings Council to add recycled water to the existing drinking water storage supply.

*CARRIED: 8/0*

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

*AGAINST: Ni*

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The meeting closed at 6:41pm.

.....  
Peta Pinson  
Mayor

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**Item: 05**  
**Subject: DISCLOSURES OF INTEREST**

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

<b>Name of Meeting:</b>	
<b>Meeting Date:</b>	
<b>Item Number:</b>	
<b>Subject:</b>	
<b>I, the undersigned, hereby declare the following interest:</b>	
<input type="checkbox"/> <b>Pecuniary:</b> Take no part in the consideration and voting and be out of sight of the meeting.	
<input type="checkbox"/> <b>Non-Pecuniary – Significant Interest:</b> Take no part in the consideration and voting and be out of sight of the meeting.	
<input type="checkbox"/> <b>Non-Pecuniary – Less than Significant Interest:</b> May participate in consideration and voting.	
<b>For the reason that:</b>	
<b>Name:</b>  <b>Signed:</b>	<b>Date:</b>
<b>Please submit to the Governance Support Officer at the Council Meeting.</b>	

*(Refer to next page and the Code of Conduct)*

**Pecuniary Interest**

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will 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 you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
  - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your "relative" is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (i)
  - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c)
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

**Non-Pecuniary**

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

**Managing non-pecuniary conflicts of interest**

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
- a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
  - b) other relationships with persons who are affected by a decision or a matter under consideration 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 the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
  - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
  - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

**SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION**

*This form must be completed using block letters or typed.  
If there is insufficient space for all the information you are required to disclose,  
you must attach an appendix which is to be properly identified and signed by you.*

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of the affected principal place of residence of the councillor or an associated person, company or body <i>(the <b>identified land</b>)</i>	
Relationship of identified land to councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The 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"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has interest in the land.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST<sup>1</sup></b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the <b>subject land</b><sup>2</sup>)</i> <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 or associated person <i>[Tick or cross one box]</i>	<input type="checkbox"/> Appreciable financial gain. <input type="checkbox"/> Appreciable financial loss.

*[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest]*

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

*This form is to be retained by the council's general manager and included in full in the minutes of the meeting*

Last Updated: 3 June 2019



**Important Information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will 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.

"Relative" is defined by clause 4.4 of the Model Code of Conduct 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.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

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

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<sup>1</sup> Clause 4.1 of the Model Code of Conduct 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 clause 4.6 of the Model Code of Conduct.

<sup>2</sup> 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 clause 4.3 of the Model Code of Conduct has a proprietary interest

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

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**Alignment with Delivery Program**

1.3.2 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 10.07 and 10.17 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:

<b>Item No:</b>	10.07
<b>Subject:</b>	Legal Fees
<b>Attachment Description:</b>	Legal matters greater than \$10000 2019-2020 Financial Year
<b>Confidential Reason:</b>	Relates to 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)).
<b>Item No:</b>	10.17
<b>Subject:</b>	Quarterly Budget Review Statement - December 2019
<b>Attachment Description:</b>	December 2019 Quarterly Budget Review - Consultancy Engagements
<b>Confidential Reason:</b>	Confer a commercial advantage on a person with whom the Council is conducting for proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c).

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**Item: 08****Subject: PUBLIC FORUM – MATTERS NOT ON THE AGENDA**

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Residents can speak in the Public Forum - Matters Not On The Agenda of the Ordinary Council Meeting on any Council-related matter not listed on the agenda (except those items listed at clause 4.26 of the Council adopted Code of Meeting Practice).

A maximum of five speakers in the Public Forum - Matters Not On The Agenda is allowed at any one Council Meeting.

Each speaker has five minutes to address the meeting. Council has the opportunity to ask questions after each speaker has finished, but speakers cannot ask questions of Council.

If you wish to address Council in the Public Forum - Matters Not On The Agenda, 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' form. This form is available at Council's offices or online at [www.pmhc.nsw.gov.au](http://www.pmhc.nsw.gov.au).

#### Information for Speakers

- 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 in the Public Forum - Matters Not On The Agenda, they must agree to strictly adhere to all relevant adopted Council Codes, Policies and Procedures at all times.
- Addresses in the Public Forum - Matters Not On The Agenda will commence at 5:30pm.
- When your name is called, please proceed to the Council Table and address Council.
- 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.
- Council will not determine any matter raised in the Public Forum session, however Council may resolve to call for a future report.
- Each speaker will be allocated a maximum of five (5) minutes to address Council. This time is strictly enforced.
- If you have any documentation to support your presentation, provide 2 copies to Council by 4:30pm on the day before the Meeting.
- If a speaker has an audio visual presentation, a copy of the presentation is to be provided to Council by 4:30pm on the day before the Meeting.
- The following will **not** be considered in the public forum (in accordance with the Code of Meeting Practice, clause 4.26):
  - a submission on a proposed or pending planning proposal, development application, application to modify a development consent, application to review a determination or any related matter,
  - a submission by an applicant or objector in respect of development who made an oral submission at an on-site inspection,
  - a submission by a person on a matter on which they have made submissions at two (2) previous open forums in the same calendar year, unless otherwise approved in writing by the general manager,
  - a submission relating to a current or pending procurement, contract negotiation or dispute resolution involving the council,
  - a submission on any matter which the general manager or their delegate considers is inappropriate to be made at an open forum.
- Council accepts no responsibility for any defamatory statements made by speakers.
- The Meeting is recorded and will be made available to the public on Council's website.
- Members of the public may quietly enter and leave the Meeting at any time.

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**Item: 09****Subject: PUBLIC FORUM – MATTERS ON THE AGENDA**

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Residents can request to speak in the Public Forum of the Ordinary Council Meeting on any agenda item listed on the agenda as either:

- In support of the recommendation
- In opposition of the recommendation

A maximum of two speakers “in support of the recommendation” and two speakers “in opposition of the recommendation” are allowed on any one agenda item per Council Meeting.

Each speaker has five minutes to address the Council. Council has the opportunity to ask questions after each speaker has finished, but speakers cannot ask questions of Council.

If you wish to address Council in the Public Forum - Matters On The Agenda, 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 On Agenda Item' form. This form is available at Council's offices or online at [www.pmhc.nsw.gov.au](http://www.pmhc.nsw.gov.au).

#### **Information for Speakers**

- 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 on an agenda item, 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 Council on an agenda item will follow the Public Forum - Matters Not On The Agenda.
- When your name is called, please proceed to the Council Table and address Council.
- 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.
- The item will then be debated by Council.
- Council will permit no more than two (2) speakers 'in support of' and two (2) speakers 'in opposition of' the recommendation on any one (1) agenda item.
- Each speaker will be allocated a maximum of five (5) minutes to address Council and this time is to be strictly enforced.
- If you have any documentation to support your presentation, please provide 2 copies to Council by 4:30pm on the day before the Meeting.
- If a speaker has an audio visual presentation, a copy of the presentation is to be provided to Council by 4:30pm on the day before the Meeting.
- Council accepts no responsibility for any defamatory statements made by speakers.
- The Meeting is recorded and will be made available to the public on Council's website.
- Members of the public may quietly enter and leave the Meeting at any time.

# 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

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**Item: 10.01**

**Subject: STATUS OF REPORTS FROM COUNCIL RESOLUTIONS**

**Presented by: Corporate Performance, Rebecca Olsen**

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### 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	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
2020 Ordinary Local Government Election	20/02/19 Item 09.07		DCP		Feb-20
Water Restrictions & Water Security including specific details as to exactly what Council is required to do under current NSW Government Acts, Policies and Regulations, in order to enable Port Macquarie-Hastings Council to add recycled water to the existing drinking water storage supply.	20/11/19 Item 13.03 22/01/2020 Item 07.01		DI		Feb-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
PMH-Handa Sister City Relationship - 30th Anniversary exchange events 2020 and Future Direction	11/12/2019 Item 12.01		DSG		Feb-20
T-19-55 Construction of Schools to School Shared Pathway	16/10/19 Item 15.04		DI		Feb-20
Design of Rainbow Beach Sporting Fields - outcome of procurement strategy	16/10/2019		DI		Feb-20
Beach to Beach Project - Progress Report	16/10/2019 Item 10.04		DI		Feb-20
Future of Committees following establishment of Cultural Steering Group	19/04/17 Item 15.05	Item is to be discussed at a future Cultural Steering Group meeting, following the adoption of the Cultural Plan	DSG	Jun-17 Jul-17 Sep-17 Oct-17 Feb-18 Apr-18 Jul-18 Sep-18 Feb-19 Apr-19 May-19 Nov-19	Mar-20
LGP EL0519 Supply of Electricity - Accepted Rates	17/07/19 Item 15.06	Analysis is yet to be completed	DCP	Sep-19 Oct-19 Dec-19 Feb-20	Mar-20
JH Taylor & MJ Taylor vs PMHC - report when finalised	18/09/19 Item 15.03	Still under negotiation	DCP	Feb-20	Mar-20
Draft Waste Minimisation and Management Policy - post exhibition	20/11/19 Item 13.01		DCP		Mar-20



Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Draft Community Inclusion Plan - post exhibition	20/11/19 Item 11.03		DSG		Mar-20
Stage 1 Review of Port Macquarie-Hastings Development Control Plan 2013 - Housekeeping Amendments - post exhibition	20/11/19 Item 13.06		DDE		Mar-20
Biodiversity Investigations Stewardship Sites	20/11/19 Item 13.15		DDE		Mar-20
Development Assessment Panel Charter Review - post exhibition	20/11/19 Item 13.10		DDE		Mar-20
Draft PMH DCP 2013 - Airport Business Park - post exhibition	11/12/2019 Item 13.06		DDE		Mar-20
Code of Conduct - strengthening the enforceability	11/12/2019 Item 10.09		DCP		Mar-20
Draft Glasshouse Plan 2020-2022 - post exhibition	11/12/2019 Item 10.10		DCP		Mar-20
Draft Public Art Policy - post exhibition	11/12/2019 Item 11.01		DSG		Mar-20
Draft Greater Port Macquarie Destination Management Plan - post exhibition	11/12/2019 Item 12.03		DSG		Mar-20
T-19-60 Beach to Beach Detailed	11/12/2019 Item 15.05		DI		Mar-20



Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Design & EIS - outcome of procurement strategy					
Planning Proposal – Lot 2 DP1091253 Beach Street Bonny Hills	19/04/16 Item 12.02	Awaiting advice from proponent	DDE	Sep-19 Nov-19 Feb-20	Apr-20
Town Centre Master Plan Charter Review	20/06/18 Item 09.09	Still being discussed	DSG	Apr-19 May-19 Jun-19 Aug-19 Oct-19 Nov-19 Dec-19 Feb-20	Apr-20
QFPM - Enforcement of Unlawful Activity Policy - findings of review	18/07/18 Item 09.07	Policy being drafted. Awaiting further advice and discussions with Councillors.	DDE	Dec-18 Feb-19 Mar-19 Apr-19 Jun-19 Jul-19 Aug-19 Oct-19 Feb-20	Apr-20
Planning Proposal Request PP2011 - 9.3: The Ruins Way and South Blackwood, Port Macquarie	19/06/19 Item 13.06	Awaiting advice from proponent	DDE	Aug-19 Sep-19 Nov-19 Feb-20	Apr-20
Planning Proposal - Airport Business Park - post exhibition	17/07/19 Item 13.05	Awaiting additional information from the proponent to allow for the gateway determination to be issued.	DDE	Feb-20	Apr-20
Planning Proposal - Airport Business Park - draft DCP approval	17/07/19 Item 13.05	Awaiting additional information from the proponent to allow for the gateway	DDE	Feb-20	Apr-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
		determination to be issued.			
Sustainability - Climate change information and predicted risks and opportunities, using information from reputable sources such as but not limited to CSIRO, NASA and Council's insurers	11/12/2019 Item 13.05		DDE		Apr-20
Coast, Estuary and Floodplain Sub-Committee - Membership	11/12/2019 Item 13.07		DDE		Apr-20
T-19-09 Supply and Delivery of Ready Mix Concrete - post negotiations	19/06/19 Item 15.04	Still negotiating	DI	Aug-19 Oct-19 Dec-19 Feb-20	May-20
T-19-10 Supply and Delivery of Road Construction Materials - post negotiations	19/06/19 Item 15.05	Still negotiating	DI	Aug-19 Oct-19 Dec-19 Feb-20	May-20
T-19-38 Supply and Delivery of Electrical Goods	16/10/2019 Item 15.01	Still negotiating	DI	1/12/2019 Feb-20	May-20
Tuffins Lane Sporting Fields - Terms of Agreement	14/12/16 Item 06.02	Awaiting Catholic Parish advice	GM	Oct-18 Mar-19 Apr-19 Jul-19 Dec-19	Jun-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Canal Maintenance	18/10/17 Item 12.04	Works delayed 18mths.	DI	FY2018/2019	Jun-20
Council owned lots at North Shore - Progress of Sale	19/09/18 Item 09.24)	Council is currently in the process of obtaining DA's for the individual lots, prior to sale - this will provide assurance to future purchasers that the lots can be built on.	DSG	1/12/2019 Feb-20	Jun-20
Port Macquarie Aquatic Facility - Progress of detailed design and Strategic Concept Plan	18/09/19 Item 11.02		DDE		Jun-20
Port Macquarie Aquatic Facility - Outcome discussions with displaced user groups of Macquarie Park	18/09/19 Item 11.02		DDE		Jun-20
Update on Site Specific Planning Proposal Requests	11/12/2019 Item 13.10		DDE		Jun-20
Classification as "Operational" Land - 52 John Oxley Drive, Port Macquarie - post exhibition.	20/06/18 Item 14.05	On hold as per GM advice	DSG	Mar-20	Jul-20
Long Term Energy	20/11/19 Item 13.05		DDE		Jul-20

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Strategy - suitable sites					
Trialling Of Parklets In The Port Macquarie Town Centre	16/05/18 Item 10.02	Council is still working the relevant approvals	DSG		Aug-20
Markets Policy - Review	11/12/2019 Item 12.02		DSG		Dec-20
MOU - Norfolk Island Regional Council - income and expenditure administration.	20/03/19 Item 09.02		GM		Feb-21
Biodiversity Certification Assessment and Strategy - Port Macquarie Airport and Surrounding Land - viability and implications of the options for securing the required Blackbutt Tallowwood dry grassy open forest and Koala habitat credits, prior to the clearing that creates the demand for those credits.	10/08/16 Item 12.01		DDE		2021 (estimate)
PP: Bundaleer Aged Care - 67 High Street & 4-8 Johnstone Street, Wauchope - Gateway Determination	15/08/18 Item 12.04	Advice from proponent development has been withdrawn	DE	Sep-18 Oct-18 Feb-19 Apr-19 May-19 Jul-19 Sep-19 Nov-19 Feb-20	Remove
Ocean Drive Duplication -	18/09/19 Item 13.09		DI		TBA

Report	Date & Item of Resolution	Status	Reporting Officer	Previous Anticipated Date/s for Report	Current Anticipated Date for Report
Outcomes of RMD Review					
Land Acquisition Required as Part of the Long Flat Sewer Scheme - post exhibition	20/11/19 Item 13.13	Awaiting completion of required processes prior to exhibition.	DDE	Feb-20	TBA

Cyclic Reports

Report	Reporting Officer	Reporting Cycle	Month
Mayoral Discretionary Fund Allocations	GM	Monthly	Every
Monthly Financial Update	DCP	Monthly	Every (except July)
Investments	DCP	Monthly	Every
Recommendations by the Mayor's Sporting Fund Sub-Committee	DSG	Monthly	Every
Development Activity and Assessment System Performance	DDE	Quarterly	May, Aug, Nov, Feb
Operational Plan – Quarterly Progress	DCP	Quarterly	Nov, Feb, May, Aug
Management of Flying-Fox Colony in Kooloonbung Creek Nature Reserve - Quarterly Progress Report (15/08/18 - Item 12.08)	DDE	Quarterly	Dec, Mar, June, Sep
Legal Fees - Update Report (19/09/18 - Item 09.16)	DCP	Quarterly	Feb, May, Aug, Nov
Grant Application Status Report (21/08/19 - Item 11.02)	DSG	Biannual	Feb, Aug
Glasshouse Strategic Plan Update	DCP	Biannual	Feb, Aug
Digital Technology Project Status (16/08/17 - Item 09.18)	DCP	Biannual	Feb, Aug
Delivery Program – Six Monthly Progress	DCP	Biannual	Mar, Sep
Update on Site Specific Planning Proposal Requests	DSG	Biannual	Apr, Oct
Mayoral and Councillor Fees (Setting of)	GM	Annually	May
Long Term Energy Strategy – Progress	DDE	Biannual	May, Nov
Economic Development Strategy - Progress (20/11/2013 - Item 10.03)	DSG	Biannual	May, Nov
Council Policy - Status	DCP	Annually	Jul
Recreation Action Plan – Status	DDE	Annually	Jul
UGMS - Annual Progress Report on Implementation and Status of Actions (20/06/18 - Item 12.07)	DSG	Annually	Jul
Local Preference Policy Outcomes	DCP	Annually	Aug
Annual Report of the Activities of the Mayor's Sporting Fund	DSG	Annually	Sep

Report	Reporting Officer	Reporting Cycle	Month
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	DCP	Annually	Sep
Cultural Plan 2018 - 2021 - Implementation Progress Report (19/09/18 - Item 10.02)	DSG	Annually	Sep
Koala Recovery Strategy Annual Report (19/09/18 - Item 12.05)	DDE	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 (21/10/15 - Item 09.04)	DCP	Annually	Nov
Performance of Property Investment Portfolio 6-Monthly (20/11/19 - Item 10.17)	DSG	Annually	Nov
Compliments and Complaints Annual Report	DSG	Annually	Dec
Code of Conduct Complaints Annual Report	DCP	Annually	Dec

**Attachments**

Nil



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Item: 10.02

Subject: GENERAL MANAGER'S PERFORMANCE REVIEW PANEL 2019-2020

Presented by: General Manager, Craig Swift-McNair

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### Alignment with Delivery Program

1.3.1 Provide effective leadership and equity.

### RECOMMENDATION

That Council:

1. Determine the composition of the General Manager's Performance Review Panel for the 2019-2020 period to consist of the Mayor, Deputy Mayor, Councillor Peter Alley (nominated by Council) and Councillor Lee Dixon, (nominated by the General Manager).
2. Delegate to the General Manager's Performance Review Panel:
  - a) The whole process of performance management, including discussions about performance and performance reviews for the 2019-2020 period.
  - b) The reporting to Council of findings and recommendations of reviews for the 2019-2020 period and any actions that should be taken.
  - c) The determination of any new performance agreement for the period 2020-2021.
3. Note that a new General Manager Performance Review Panel will be required to be established following the September 2020 Local Government elections.

### Executive Summary

The purpose of this report is to appoint Councillors as members of the General Manager's Performance Review Panel for the period 2019-2020.

### Discussion

At the 20 March 2019 Council meeting, Council resolved the following:

#### 09.01 GENERAL MANAGER'S PERFORMANCE PANEL

*RESOLVED: Intemann/Dixon*

*That Council:*

1. Determine the composition of the General Manager's Performance Review Panel for the 2018-2019 period to consist of the Mayor, Deputy Mayor, one (1) Councillor nominated by Council and one (1) Councillor nominated by the General Manager.

2. *Appoint Councillor Peter Alley as the Councillor nominated by the Council to the General Manager's Performance Review Panel for the 2018-2019 period.*
3. *Note that Councillor Lee Dixon is the General Manager's nominated Councillor on the General Manager's Performance Review Panel for the 2018- 2019 period.*
4. *Delegate to the General Manager's Performance Review Panel:*
  - a) *The whole process of performance management, including discussions about performance and performance reviews for the 2018-2019 period.*
  - b) *The reporting to Council of findings and recommendations of reviews for the 2018-2019 period and any actions that should be taken.*
  - c) *The determination of any new performance agreement for the period 2019-2020.*
  - d) *Note that the General Manager performance plan for 2018-2019 will run from 1 February 2019 to 30 June 2019.*

**CARRIED:** 9/0

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

**AGAINST:** Nil

In line with resolutions, 4 a), b) and c) from the above-mentioned Council resolution, the General Manager's Performance Review Panel undertook a review of the General Manager's 2018-2019 performance on Wednesday, 28 August 2019. Subsequently, a report relating to the General Manager's performance was tabled at the 18 September 2019 Council meeting.

In line with the above-mentioned 20 March 2019 Council resolution, the members of the General Manager's Performance Review Panel (being Mayor Pinson, Deputy Mayor Intemann and Councillors Alley and Dixon) have fulfilled the requirements of their role as panel members. In light of this, it is now time for Council to appoint the General Manager's Performance Review Panel to undertake the annual review of the 2019-2020 General Manager performance and oversee the determination of the 2020-2021 General Manager performance agreement.

In the normal course of events, Council would now be giving consideration to revised membership of the General Manager's Performance Review Panel as we enter into the development phase of the General Manager's performance agreement for 2020-2021. However; in light of the fact that local government elections are taking place in September 2020 and the annual review of the General Manager's performance for 2019-2020 will need to take place during July / August 2020, it is considered appropriate to request Council to give consideration to reappointing the existing General Manager Performance Panel members for the above-mentioned tasks and as per the recommendations as included in this report.

It should be noted that a 2019-2020 mid-year interim review of the General Manager's performance against the adopted General Manager Performance Agreement was undertaken on 11 February 2020. This review included members of the General Manager's Performance Panel, the General Manager and was facilitated by Mr. Chris Rose from Blackadder Associates.

As detailed in Clause 4 of the Office of Local Governments (OLG) Guidelines for the Appointment and Oversight of General Managers, interim performance reviews can be undertaken as required, noting that interim reviews are not required to be reported to Council, unlike the annual review which is required to be tabled at a Council meeting following the completion of the review.



Please note that a new General Manager Performance Review Panel will be required to be established following the September 2020 local government elections.

**Options**

Council has the option of resolving in line with the recommendations included in this report or may choose to resolve in some other manner.

**Community Engagement & Internal Consultation**

There has been no community engagement undertaken in relation to this report.

Internal consultation has taken place with Mayor Peta Pinson, Deputy Mayor Lisa Intemann, Councillor Peter Alley and Councillor Lee Dixon.

**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**

Nil

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**Item: 10.03**

**Subject: MAYORAL DISCRETIONARY FUND ALLOCATIONS - 28  
NOVEMBER 2019 TO 5 FEBRUARY 2020**

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

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### **Alignment with Delivery Program**

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

### **RECOMMENDATION**

**That Council note the allocations from the Mayoral Discretionary Fund for the period 28 November 2019 to 5 February 2020 inclusive.**

### **Executive Summary**

To advise of the allocations made by the Mayor from the Mayoral Discretionary Fund for the period 28 November 2019 to 5 February 2020 inclusive.

### **Discussion**

The following allocations have been made by the Mayor since the last report to Council:

Floral bouquet for the family of the late Sylvia Arnett	\$70.00
	<b>\$70.00</b>

### **Options**

This report is for noting only.

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

There has been no community engagement or internal consultation in relation to this report.

### **Planning & Policy Implications**

There are no planning and policy implications in relation to this report. This report is provided to Council as per the requirements of the Mayoral Discretionary Fund Policy.

**Financial & Economic Implications**

There are no economic implications in relation to this report.

The allocations made during this reporting period are funded from the Mayoral Discretionary Fund as included in the 2019-2020 Operational Plan.

**Attachments**

Nil

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**Item: 10.04**

**Subject: REPORT ON 2019 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS**

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

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### **Alignment with Delivery Program**

1.3.1 Provide effective leadership and equity.

### **RECOMMENDATION**

#### **That Council:**

- 1. Note the report from Councillor Sharon Griffiths on the 2019 National Local Roads and Transport Congress.**
- 2. Give future consideration to the benefits, equity and impacts of technology and infrastructure development on the community.**

### **Executive Summary**

As per Council's adopted Payment of Expenses & Provision of Facilities to Councillors policy, the Mayor and Councillors must report in writing, in an open session of a Council Meeting, on the outcome of any conference or similar event attended.

In accordance with the above, the purpose of this report is to table a report from Councillor Sharon Griffiths on her attendance at the 2019 National Local Road and Transport Congress held in Hahndorf, South Australia, from 18 to 20 November 2019.

### **Discussion**

Councillor Sharon Griffiths attended the 2019 National Local Roads and Transport Congress in Hahndorf, South Australia. Councillor Griffiths is the current Chair of the Roads & Transport Infrastructure Portfolio.

Councillor Griffiths has provided a report on the National Congress which provides further details around the key issues covered at the Congress. A copy of the report is attached for the information of Council.

### **Options**

Council can choose to resolve in line with the recommendation included in this report or resolve in some other manner.

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

There has been no community engagement as a result of this report.

Councillor Griffiths has provided a report on her attendance at the Congress, as per Council's policy, which is attached to this report.

**Planning & Policy Implications**

There are no planning and policy implications in relation to this report. Attendance at the Congress complies with the requirements of Council's Payment of Expenses & Provision of Facilities to Councillors Policy and the Councillor Professional Development Policy.

**Financial & Economic Implications**

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

The cost for attendance by Councillor Griffiths at the Congress was approximately \$2,165.00, which includes conference registration, flights, accommodation, transport and meals.

The 2019-2020 budget contains an allocation for expenses pertaining to conferences and out-of-pocket expenses for the Mayor and Councillors. The attendance by Councillor Griffiths at the Congress was funded from within this budget allocation.

**Attachments**

1. [Report on 2019 National Local Roads and Transport Congress - Councillor Sharon Griffiths](#)

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**Item: 10.05**

**Subject: REPORT ON WOMEN IN LOCAL GOVERNMENT LEADERSHIP  
MASTERCLASS**

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

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### **Alignment with Delivery Program**

1.3.1 Provide effective leadership and equity.

### **RECOMMENDATION**

**That Council note the report from the Mayor on the Women in Local Government Leadership Masterclass.**

### **Executive Summary**

As per Council's adopted Payment of Expenses and Provision of Facilities to Councillors policy, the Mayor and Councillors must report in writing, in an open session of a Council Meeting, on the outcome of any conference or similar event attended.

In accordance with the above, the purpose of this report is to table a report from Mayor Pinson on her attendance at the Women in Local Government Leadership Masterclass held in Sydney on 2 and 3 December 2019.

### **Discussion**

The Mayor attended the Women in Local Government Leadership Masterclass held in Sydney in early December 2019 as a professional development opportunity.

The Mayor has provided a report on the Masterclass, which provides further details around the key issues covered over the two days. A copy of the report is attached for the information of Council.

### **Options**

Council can choose to resolve in line with the recommendation included in this report or resolve in some other manner.

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

There has been no community engagement as a result of this report.

Mayor Pinson has provided a report on her attendance at the Masterclass, as per Council's policy, which is attached to this report.

**Planning & Policy Implications**

There are no planning and policy implications associated with this report. Attendance at this Masterclass complies with the requirements of Council's Payment of Expenses and Provision of Facilities to Councillors Policy and the Councillor Professional Development Policy.

**Financial & Economic Implications**

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

The cost for attendance by the Mayor at the Masterclass was approximately \$2,957.92, which includes conference registration, flights, accommodation, transport, parking and meals.

The 2019-2020 budget contains an allocation for expenses pertaining to conferences and out-of-pocket expenses for the Mayor and Councillors. The attendance by the Mayor at the Masterclass was funded from within this budget allocation.

**Attachments**

1. [Report on Attendance at Women in Local Govt Leadership Masterclass 2019](#)  
12 02 - Mayor Peta Pinson



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**Item: 10.06**

**Subject: REQUEST FOR CHANGE OF DATES FOR LEAVE OF ABSENCE - MAYOR PETA PINSON**

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

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#### **Alignment with Delivery Program**

1.3.1 Provide effective leadership and equity.

#### **RECOMMENDATION**

##### **That Council:**

- 1. Amend the leave of absence for Mayor Pinson as approved in December 2019 and grant leave of absence for Mayor Peta Pinson for the period 21 February 2020 to 1 March 2020 inclusive.**
- 2. Note that in accordance with Section 231(3) of the Local Government Act, the Deputy Mayor will perform all duties of the Mayor during this period.**
- 3. Allocate the Mayoral allowance to the Deputy Mayor during this period in accordance with Section 249(5) of the Local Government Act.**

#### **Executive Summary**

Council has received a revised request for leave of absence from Mayor Pinson.

The Mayor has advised of a change to her leave of absence adopted at the Ordinary Council Meeting on 11 December 2019 from Thursday, 20 February to Sunday, 1 March 2020 inclusive to Friday, 21 February to 1 March 2020 inclusive.

This report is submitted to Council to adopt the revised Mayor's leave of absence and the period that the Deputy Mayor will perform duties and receive the Mayoral allowance.

#### **Discussion**

Council has received a revised request for leave of absence from Mayor Pinson. The Mayor's request conforms with Clause 235A of *Local Government (General) Regulation 2005*.

The Mayor has requested leave of absence from Friday, 21 February 2020 (instead of Thursday, 20 February 2020) to Sunday, 1 March 2020 inclusive.

Council adopted the original leave of absence at the Ordinary Council Meeting held in December 2019 and also that the Deputy Mayor would perform all duties of the Mayor and allocate the Mayoral allowance during the period 20 February to 1 March 2020 inclusive.



This report is submitted to formalise the Mayor's revised leave of absence dates and the time period that the Deputy Mayor will perform all duties of the Mayor and remuneration.

**Options**

Council can adopt the recommendation as included in this report or resolve in some other manner.

**Community Engagement and Internal Consultation**

There has been internal consultation on this matter with the General Manager and the Group Manager Governance.

**Planning and Policy Implications**

The Mayor's request conforms to Clause 235A of *Local Government (General) Regulation 2005*.

**Financial and Economic Implications**

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

**Attachments**

Nil

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**Item: 10.07**

**Subject: LEGAL FEES**

**Presented by: Corporate Performance, Rebecca Olsen**

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### **Alignment with Delivery Program**

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

### **RECOMMENDATION**

**That Council note the information in the Legal Fees report.**

#### **Executive Summary**

At the July 2018 Ordinary Council meeting, Council resolved for a report to be provided to the September 2018 Ordinary Council meeting listing a breakdown of legal fees on a case by case basis for matters costing more than \$10,000 in the 2017/2018 financial year.

As a result of the September 2018 Ordinary Council meeting, Council requested an updated report to be provided each quarter.

Attached is a confidential file that provides this information relating to a breakdown of legal fees on a case by case basis for matters costing more than \$10,000 in the 2019/2020 financial year to date as at the end of December 2019.

#### **Discussion**

At the July 2018 Ordinary Council meeting, Council resolved:

*That Council:*

1. *Note the information contained within the Question from Previous Meeting – Enforcement of Unlawful Activity Policy report.*
2. *Request the General Manager undertake a review of the Regulatory Enforcement Policy in relation to its adequacy for assessing the cost benefits of taking enforcement action, prior to such action taking place.*
3. *Request the General Manager report back to a future meeting of Council as soon as practicable on the findings of the review referred to in 2) above.*
4. *Request the General Manager provide a report to the September 2018 Council meeting listing a breakdown of legal fees on a case by case basis for matters costing more than \$10,000 in the 2017-2018 financial year.*

A report was then provided to the September Ordinary Council meeting that relates to point 4 of the resolution above. As a result, at the September 2018 Ordinary Council meeting, Council resolved:

*That Council:*

1. *Note the information in the Legal Fees report.*
2. *Request the General Manager to provide an updated report quarterly to Council.*

Attached is a confidential file that provides the information that relates to point 4 of the resolution above. This includes a breakdown of legal fees on a case by case basis for matters costing more than \$10,000 in the 2019/2020 financial year to date as at the end of December 2019.

The attachment titled "Legal matters greater than \$10,000 2019/2020 Financial Year" is confidential as it contains information that relates to 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)).

### **Options**

Council can resolve to request further information.

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

#### Internal Consultation

- General Manager
- Director Corporate Performance
- Director Development & 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. Confidential - Legal matters greater than \$10000 2019-2020 Financial Year (Confidential)

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Item: 10.08

Subject: ESTIMATED COST TO CONDUCT A CONSTITUTIONAL  
REFERENDUM

Presented by: Corporate Performance, Rebecca Olsen

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#### 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 in the Estimated Cost to Conduct a Constitutional Referendum report.**

#### Executive Summary

At the Ordinary Council held February 2019, Council resolved:

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#### **09.07 2020 ORDINARY LOCAL GOVERNMENT ELECTION**

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*RESOLVED: Alley/Hawkins*

*That Council note:*

1. *The Office of Local Government circular informing of an Independent Pricing and Regulatory Tribunal review relating to the costs of conducting local government elections in New South Wales.*
2. *That a further report will be presented to Council when the Electoral Commission estimates to administer the 2020 local government election and constitutional referendum are released.*

*CARRIED: 7/0*

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

*AGAINST: Nil*

It was further resolved by Council in November 2019 to note the estimated costs of \$659,461 inclusive of GST to conduct the 2020 Local Government Election in line with Resolution 2 above. At the time, Council did not have an estimate for the estimates to administer a constitutional referendum.

This report completes the requirements of resolution 2 of the February 2019 meeting and provides cost estimates to conduct a constitutional referendum in conjunction with the 2020 Local Government Election.

**Discussion**

Constitutional referendums are required to undertake certain functions under the Local Government Act such as a change to Councillor numbers or how a Mayor is elected. They are usually held in conjunction with Local Government elections to reduce costs. The outcomes of Constitutional referendums are binding upon Council.

The cost of conducting a constitutional referendum is quite often an estimate as it is based on the number of questions asked and other contributing factors such as number of electors, number of polling booths, etc.

Council has been advised verbally in February 2020 that the estimated cost of conducting a constitutional referendum is approximately 10% of the cost of conducting an ordinary election. In this case, the estimate would be approximately \$66,000 inclusive of GST for a single question referendum. This increases at a lower rate for each additional question asked as part of the referendum.

**Options**

This report is for information only.

**Community Engagement & Internal Consultation**

- General Manager
- Director Corporate Performance
- NSW Electoral Commission.

**Planning & Policy Implications**

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

**Financial & Economic Implications**

Council has not resolved to conduct a constitutional referendum at the 2020 Local Government elections however should a constitutional referendum be held, funds have not been allocated in the 2020/2021 budget for this to occur.

**Attachments**

Nil

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**Item: 10.09**

**Subject: DESIGNATED PERSONS**

**Presented by: Corporate Performance, Rebecca Olsen**

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**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:**

- 1. Determine that the following positions become a Designated Person pursuant to the provisions of section 441 of the Local Government Act 1993:**
  - a) Group Manager Community Engagement.**
  - b) Group Manager Customer Experience and Communications.**
  - c) Group Manager Economic and Cultural Development.**
  - d) Group Manager Governance.**
  - e) Group Manager Infrastructure Operations.**
  - f) Group Manager Infrastructure Planning.**
  - g) Group Manager Land Use Planning.**
  - h) Group Manager Project Delivery.**
  - i) Group Manager Recreation, Property and Buildings.**
  - j) Group Manager Regulatory and Environment Services.**
  - k) Group Manager Strategy.**
- 2. Endorse the following positions be removed from the Designated Positions within Council:**
  - a) Group Manager Assets and Systems.**
  - b) Group Manager Economic Development.**
  - c) Group Manager Environmental Services.**
  - d) Group Manager Governance and Procurement.**
  - e) Group Manager Infrastructure Delivery.**
  - f) Group Manager Place Making.**
  - g) Group Manager Recreation and Buildings.**
  - h) Group Manager Strategic Planning.**
  - i) Group Manager Transport and Stormwater Network.**
  - j) Group Manager Water and Sewer.**
  - k) Group Manager Regulatory Services.**

**Executive Summary**

This report identifies a position within Council that should be added to the Council's list of Designated Persons.



**Discussion**

Section 441 of the *Local Government Act 1993* ("the Act") states:

*"For the purposes of this Chapter, designated persons are:*

- the General Manager*
- other senior staff of Council*
- a person (other than a member of the senior staff of the Council) who is a member of staff of the Council or a delegate of the Council and who holds a position identified by the Council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interests"*

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

*"Designated Persons"* must:

- prepare and submit written returns of interest in accordance with section 449 of the Act.
- disclose pecuniary interests in accordance with section 459 of the Act.

The Office of Local Government has previously advised that the range of Designated Persons must include individuals with delegations to issue orders, approvals or consents under any Act.

Based on this information, the following position should be added to the existing list of Designated Positions within Council:

- Group Manager Community Engagement.
- Group Manager Customer Experience and Communications.
- Group Manager Economic and Cultural Development.
- Group Manager Governance.
- Group Manager Infrastructure Planning.
- Group Manager Infrastructure Operations.
- Group Manager Land Use Planning.
- Group Manager Project Delivery.
- Group Manager Recreation, Property and Buildings.
- Group Manager Regulatory and Environment Services.
- Group Manager Strategy.

Duties of the positions listed above can involve the issuing of orders, approvals or consents under the Local Government and related Acts. These positions have the ability to make recommendations and influence Council. Many of these positions previously existed in the organisational structure however they were renamed during an organisational restructure in 2019.

As a result of the organisational restructure in 2019 and the related renaming of a number of positions the following positions should be removed from the existing list of Designated Positions within Council:

- Group Manager Assets and Systems.
- Group Manager Economic Development.
- Group Manager Environmental Services.
- Group Manager Governance and Procurement.
- Group Manager Infrastructure Delivery.
- Group Manager Place Making.
- Group Manager Recreation and Buildings.
- Group Manager Strategic Planning.
- Group Manager Transport and Stormwater Network.
- Group Manager Water and Sewer.
- Group Manager Regulatory Services.

**Options**

Council has the option of reviewing the position for inclusion on the current list of Designated Persons.

**Community Engagement & Internal Consultation**Internal Consultation

Consultation has taken place with:

- General Manager.
- Director Development and Environment.
- Group Manager Governance.

**Planning & Policy Implications**

There are no planning or policy implications.

**Financial & Economic Implications**

There are no financial or economic implications.

**Attachments**

Nil



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**Item: 10.10**

**Subject: DISCLOSURE OF INTEREST RETURN**

**Presented by: Corporate Performance, Rebecca Olsen**

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### **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 Disclosure of Interest returns for the following positions:**

- 1. Environmental Planner.**
- 2. Group Manager Financial Services.**

### **Executive Summary**

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

### **Discussion**

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

1. Environmental Planner.
2. Group Manager Financial Services.

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

The Returns are then held in the Governance Section of Council and, as required by section 6 of the *Government Information (Public Access) Act 2009*, are available for public inspection, by appointment.

The returns for the abovementioned positions will be tabled at this meeting.

### **Options**

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

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

### Internal Consultation

- Group Manager Governance.
- General Manager.
- Environmental Planner.

### **Planning & Policy Implications**

There are no planning or policy implications.

### **Financial & Economic Implications**

There are no financial or economic implications.

### **Attachments**

Nil

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**Item: 10.11**

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

**Presented by: Corporate Performance, Rebecca Olsen**

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### **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 the seal of Council be affixed to the certificates of identification issued under the Swimming Pools Act 1992, for the following Council staff:**

- **Debbie Archer (Group Manager Regulatory and Environment Services).**

### **Executive Summary**

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

### **Discussion**

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

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

Council has numerous staff authorised as officers under the Swimming Pools Act. To satisfy the requirements of a properly issued certificate of identification Council's Seal must be affixed.

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

Council researched a number of avenues and also sought legal advice with regards to the requirements of the issuing of certificates of identification under the Swimming Pools Act and clause 400 of the Local Government (General) Regulation.

Council's legal advice was that a Council resolution (specifically referring to the document) would be required to issue each authorised Council staff member a certificate of identification under the Swimming Pools Act.

**Options**

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

**Community Engagement & Internal Consultation**Community Engagement

Nil.

Internal Consultation

- Director Development and Environment.
- Group Manager Governance.

**Planning & Policy Implications**

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

**Financial & Economic Implications**

There are no financial or economic implications.

**Attachments**

Nil

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Item: 10.12

Subject: GLASSHOUSE BIENNIAL REPORT AND UPDATE ON STRATEGIC  
PLAN RECOMMENDATIONS

Presented by: Corporate Performance, Rebecca Olsen

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### Alignment with Delivery Program

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

### RECOMMENDATION

**That Council note the information provided in the Glasshouse Biannual Report and Update on Strategic Plan Recommendations report.**

### Executive Summary

This report provides details of the Glasshouse finances for the 2019-2020 financial year as at 31 December 2019, including the updated status of Glasshouse loan balances.

The Report also provides an update on progress achieved against the Recommendations identified in the Glasshouse Strategic Plan 2014 - 2017 (noting that the draft Glasshouse Plan 2020-2022 is currently on public exhibition until 21 February 2020).

### Discussion

#### Background

At the Ordinary Council Meeting held on 15 February 2017, Council resolved to replace quarterly Glasshouse reporting to Council with six monthly reporting in February and August each year detailing key performance measures and financial information for the previous financial year period:

#### *09.14 REVIEW OF SELECT COUNCIL COMMITTEES*

*Mr Malcolm Merrick, representing the Port Macquarie Tacking Point Lions Club Inc., addressed Council in support of the recommendation and answered questions from Councillors.*

*RESOLVED: Turner/Cusato*

- 1. Establish a new Steering Group called the 'Cultural Steering Group'.*
- 2. Adopt the Cultural Steering Group Charter as included in this Review of Select Council Committees report.*
- 3. Seek Expressions of Interest (EOI) for members of the Cultural Steering Group, with the results of the EOI to be reported to the 19 April 2017 Ordinary Meeting of Council.*



4. Work with members of the following existing Council Committees to transition them into working groups with objectives, actions and reporting lines to the Cultural Steering Group:

- a) Port Macquarie-Handa Sister City Sub-committee.
- b) Australia Day Sub-committee.
- c) Port Macquarie-Hastings Youth Advisory Committee.

5. Work with Heritage, Arts and Cultural Priorities Advisory Group to transition it into the Cultural Steering Group.

6. Replace quarterly Glasshouse reporting to Council with six monthly reporting in February and August each year detailing key performance measures and financial information for the previous financial year period.

CARRIED: 7/2

FOR: Besseling, Alley, Cusato, Dixon, Intemann, Levido and Turner

AGAINST: Griffiths and Hawkins

Accordingly, this report provides:

- details of the Glasshouse finances for the 2019-2020 financial year as at 31 December 2019, including the updated status of Glasshouse loan balances; and
- an update on progress achieved against the Recommendations identified in the Glasshouse Strategic Plan 2014 - 2017 (noting that the draft Glasshouse Plan 2020-2022 is currently on public exhibition until 21 February 2020).

#### Glasshouse Finances

The December review and attached report present the financial performance of the Glasshouse Venue for the second quarter of the 2019 - 2020 financial year (1 October 2019 to 31 December 2019) and the financial year to date (1 July 2019 to 31 December 2019).

The commentary in this report refers to the operating deficit/shortfall (before interest and depreciation). The attached quarterly Financial Statement also shows the operating deficit/shortfall after interest and depreciation. Over time, loan interest expense will decrease as loans are repaid. Depreciation is subject to revaluations. These expense items may distort the overall result when comparing with the previous financial year period hence why the commentary refers to the operating result before interest and depreciation.

The operating deficit for the financial year to date (before interest and depreciation) is a deficit/shortfall of \$1,344,998 against a budget of \$1,210,356, hence tracking \$134,642 over budget. Actual results were similar for the same period in the prior year (1 July 2018 to 31 December 2018) with an operating deficit/shortfall of \$1,145,637, hence an increase of 5% when compared to the previous year.

It should be noted that being a venue, income patterns can be subject to market forces, availability (and timing) of product in the market-place and seasonality.

Of note in this 6 month period:

- Whilst the number of events is similar to last year, the composition and timing of events and programming is different (eg Archibald exhibition in 2018);
- Some one-off maintenance costs have been incurred eg fire protection and fly-tower system maintenance;

- Timing of electricity payments;
- Timing of revenue flows which should be corrected in the 3<sup>rd</sup> quarter; and
- Glasshouse 10<sup>th</sup> Birthday community events expense incurred in this period.

Income and expenditure for the January - June 2020 period will continue to be monitored closely with adjustments made as necessary to manage the year-end budget position.

The operating deficit (before interest & depreciation) can also be represented as follows:

Glasshouse Operating Deficit by Activity - to 31 December 2019:

	Management	Back of House	Front of House	Community	Commercial	Cultural	Total
Operating Income	-	-	-	3,055	768,908	123,369	895,332
Operating Expenditure (Before Council Overheads)	105,895	579,904	300,613	67,635	502,112	429,112	1,985,270
Council Overheads	58,664	20,405	43,360	12,753	30,607	89,271	255,060
Net Operating Surplus (Deficit)	(164,559)	(600,309)	(343,973)	(77,333)	236,189	(395,014)	(1,344,998)

Management, Back of House and Front of House provide internal support functions for Community, Commercial and Cultural activities. Community and Cultural functions also hire space from the Commercial function to derive actual costs of delivering community and cultural functions within the Glasshouse overall function. When the costs of these internal support functions are distributed, the operating surplus (deficit) can be represented as follows:

Glasshouse Operating Deficit by Activity (after internal adjustments) - to 31 December 2019:

	Management	Back of House	Front of House	Community	Commercial	Cultural	Total
Net Operating Deficit (from the above table)	(164,559)	(600,309)	(343,973)	(77,333)	236,189	(395,014)	(1,344,998)
Internal Overhead Distribution	164,559	600,309	343,973	(418,235)	68,573	(759,178)	-
Net Operating Surplus (Deficit) (after internal adjustments and transfers)	-	-	-	(495,568)	304,762	(1,154,192)	(1,344,998)

#### Glasshouse Loan Balances

Loan borrowings assisted in the funding of the Glasshouse at the time of construction. Of the total cost, \$27,975,954 was sourced through loan borrowings

that are repaid through Council general revenue. It should be noted that there was also \$10,873,801 sourced through loan borrowings that are paid from the S94 restricted asset for community facilities. Councils often use borrowing as a way to fund additional infrastructure whilst maintaining intergenerational equity outcomes.

The outstanding balance of the borrowings that are repaid through general revenue, as at 31 December 2019, is \$10,950,746. This demonstrates that over \$17 million has already been repaid, with loans expected to be repaid by 2027.

#### Glasshouse Strategic Plan Recommendations

The Glasshouse Strategic Plan 2014 - 2017 was adopted by Council at the Ordinary Council Meeting held on 16 July 2014 to provide a greater commercial focus in the operation of the venue across four key outcome areas: *ensuring good governance; developing successful partnerships; enhancing utilisation and visitation; and promoting viability.*

Significant progress has been achieved since July 2014 with regard to the implementation of the strategic direction outlined in the Plan with some specific outcomes discussed below.

It is noted that the recommendations and corresponding actions arising from the Strategic Plan have now been completed and/or are continuing to guide day-to-day operations as part of "business as usual" activities.

Council's Operational Plan 2018 – 2019 included an action to review and update the Glasshouse Strategic Plan (OP 1.5.3.2). At the Ordinary Council Meeting held on 16 August 2017, Council resolved as below:

#### **09.15 GLASSHOUSE END OF FINANCIAL YEAR REPORT AND UPDATE ON STRATEGIC PLAN RECOMMENDATIONS**

**RESOLVED:** Turner/Hawkins

*That Council:*

- 1. Note the information provided in the Glasshouse End of Financial Year Report and Update on Strategic Plan Recommendations Report.*
- 2. Note that the Glasshouse Strategic Plan will not be current past 2017.*
- 3. Request the Cultural Steering Group provide recommendations to Council for the renewal of the Glasshouse Strategic Plan and associated KPI's as part of its review of Council's Cultural Plan.*

**CARRIED:** 9/0

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

**AGAINST:** Nil

Further to Resolution 3 above, following consultation with Council's Cultural Steering Group and Councillors, a draft Glasshouse Plan 2020-2022 has now been developed to guide the future strategic direction of the venue. The draft Plan is currently on public exhibition until 21 February 2020.

- 1.2 Review management and reporting systems to support effective decision-making**



The following table includes the following Key Performance Indicator (KPI) data associated with Glasshouse utilisation and occupancy rates (noting that the results are reported to 31 December 2019):

Performance Indicator	2016-17 Actual	2017-18 Actual	2018-19 Actual	2019-20 Actual
<b>Key Outcome 3: Enhancing Utilisation and Visitation</b> <i>Implement targeted marketing and sales strategies to enhance utilisation, increase event visitation and maximise commercial outcomes</i>	<b>Jul-Dec</b>	<b>Jul-Dec</b>	<b>Jul-Dec</b>	<b>Jul-Dec</b>
Visitation (Glasshouse)	131,639	140,825	143,560	141,849
Visitation (Gallery)	26,182	24,541	29,110	22,124
Visitation (website)	64,427	82,287	87,801	98,351
Utilisation (%) (theatre)	47%	53%	48%	51%
Utilisation (%) (studio)	27%	37%	33%	52%
Utilisation (%) (meeting rooms)	45%	54%	50%	38%
Average attendance (%) (theatre)	66%	74%	68%	66%
Average attendance (%) (studio)	75%	65%	81%	58%
Number of tickets processed	36,644	38,455	43,725	42,738
Percentage of tickets sold online	27%	35%	33%	45%

The July - December KPI results reflect a slight downturn in visitation during the period, but otherwise generally consistent performance year on year, noting that results can fluctuate year to year depending on the timing of particular events and the type and composition of venue hire.

Key events and activities at the Glasshouse during the past 6 months have included (listed by relevant Cultural Plan 2018-2021 / draft Glasshouse Plan 2020-2022 Actions):

#### Venues and spaces

- Hosted 82 “non-ticketed” events such as conferences, meetings and expos with over 9,000 attendees, including Luminosity 2019, Australasian Historical Society Conference 2019, CSU Graduation 2019;
- finalised installation of the new retractable seating in the Studio following the awarding of \$128k in grant funding from the State Government Regional Cultural Fund - the new retractable seating improves patron comfort and safety, increases the seating capacity from 100 to 116 seats, and improves the flexibility of the Studio space for a variety of event types;

#### Showcase programs

- presented 10 productions as part of the 2019 Performing Arts Season; including performances by Bell Shakespeare, The Melbourne International Comedy Festival, musical theatre and The Manhattan Short Film Festival;

- presented 7 exhibitions in the Regional Gallery, including touring exhibitions from The Museum of Contemporary Art and the Australian War Memorial;
- hosted 3 performances and supporting educational workshops of A Gala Night at the Ballet, a locally-developed performing arts product as part of the 2019 Season and Education Program;
- hosted 65 commercial hire (theatre / studio) events, presented by commercial promoters, across all genres comedy, drama, dance, musical theatre, classical music and tribute shows with over 30,000 tickets sold;
- delivered box office ticketing services for 42 performances and events external to the Glasshouse including FOTSUN, Players Theatre and Hastings Choristers;
- launched the 2020 "Glasshouse Select" Season on Thursday 30 January 2020 to a full house of Glasshouse Members and guests;

#### Professional development opportunities

- applications opened for Northern Exposure 6, inviting local artists to be part of the biennial Mid North Coast exhibition showcase;
- the Artist in Residence Program welcomed Asher Milgate, and Laura Jones who will be exhibiting in the Glasshouse Regional Gallery in 2020;
- Hosted the John Bell scholarship auditions and Regional Access Workshops, which were presented by Bell Shakespeare for students who are interested in drama and wish to pursue a career as a performer;

#### Inclusive programs and events

- presented 5 performances as part of the 2019 Education Program including The Twits by Roald Dahl and Much Ado about Nothing by William Shakespeare;
- delivered a range of supporting workshops in conjunction with the 2019 Education Program including; Taikoz drumming workshops, dance workshops for students with special needs, classical ballet masterclasses, flute masterclasses, workshops for teachers and student in contemporary aboriginal art;
- launched the 2020 Education Program in November to around 90 educators with over 5,300 tickets booked to date by 24 schools;
- delivered a range of Gallery Public Programmes including: film screenings, artist and curator talks, drawing classes, design workshops for kids, craft workshops for adults and children, a Makers Market showcasing local artists and crafters and accessible art tours with attendance of over 2,300 people;

#### Community-based and community-led programs

- hosted 30 community events, presented by tertiary educational institutions, schools, charities and non for profit groups including performances, dance

festivals, graduations, training days, free concerts, school speech nights and fundraising events;

#### Collaborative partnerships

- continued to develop a number of corporate partnerships / sponsorships consistent with the Glasshouse Marketing and Sales Plan to support the delivery of cultural programs, including the Glasshouse Founding Sponsors, Create NSW and a number of regional / local organisations and businesses;
- at the end of the 2019 Membership Season (30 November), there were 1,272 Glasshouse Members. This level of membership far exceeds the patron participation results achieved by other similar NSW venues.
- as at 31 January 2020 there were already over 800 Glasshouse Members registered for the 2020 Season;

#### Funding

- received a further \$70,000 in annual grant funding support for the 2020 Regional Gallery Program, from the State Government Create NSW Arts and Cultural Funding Program.

#### **Options**

This is an information report.

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

The information provided in this report has been reviewed by Council staff.

At the Ordinary Council Meeting held on 11 December 2019, Council considered a report on the draft Glasshouse Plan 2020-2022 and resolved:

##### *10.10 DRAFT GLASSHOUSE PLAN 2020 - 2022*

*RESOLVED: Intemann/Turner*

*That Council:*

- 1. Note the draft Glasshouse Plan 2020-2022 as detailed in this report.*
- 2. Place the draft Glasshouse Plan 2020-2022 on public exhibition for a minimum period of 28 days, from 24 January 2020 to 21 February 2020.*
- 3. Note that a further report will be tabled at the March 2020 meeting of Council, detailing the submissions received during the exhibition period.*

*CARRIED: 7/0*

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

*AGAINST: Nil*

In accordance with Resolutions 2 and 3 above, the draft Glasshouse Plan 2020-2022 is now on public exhibition until 21 February 2020. A further report will be tabled at the 18 March 2020 meeting of Council, detailing the submissions received during the exhibition period.

**Planning & Policy Implications**

This report is consistent with the key outcomes, recommendations and governance and reporting arrangements identified in the adopted Glasshouse Strategic Plan 2014 - 2017.

As outlined above, the draft Glasshouse Plan 2020-2022 is currently on public exhibition until 21 February 2020.

**Financial & Economic Implications**

At the Ordinary Council Meeting held on 19 June 2013, Council resolved to develop a Glasshouse Strategic Plan to provide a greater commercial focus in the future operation of the venue.

The Glasshouse Strategic Plan 2014 – 2017 was subsequently developed in conjunction with the Glasshouse Sub-Committee, and adopted by Council at the Ordinary Council Meeting held on 16 July 2014.

The draft Glasshouse Plan 2020-2022 aims to continue the adopted strategic direction of Council, being to apply a commercial focus in the operation of the venue, while continuing to enhance utilisation, visitation and participation and ensuring the delivery of high quality cultural, community and commercial experiences for our community.

**Attachments**

- 1 ➡. Glasshouse Financial Statement December 2019

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Item: 10.13

Subject: DIGITAL TECHNOLOGY PROJECT STATUS

Presented by: Corporate Performance, Rebecca Olsen

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### Alignment with Delivery Program

1.4.1 Provide efficient technology and inclusive digital systems that are easy to use and easy to access.

### RECOMMENDATION

**That Council note the information in the Digital Technology Project Status report and the progress made to date.**

#### Executive Summary

At the Ordinary Council Meeting held 16 August 2017, Council resolved:

#### 09.18 NOTICE OF MOTION – ICT STRATEGY

*RESOLVED: Hawkins/Alley That Council:*

- 1. Request the General Manager provide a further update to the October 2017 meeting on the ongoing implementation of Council's ICT Strategy, with a particular emphasis on the expected flow of efficiency benefits to Council's operations in the remainder of the current term of this Council.*
- 2. Noting that other new significant Council Strategies, such as the EDSG are updated six monthly, request the General Manager provide further updates on progress made and efficiencies gained at regular 6 monthly intervals in February and August of each calendar year until (and including) August 2020.*

*Carried: 9/0*

*For: Alley, Cusato, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner.  
Against: Nil*

In line with resolution 2 above, this report presents a progress report with an overview of the recent completion of Council's ICT Renewal program.

### Discussion

#### Background

Commencing in 2016 and finalised in 2018, Council has completed a comprehensive ICT renewal across Council's ICT infrastructure.

- Aged legacy ICT infrastructure was upgraded
- Cyber security risk posture has been improved through updated policy, process and security systems
- Operating systems have been upgraded to Windows 10
- Network infrastructure has been improved to increase effective access for council's staff



- Disaster recovery and data backup processes have been introduced to improve business continuity and resiliency to unexpected impacts to operations.

With completion of the ICT renewal program, a Digital Technology roadmap was developed which supports the ongoing commitment to meet delivery program objectives of providing efficient technology and inclusive digital systems that are easy to use and easy to access.

#### Projects Update – Steps taken to date

##### *Bushfire Emergency Support:*

As part of the whole of Council response to the Bushfire Emergency, the GIS team assisted the emergency operations team with specialist mapping activities. To support the impact assessment of the bushfires across the Local Government Area, continued assistance is being provided with maps and analysis of the burnt areas. Whilst not a planned activity as part of the Digital Roadmap, it was deemed a critical project.

##### *Public Online Mapping:*

In December 2018, a public a version of the mapping application was released which is accessible via:

<https://www.pmhc.nsw.gov.au/Building-Planning/Industry-Resources/Online-mapping-of-underground-services>.

Since the release of the online public mapping tool, requests for maps of these services received by Council staff have all but disappeared. The requests were averaging around 100 per month in 2018.

A program to roll-out additional mapping layers is underway with new content planned for the first half of 2020. The improvements planned will offer more data online for Community self-service.

##### *Community Planning:*

To improve the accessibility of information available to the Community, and their ability to engage in Community Planning activities, a Community Planning map has been online for over 6 months. This map shows the areas involved in the Community Engagement Program. It is enabled through the provision of maps for the Council - Community Action Team meetings and content for public consultation plans. Each site provides a brief description of the local area with a link to the “Have Your Say” webpage for that specific site.

##### *Mid North Coast Libraries Map:*

To support community members to access information on our libraries, a new interactive map to support the Mid North Coast Library Service showing the locations and opening hours of the libraries within the co-operative has been launched.

<https://mnclibrary.org.au/about-us/our-branches-opening-hours/>

*Mobile Mapping Data Collection:*

Council currently provide a number of mobile mapping solutions for streamlining and automating data collection in the field. Examples of those used on a daily basis are the Biosecurity and Koala Incidents field solutions.

Another solution, called Accessible Carparks, is in use by the Port Macquarie-Hastings Access Sub-Committee to document locations and details of disabled car parks. This forms part of an audit process, and assists in the planning and delivery of current and future needs of this service to the community.

The Sub-Committee members have completed their initial audit of almost 400 disabled car parks across the Local Government Area using the mobile data collection app.

Launched in June 2019, a recent addition to this suite of solutions is reviewing the Koala Food Trees planted as part of the environmental requirements for the development process. This work also forms part of an audit process and will inform how well this process is working and will continue to work into the future.

The GIS team have continued to develop a number of data collection tools, for use in the field, on mobile devices to support the Environmental Services Team's projects including:

- Koala Road Signage and Koala Road Strike assessment;
- Flying Fox surveys; and
- Management of Asset Protection Zones.

Additionally, the field application used by the Koala Hospital to record incidents has undergone a review and redesign resulting in an easier experience for the volunteers to record vital incident information, regarding koala activities.

*Meeting Room AV Upgrades:*

In May 2019 the Function and Committee rooms in Council Headquarters at Burrawan Street were upgraded with new audio visual conferencing facilities, allowing those unable to attend meetings in person the option to video conference in utilising Skype for Business. The improved audio and visual capability has enabled better collaboration with offsite staff, customers, vendors and councillors.

Using the learnings gained from the Function and Committee room upgrades, a review is underway for the audio visual technology required for the remaining meeting rooms. It is expected that the majority of meeting rooms will be upgraded by June 2020.

*Digital Organisational Charts:*

To facilitate and improve Council internal communications, a digital organisational chart solution has been implemented. The solution is easy to use and will assist Council employees in locating and contacting individuals quickly. The solution displays the entire Council structure allowing people to quickly drill down into a



division, team or to an individual. This change will reduce administration overhead when updates to the organisation charts and/or contact details is required.

*UPS Upgrade:*

To protect computers, IT equipment, telecommunications network and infrastructure against unexpected problems with the input power source, Council has 28 Uninterrupted Power Supply (UPS) systems located across a number of Council sites. It was identified that these systems were at end of life requiring an upgrade. Over the last eight months, all UPS systems, other than the Cairncross Weigh Bridge, have been upgraded. The Cairncross Weigh Bridge UPS upgrade will be finalised in March 2020. This initiative is important in supporting the organisations continuity planning.

*Civica Authority Upgrade:*

An upgrade to Council ERP Civica Authority is planned for completion by end March 2020. This upgrade provides enhanced functionality to Council as well as being an enabler for other Digital projects, such as Procure to Pay.

*Council Chambers Upgrade:*

The adopted Code of Meeting Practice meant that Council must webcast its Council meetings from 14 December 2019. Additionally, the equipment was over 7 years old with reduced reliability.

The equipment was successfully upgraded in January 2020, meeting the Code of Meeting Practice requirements, and improved the audio experience for community members in attendance. The upgrade was scheduled to be available for the first Council meeting in February, however due to the need for the extraordinary meeting in January, the team successfully fast-tracked the implementation to make it available. The January Extraordinary Council meeting has now been posted on the Council website for community viewing.

## **Options**

This is an information report.

## **Community Engagement & Internal Consultation**

Internal consultation on the development of the Digital Technology Roadmap has been undertaken with:

- Finance, Corporate Services, Information Technology portfolio councillors
- Executive Management team
- Senior Leadership team
- Internal staff

## **Planning & Policy Implications**

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

**Financial & Economic Implications**

The Digital Technology roadmap is currently funded through an approved allocation in the 2019/2020 Operational Plan (of \$1,200,000) noting the allocation in the Carryover report from the 2018/2019 financial year.

The efficiencies delivered by the implementation of projects and initiatives is often difficult to quantify in terms of savings and ongoing work will occur to determine what may be able to be quantified in terms of specific projects as they are delivered.

**Attachments**

Nil

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**Item:** 10.14

**Subject:** 2017-2021 DELIVERY PROGRAM AND 2019-2020 OPERATIONAL PLAN - SIX MONTHLY PROGRESS REPORT AS AT 31 DECEMBER 2019

**Presented by:** Corporate Performance, Rebecca Olsen

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### **Alignment with Delivery Program**

1.1.4 Provide easy to understand and accessible community reporting.

### **RECOMMENDATION**

**That Council note the 2017-2021 Delivery Program and 2019-2020 Operational Plan Six Monthly Progress Report as at 31 December 2019.**

### **Executive Summary**

The 2019-2020 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 details 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 all actions set out in the 2019-2020 Operational Plan. The overview section in this report provides an overall statistical snapshot of 2019-2020 Operational Plan performance by Community Theme.

Six monthly progress reports on the Delivery Program are a legislated requirement of the NSW Government's Integrated Planning and Reporting Framework. Meeting the targets in the annual Operational Plan contributes to the overall achievement of the objectives outlined in the four year 2017-2021 Delivery Program.

**Attachment 1** to this report provides details of actions that are experiencing delays in delivery against the 2019-2020 Operational Plan.

**Attachment 2** to this report details each Operational Plan action, activity or project and seeks to provide concise and accurate commentary on progress. It shows the alignment to the Delivery Program objectives and the Community Strategic Plan.

All capital works projects are incorporated into the body of the Operational Plan and as such are reported on as individual actions. A number of projects may have design and construction elements and therefore can span across multiple years.

**Discussion****(a) Overview - 2017-2021 Delivery Program and 2019-2020 Operational Plan – Six Monthly Progress Report as at 31 December 2019**

The Operational Plan sets out the actions, activities and projects that will be undertaken each financial year to deliver the overall objectives in the Delivery Program. Achievement of these objectives contributes to achieving the vision and goals in the Community Strategic Plan.

The 2019-2020 Operational Plan contains 375 performance measures. As at 31 December 2019, 88% are on target for delivery and 12% are reported as behind. The table below provides a summary of the total number of performance measures and the status by Community Theme.

<b>2018-2019 Operational Plan summary of performance measures by theme</b>				
<b>Community Theme</b>	<b>Total No.</b>	<b>On target/ Achieved</b>	<b>Behind</b>	<b>Overall Delivery (%)</b>
<b>Leadership and Governance</b>	88	82	6	93%
<b>Your Community</b>	84	75	9	89%
<b>Your Business and Industry</b>	25	24	1	96%
<b>Your Natural and Built Environment</b>	178	148	30	83%
<b>Total</b>	375	329	46	88%

The table below is comparative data of historical Operational Plan performance and provides information outlining year on year progress against the adopted 2019-2020 Operational Plan.

<b>Historical Comparative Review of Operational Plan Performance Measures</b>																
	<b>TOTAL</b>				<b>ON TARGET/ ACHIEVED</b>				<b>BEHIND</b>				<b>OVERALL DELIVERY Percentage (%)</b>			
	16/17	17/18	18/19	19/20	16/17	17/18	18/19	19/20	16/17	17/18	18/19	19/20	16/17	17/18	18/19	19/20
1Q - July - Sept	320	318	337	375	281	301	321	329	39	17	16	46	88%	95%	95%	88%
2Q - Oct - Dec	320	320	345	375	297	293	321	329	23	27	24	46	93%	92%	93%	88%
3Q - Jan - Mar	320	320	350		280	282	279		40	38	42		88%	88%	88%	
4Q - Apr - Jun	320	320	350		294	279	296		26	41	54		92%	87%	85%	
<b>Total</b>	<b>320</b>	<b>320</b>	<b>350</b>		<b>294</b>	<b>279</b>	<b>296</b>		<b>26</b>	<b>41</b>	<b>54</b>		<b>92%</b>	<b>87%</b>	<b>85%</b>	

**(b) Delivery Program 2017-2021 and 2019-2020 Operational Plan - Progress Report as at 31 December 2019**

The Delivery Program outlines the Councillors' commitments to the Port Macquarie-Hastings community during their four-year term of office. Objectives in the Delivery Program represent what the Council aims to deliver and serves as a guide for Council's Executive and staff when developing the annual Operational Plan.

In a broad context, the Delivery Program enables Council to deliver the community's aspirations for the future, as described in the Towards 2030 Community Strategic Plan. The Delivery Program objectives appear in each of the four Community Themes outlined below:

- Community Theme 1 – Leadership and Governance
- Community Theme 2 – Your Community Life
- Community Theme 3 – Your Business and Industry
- Community Theme 4 – Your Natural and Built Environment

Each of the themes in the Delivery Program describes what the expected result will be if the overall objectives are achieved and intended outcome.

*A snapshot of progress on various projects across the region is provided below*

Laurieton/Camden Haven/surrounds

- Rainbow Beach Sports Fields has project planning phase commenced
- Riverview Reserve playground upgrade has community engagement and concept plan scheduled for third quarter of 2019-2020
- Scribbly Bark Reserve playground replacement has concept plan underway
- Construction of the Kew Sewerage Treatment Plant has detailed designs progressing
- Bold Street Pedestrian crossing in Laurieton has revised designs being developed as a result of new crossing location
- Comboyne Small Town Sewerage Scheme provision of a centralised sewerage system has construction completion planned by mid 2020
- Stormwater flood mitigation measures at Rodley Street Bonny Hills is ongoing with completion planned by early 2020
- Dunbogan Bridge substructure rehabilitation work has construction works underway

Port Macquarie

- Blair Reserve playground upgrade has detailed plan finalised and construction scheduled for third quarter of 2019-2020
- Flynn's Beach seawall upgrade and replacement is complete
- Red Ochre new park development has planning commenced and community engagement and concept plan scheduled for third quarter of 2019-2020
- Ruins Way new park development has planning and community engagement underway
- Settlement Point Reserve playground replacement has detailed plan finalised and construction scheduled for the third quarter of 2019-2020
- Stuart Park - Regional Sporting Precinct upgrades are progressing with the basketball court and landscaping, with the Port Macquarie off leash dog park area and playground complete. Building works for new amenities has designs complete and procurement underway
- Town Beach Park playground replacement has the detailed plan finalised and construction planned for the third quarter of 2019-2020
- Community consultation undertaken for site determination for the Port Macquarie Pool with Macquarie Park confirmed as preferred site. Project planning has now commenced
- Port Macquarie Airport Terminal upgrade was completed in November 2019



- Port Macquarie Airport - Parallel Taxiway Stage 1 has concept design finalised and the tender for environmental impact assessment awarded and the project has commenced
- Port Macquarie Sewer Treatment Plant inlet replacement works has quotes being sought
- The Ruins Way reconstruction works has preconstruction planning underway
- Port Macquarie Coastal Walk upgrades has construction nearing completion for Stage 1 of the Charlie Upton section. Further construction works planned after in the new year

#### Wauchope/Rural/surrounds

- Hastings Regional Sporting Complex has design works progressing and ongoing
- Reservoir Park playground replacement has the detailed plan finalised and construction scheduled for the third quarter of 2019-2020
- Rocks Ferry Reserve playground upgrade has community engagement and concept plan scheduled for the third quarter 2019-2020
- Bago Road pavement rehabilitation (Milligans Road to Bluewater Cres) has preconstruction planning underway and the project plan completed
- Long Flat and Telegraph Point Small Town Sewerage Scheme provisions of a centralised sewerage system has construction completion planned for September 2020
- Pembroke Road - Stoney Creek Bridge upgrade has project design planning commenced

The information below demonstrates Council's achievements to date and highlights 'how we know we are progressing' against the set objectives outlined in the Delivery Program 2017-2021.

#### Summary of highlights are outlined below by Community Theme, Delivery Program Objective and Council Service

#### COMMUNITY THEME: LEADERSHIP AND GOVERNANCE

Operational Plan summary of performance measures					
2019-2020	Total No.	On target	Achieved	Behind	Overall %
1Q - July – Sept 2019	88	75	7	6	93%
2Q - Oct – Dec 2019	88	73	9	6	93%
3Q - Jan – Mar 2020					
4Q - Apr – Jun 2020					

#### *What are we trying to achieve*

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

#### *What the result will be*

- A community that has the opportunity to be involved in decision-making
- Open, easy, meaningful, regular and diverse communication between the community and decision-makers

- Partnerships and collaborative projects that meet the community's expectations, needs and challenges
- Knowledgeable, skilled and connected community leaders
- Strong corporate management that is transparent

*How do we know we are progressing*

- Improving levels of community participation at community engagement activities
- Ongoing Council participation in regional Local Government initiatives
- Council financial management that is communicated to the community

Highlights by Council Service and Delivery Program Objective

**Council Service: Communications and Community Place**

*Delivery Program Objective: 1.1.1 Use a variety of tools to engage with the community in a manner that is transparent, effective, relevant and inclusive*

- Over 415 Media releases, statements, alerts and announcements were issued.
- Likes for the corporate Facebook page increased from 9,565 as at 30 September 2019 to 10,436 as at 31 December 2019, representing an increase of 9.09%.
- 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
- Registered users on Council's 'Have Your Say' online engagement portal as at 31 December 2019 was 4,107, an increase from 4,041 as at 30 September 2019.

**Council Service: Community Place**

*Delivery Program Objective: 1.1.2 Support community involvement in decision making through education around Council matters and services*

- Community engagement commenced for the 'Think 2050' Community Strategic Plan with engagement ongoing throughout the third quarter of 2019-2020
- Community members were involved in a variety of community engagement activities that involved face-to-face engagement via drop-in information sessions, group engagement and pop-up information sessions, Community-Council Action Team Meetings and Community Think Tank Workshops
- Community Plans for Bonny Hills, Pappinbarra and Comboyne/Byabarra were completed and endorsed by Council
- Draft Community Plans for Lake Cathie, Telegraph Point, Kew/Kendall, Herons Creek/Lorne and Camden Haven were placed on public exhibition during the second quarter of 2019-2020
- Community Plans are under development for North Shore, Wauchope, Hastings Hinterland and Beechwood/Pembroke

*Delivery Program Objective: 1.1.3 Engage with the community on impacts and changes to services*

- Development of a community engagement program has work continuing on the review of Council's engagement strategy and policy



- A community satisfaction survey is scheduled to take place in the final quarter of 2019-2020

**Council Service: Integrated Planning and Reporting**

*Delivery Program Objective: 1.1.4 Provide easy to understand and accessible community reporting*

- An easy to read Community Report Card, highlighting Council's achievements in delivering outcomes to the community for the 2018-2019 financial year was produced with hard copies available at Council's Customer Service Offices and Library branches across the region
- The 2018-2019 Annual Report was presented to the Ordinary Council Meeting in November 2019 meeting legislative requirements
- The 2020-2021 Operational Plan and budget preparation has commenced and is ongoing

**Council Service: Communications**

*Delivery Program Objective: 1.1.5 Develop an effective and coordinated community focused Communications Strategy*

- Council has used a broad range of communications channels to keep the community informed of Council initiatives and projects. This includes delivering a quarterly rates newsletter, regular media exposure, utilising community newsletters, radio and television advertising and Facebook
- Marketing and education campaigns are ongoing and have included a variety of communication channels to deliver a range of messages including bus stops, signage, Facebook, digital billboard, radio, television, cinema, shopping centre displays and media releases
- Total number of visits to Council's website for the quarter was 196,143. Website page views was 358,220

**Council Service: Governance**

*Delivery Program Objective: 1.1.6 Continue to promote access by the community to Councillors*

- The October 2019 Ordinary Council meeting was held in Laurieton and the Ordinary Council Meeting for March 2020 is scheduled to be held in Wauchope

**Council Service: General Manager's Office**

*Delivery Program Objective: 1.2.1 Promote Council participation and build linkages in local, state and federal initiatives, forums and opportunities to support Council's continued planning for the growth of the region*

- Regular meetings held with Camden Haven, Port Macquarie and Wauchope Chamber of Commerce and also Northside and Lake Cathie Progress Associations with the Mayor and Senior staff in attendance
- Ongoing meetings and or Networking events attended with Federal, State and Local members to advocate for local community needs

**Council Service: General Manager's Office**

*Delivery Program Objective: 1.3.1 Provide effective leadership and equity*

- The Mayor and General Manager have attended Mid North Coast Joint Organisation (MNCJO) board meetings during the first half of 2019-2020

**Council Service: Governance**

*Delivery Program Objective: 1.3.2 Build trust and improve Council's reputation through transparency, good decision making and living Council's Values*

- The 2018-2019 Legislative Compliance Register was reviewed and presented to the Audit, Risk and Improvement Committee and adopted at the September 2019 Ordinary Council Meeting
- The annual report on Code of Conduct complaints was presented to the Ordinary Meeting of Council in December 2019
- The 2018-2019 annual reports for Public Interest Disclosures (PID) and Government Information Public Access (GIPA) were submitted in line with required timeframes for the 2019-2020 period
- The annual Disclosure of Interest Returns adopted at the October 2019 Ordinary Council Meeting

**Council Service: Governance**

*Delivery Program Objective: 1.3.3 Ensure there is appropriate management of risk to mitigate impact for Council and the community*

- The Insurance Risk Management Action Plan is under development
- Formal GIPA requests have been managed and responded to within the legislative timeframes

**Council Service: Human Resource Management**

*Delivery Program Objective: 1.3.4 Manage our workforce to deliver community outcomes.*

- The Workforce Management Strategy actions are being delivered, some of which include development of an Equity and Diversity Strategy and review of a range of Human Resource policies
- The Work, Health and Safety Strategy actions are being delivered with an external audit recently completed
- The Learning and Development Strategy actions are being delivered with the Educational Assistance Policy recently reviewed and a new policy launched providing support for employees undertaking formal training programs

*Delivery Program Objective: 1.3.5 Build an engaged workforce*

- Planning for the Annual Employee Engagement Days are underway, with a working group being established. The engagement days are planned for May 2020
- Planning for the next Annual Employee Engagement Survey is ongoing, with the next survey scheduled for February 2020

**Council Service: Digital Technology**

*Delivery Program Objective: 1.4.1 Provide efficient technology and inclusive digital systems that are easy to use and easy to access*

- Renewal of Council's technology infrastructure to provide secure and responsive information communication technology is being undertaken in line with the Digital Technology Roadmap

**Council Service: Business Improvement Office**

*Delivery Program Objective: 1.4.2 Deliver agreed services at the agreed service level at best value*

- Facilitation of business improvement processes across the organisation are ongoing with five service reviews currently in progress

- Facilitation of the service review program has commenced, which has included working with the Development and Environment administration team to progress process improvements

**Council Service: Customer interactions**

*Delivery Program Objective: 1.4.3 Deliver a customer focused service that provides the community a consistent experience of Council*

- Over 37,799 calls were received through the Customer Call Centre, with 93% of calls answered within the service standard, exceeding the set target of 75%
- Over 46,494 counter enquires were processed, and over 15,256 e-mails were received through Customer Service offices in Laurieton, Port Macquarie and Wauchope

**Council Service: Financial Management and Assets and Property Investments**

*Delivery Program Objective: 1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information*

- The 2018-2019 audited financial statements were lodged with the Office of Local Government in October 2019 in accordance with legislated timeframes
- Investment reports tabled in accordance with required timelines
- Monthly investment returns exceeded the benchmark
- Financial reports tabled in accordance with required timelines
- The Quarterly Budget Review Statement as at 30 September was presented to Council in November 2019 as scheduled
- The 2019-2020 Operational Plan and budget preparation is ongoing

**Council Service: Strategy (Land Use Planning)**

*Delivery Program Objective: 1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information*

- The Partridge Creek residential development is planned to have a report tabled at a future Ordinary Council Meeting
- Emily Ave residential development planning has the Development Application lodged

**Council Service: Procurement**

*Delivery Program Objective: 1.5.2 Use procurement, tendering, purchasing and contract management approaches that are transparent and equitable*

- The Procurement Strategy has implementation of actions ongoing
- Management and maintenance of plant and fleet is ongoing in accordance with the adopted program
- Undertaking procurement activities in accordance with legislative requirements is ongoing

**Council Service: Commercial Business Units – Glasshouse, Airport and Crematorium and Cemetery**

*Delivery Program Objective: 1.5.3 Develop, manage and maintain Council Business Units through effective commercial management*

- Operating revenue increased at the Airport by 6% in comparison to the same period last year exceeding the 3% target
- Operating revenue increased at the Environmental Laboratory by 29% in comparison to the same period last year exceeding the 3% target

- The draft Glasshouse Plan 2020-2022 was presented to the Ordinary Council Meeting in December 2019 and is on public exhibition during January and February 2020

**Council Service: Asset Management**

*Delivery Program Objective: 1.5.3 Develop, manage and maintain Council Business Units through effective commercial management*

- The Property Investment Strategy update report was presented to the November 2019 Ordinary Council Meeting

COMMUNITY THEME – YOUR COMMUNITY

Operational Plan summary of performance measures					
2019-2020	Total No.	On target	Achieved	Behind	Overall %
1Q - July – Sept 2019	84	73	3	8	91%
2Q - Oct – Dec 2019	84	70	5	9	89%
3Q – Jan – Mar 2020					
4Q – Apr – Jun 2020					

Your Community

*What are we trying to achieve*

A healthy, inclusive and vibrant community

*What the result will be*

- 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 know we are progressing*

- Community facilities are established that encourage social activities and interactions
- Community safety initiatives are recognised and supported
- Open spaces, recreational and community facilities are provided for a range of social, health and wellbeing activities.
- The community is supported through a range of programs based on social issues
- A range of community activities, programs and events are supported and implemented

We know we are progressing on delivering outcomes to the community against the Delivery Program objectives as achievement highlights can be seen below against specific council services



Highlights by Council Service and Delivery Program Objective**Council Service: Sports and Recreation**

*Delivery Program Objective: 2.1.1 Support Community Safety initiatives*

- Lifeguard patrols at Town, Flynns, Lighthouse, Lake Cathie, Rainbow and North Haven Beaches were delivered
- The Lifeguard Education Program commenced in Term 4 in schools across the local government area. Over 3,868 students participated in the program

**Council Service: Emergency Management**

*Delivery Program Objective: 2.1.2 Advocate for, support and coordinate emergency services*

- Support provided to the Emergency Operations Centre during the November 2019 fires across the Local Government Area

**Council Service: Compliance**

*Delivery Program Objective: 2.1.3 Conduct regulatory and educational activities, which safeguard public and environmental health, and ensures compliance with planning and building standards*

- Monitoring and taking action to ensure compliance issues are managed has seen a range of inspections undertaken, some of which have included:
  - 137 pool inspections;
  - 96 public health inspections;
  - 279 on-site sewerage management system inspections;
  - 33 fire safety inspections;
  - 809 offences recorded by Council Rangers in relation to parking, beach patrols, illegal signage and sale of goods on roads and
  - 806 companion animal incidents were recorded.

**Council Service: Commercial Business Units - Environmental Testing**

*Delivery Program Objective: 2.1.3 Conduct regulatory and educational activities, which safeguard public and environmental health, and ensures compliance with planning and building standards*

- Sampling, analysis and reporting of operational and regulatory requests at the Laboratory were completed within the set service standards and budgets
- National Association of Testing Authority corporate accreditation maintained

**Council Service: Community Place**

*Delivery Program Objective: 2.2.1 Support and advocate for all community sectors*

- The first round of community grants has been delivered for the first half of the 2019-2020, with the second round of Community Grants open from February to March 2020
- The Draft Community Inclusion Plan was presented to Ordinary Council Meeting in November 2019 and was placed on public exhibition until late January 2020

**Council Service: Community Place**

*Delivery Program Objective: 2.3.1 Ensure access to community facilities and activities: including access to natural environment*

- Delivering actions from the Disability Inclusion Action Plan are ongoing some of which have included:
  - The launch of the Short Street accessible amenities including the first adult change table with an overhead gantry hoist;
  - Installation of a wheelchair viewing platform at the Charlie Uptin Walk;
  - Installation of a wheelchair accessible picnic table at Kew playground;
  - Installation of two new disability car parks and a wheelchair friendly beach ramp as part of the Flynns Beach seawall upgrade and
  - Celebration of International Day of People with Disability.

**Council Service: Recreation, Property and Buildings and Community Engagement**

*Delivery Program Objective: 2.3.2 Provide a range of inclusive sporting and recreational opportunities and facilities to encourage a healthy and active lifestyle*

- Implementation of the Recreation Action Plan is ongoing, actions include:
  - Hastings Regional Sporting Facility - Stage 1 development has detailed design for the facility nearing completion;
  - Sancrox/Thrumster Sports Fields has project planning for detailed design of the facility commenced;
  - Hastings River Recreational Boating Facility has detailed concept plans developed. Land acquisition discussions are ongoing with land owners;
  - Port Macquarie Coastal walk upgrade has construction of the Charlie Uptin Walk and Flagstaff Hill segments commenced with the Doctors Walk and Kenny Walk segments scheduled for 2020;
  - Port Macquarie off leash dog park at Stuarts Park is complete;
  - North Haven to Bonny Hills Coastal Walk has project planning commenced and
  - Port Macquarie Pool has community engagement undertaken and site selection process complete, with Macquarie Park confirmed as the preferred site. Project planning for detailed design process has commenced;
  - Wayne Richards Park - Stages 3 and 4 has detailed designs and approvals commenced. Concept plan developed for both stages, with environmental approvals process currently being confirmed.
- Implementation of the Sporting Facility Renewal and upgrade program is ongoing, actions include:
  - Oxley Oval sporting infrastructure upgrade has construction of the clubhouse commenced and upgrade of the electrical supply complete;
  - Port Macquarie Hastings Hockey Facility has the installation of lighting to Field 2 complete;
  - Port Macquarie Regional Sports Stadium has construction of new training field including lighting complete;
  - Charlie Watt Reserve Telegraph Point has lighting upgrades commenced;
  - Andrews Park Wauchope has construction of lighting system commenced;
  - Lake Cathie Sports Fields field surface upgrade has reconstruction commenced and installation of irrigation complete;
  - Blackbutt Park Wauchope has project planning commenced for furniture upgrades;

- Kendall Sports Ground reserve upgrade has scope of works being confirmed and
- Laurieton Sports Complex sports facility upgrade has project planning commenced.
- Regional Master Planning for recreational facilities is ongoing:
  - Master Planning for Bain Park Wauchope had first round of community engagement finalised and the draft master plan being prepared and
  - The review of the Bonny Hills Master Plan has commenced.

*Delivery Program Objective: 2.3.3 Develop and implement management of operational and maintenance programs for open space, recreational and community facilities*

- Maintenance program works for parks, reserves, sporting fields and beaches across the local government area was undertaken some actions include:
  - Mowing selected parks and reserves for Christmas holidays and events;
  - Sports field preparation for weekly fixtures of summer sports;
  - Preparing sites for events including markets and weddings etc;
  - Mowing of all Cemeteries for Christmas;
  - Sportsfield preparation for State Cup touch at the Regional Stadium and Tuffins Lane;
  - Garden maintenance in the Port Macquarie CBD area including pruning, watering, weed treatment and mulching;
  - Inspection of all playgrounds with required maintenance and repairs;
  - Cleaning bin hides/bubblers across the local government area and
  - Upgrade of 200 metres of median strip in Lake Cathie.
- All four pools managed in accordance with the pool management and operational guidelines with programmed and reactive maintenance undertaken
- The Playground equipment replacement program has planning commenced and construction planned for the third quarter for the following playgrounds, Blair Reserve, Reservoir Park, Scribbly Bark, Riverview Reserve, Rocks Ferry Reserve, Settlement Point reserve and Town Beach
- The Recreational Walkway Replacement program is ongoing with planning commenced for the North Haven to Bonny Hills Walkway. Blair, Sandhurst and Harry's Walkway replacements will have construction commenced in the third quarter of 2019-2020
- The maintenance program for boat ramps, wharves and jetties is ongoing
- The maintenance program for beaches was undertaken including detailed beach grooming at all high profile beaches
- Rocks Ferry Reserve riverbank revetment extension works were completed. An additional scope of works to extend rock armouring is underway
- The Public Amenities renewals program is ongoing with Short Street amenities complete. Pilot Beach amenities upgrade is planned for May 2020
- Kew Community Park construction is complete

#### **Council Service: Building Maintenance**

*Delivery Program Objective: 2.3.3 Develop and implement management of operational and maintenance programs for open space, recreational and community facilities*

- Scheduled and reactive maintenance programs of all Council-owned buildings including office furniture replacement is ongoing



- Building rectification works are ongoing in line with the Council Building Asset Management Plan

**Council Service: Recreation, Property and Buildings**

*Delivery Program Objective: 2.3.4 Plan, investigate, design and construct open spaces, recreational and community facilities*

- Port Macquarie Coastal Walk upgrade has construction works on Stage 1 of Charlie Uptin section near complete. Further construction works to continue after the Christmas period
- Flynn's Beach upgrade to the sea wall has construction complete
- Hastings Regional Sporting Complex construction has design works anticipated completion for early 2020. Construction works planning is currently being developed
- Town Centre Master Plan improvements include the foreshore walkway priority projects preconstruction and includes detailed landscape designs, Geotechnical and Heritage reports complete. Detailed surveys complete. Fisherman's Wharf under construction by Crown Lands
- Port Macquarie Pool has had extensive community consultation undertaken to determine the preferred site location, with Macquarie Park confirmed, project planning of the aquatic facility now commenced
- Mrs Yorks Garden has the concept plan finalised with works to be implemented by Friends of Mrs Yorks Garden
- Lake Cathie Foreshore Reserve - Skate Park construction complete
- New park facilities at Red Ochre and Ruins Way have planning commenced with community engagement and concept planning scheduled for the third quarter of 2019-2020
- Stuart Park Regional Sporting Precinct works are continuing. The Off Leash Dog Park, playground and landscaping has been complete
- Upgrades to the Tennis facility at Beechwood Tennis Courts had a grant funding application secured which was submitted by the Beechwood Tennis Club, this funding is in addition to Council's co-contribution. Works anticipated to commence in early 2020

**Council Service: Library**

*Delivery Program Objective: 2.3.5 Plan and deliver innovative Library Services which cater for new technology and growing population*

- The annual Library Events Program has delivery ongoing
- Library membership increased to 35,150 as at December 2019 compared to 33,450 for the same period last year
- The Library Strategic Plan was adopted
- The new Library webpage was launched in August 2019

**Council Service: Community Engagement**

*Delivery Program Objective: 2.3.6 Support a range of inclusive community activities and programs*

- A wide range of community activities and events have been held across the local government area some of which have included:
  - NAIDOC Week;
  - Mayors Sporting Fund Bowls Day;
  - Artwalk;
  - Countdown to Christmas;

- Hastings Sports Awards and
- Mayors Sporting Fund Golf Day.

*Delivery Program Objective: 2.4.1 Work with the community to identify and address community needs, to inform Council processes, services and projects*

- Continuing to support community-led volunteer programs across the local government area, including the Graffiti Blasters Program

### **Council Service: Cultural Development**

*Delivery Program Objective: 2.5.1 Support cultural activities within the community*

- Implementation of actions from the Cultural Plan is ongoing with actions including:
  - Local Heritage assistance grants given out to improve heritage listed buildings within the local government area;
  - Appointment of a Cultural Events co-ordinator to deliver bicentennial programs/activities including ArtWalk;
  - The draft Public Art Policy was presented to the Ordinary Council Meeting in December 2019 and placed on public exhibition and
  - The 2019-2021 Eat See Do tourism brochure features increased cultural products for promotion.
- A range of performing arts events were presented at the Glasshouse some of which included:
  - For Country For Nation - Australian War Memorial;
  - Symmetry of Nature - Beric Henderson;
  - Threaded Earth - Vana Ford and Kerry Wheelan and
  - Olsen and Ormandy.
- A range of visual arts events were presented at the Glasshouse some of which included:
  - Sydney Comedy Festival - Manhattan;
  - Short Film Festival - Cheek to Cheek and
  - Evening Stars - Jane Rutter and Peter Cousens.

### COMMUNITY THEME: YOUR BUSINESS AND INDUSTRY

Operational Plan summary of performance measures					
2019 - 2020	Total No.	On target	Achieved	Behind	Overall %
1Q - July – Sept 2019	25	24	0	1	96%
2Q - Oct – Dec 2019	25	23	1	1	96%
3Q - Jan – Mar 2020					
4Q - Apr – Jun 2020					

#### *What are we trying to achieve*

The Port Macquarie-Hastings region is a successful place that has vibrant, diversified and resilient regional economy for people to live, learn, work, play and invest

#### *What the result will be*

- 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, tourism, recreational and/or community hubs
- A region that attracts investment

- Partnerships that maximise economic return and create an efficient and effective business environment

*How we know we are progressing*

- There is growth and development of new industries and business
- Tourism and major events contribute to increased economic activity
- There are greater opportunities for investment across the region
- Council is recognised for its role in fostering partnerships that contribute to business and industry growth

We know we are progressing on delivering outcomes to the community against the Delivery Program objectives as achievement highlights can be seen below against specific council service

Highlights by Council Service and Delivery Program Objective

**Council Service: Economic Development**

*Delivery Program Objective: 3.1.1 Assist the growth of local business and industry, ensuring this is a central consideration of Council activities*

- Implementation of the Economic Development Strategy is ongoing with some actions including:
  - Adoption of the Health and Education Precinct Master Plan;
  - Completion of the Airport Terminal Upgrade;
  - Drafting the new Destination Management Plan;
  - Continued growth of 'The Hub' business and co-working centre and
  - Collaboration with CSU for the development of the Port Macquarie Innovation Centre.
- Business confidence survey undertaken in August 2019 with over 400 responses, results published in October 2019 and made available to the Construction Industry Action Group and local business networks

*Delivery Program Objective: 3.1.3 Implement Major Events Strategy*

- Implementation of actions relating to 'Major Events' through the Port Macquarie Hastings Events Plan are progressing
- Support provided for two major events in the second quarter of 2019-2020. These events resulted in a combined economic impact of over \$8.2 million for the local community

*Delivery Program Objective: 3.1.4 Implement the Destination Management Plan*

- Implementation of actions from the Destination Management Plan is ongoing with the fifth edition of the Official Visitor Guide printed and distributed
- Visits to the destination website for the second quarter show an increase of 4.50% year on year. This represents an increase in users from 179,224 for 2018-2019 FY to 187,284 for 2019-2020 FY

*Delivery Program Objective: 3.2.1 Support vibrant commercial, tourism, recreational and or community hubs across the region*

- Supporting town and village initiatives that will provide activation and economic return has been ongoing with some actions including:
  - Completion of Wauchope CBD upgrade works;
  - Unique boutique Wauchope social media/radio campaign delivered and

- Footpath trading and A-frame sign fee waiver for towns and villages continuing with a policy review planned for the coming months.

**Council Service: Airport**

*Delivery Program Objective: 3.3.1 Develop, manage and maintain Port Macquarie Airport as a key component of the regional transport network and continue to grow the airport's contribution to the regional economy*

- Port Macquarie Airport Terminal upgrade Stage 2 construction completed in November 2019
- Port Macquarie Airport, Terminal car park, second exit lane completed November 2019
- Port Macquarie Airport Parallel Taxiway - Stage 1 and General Aviation pavement renewal has concept design finalised. Tender for the environmental impact assessment awarded and the project has commenced
- Passenger numbers for July to December 2019 are up 3.4% compared to the same period last year
- Port Macquarie Airport Biodiversity certification agreement implementation is continuing post approval

**Council Service: Economic Development**

*Delivery Program Objective: 3.3.2 Promote investment, education and lifestyle opportunities*

- Promoting local growth and opportunities within and outside the region has included undertaking actions such as:
  - Videos in the 'live, work, invest here' campaign series have been commissioned with delivery expected in quarter three of 2019-2020 and
  - An updated investment attraction prospectus is currently in the design stage with publication anticipated in quarter three of 2019-2020.

*Delivery Program Objective: 3.4.1 Foster partnerships with higher education institutions through research and development, innovation and local skills development*

- Port Macquarie Health and Education Precinct Master Plan implementation commenced
- Engagement undertaken with the local Education and Skills Forum and support provided for the pilot program funding application
- Support for the CSU Innovation Hub development and business plan
- Support for the development of Sovereign Hills Co-lab

*Delivery Program Objective: 3.4.2 Support local business networks*

- The Business Hub is meeting regularly with strong attendance and is actively involved with 'The Hub' business and co-working centre
- Engagement with local Chambers of Commerce and other business/industry groups is ongoing

*Delivery Program Objective: 3.4.3 Encourage innovation that will support our growth as a regional city including smart community technology*

- Monthly Hub Business open nights and Innovate Port Macquarie meetings are ongoing
- Smart City Strategy development has project planning complete and scope refined as part of 'Smart Community Roadmap' development which will integrate with Council's existing strategy framework



- Supporting the delivery of projects which enhance local digital engagement, smart work hubs and 'smart' technology rollout has seen business planning support provided for CSU Innovation Hub as part of Stage 2B campus development

COMMUNITY THEME: NATURAL AND BUILT ENVIRONMENT

Operational Plan summary of performance measures					
2019 - 2020	Total No.	On target	Achieved	Behind	Overall %
1Q - July – Sept 2019	178	141	6	31	83%
2Q - Oct – Dec 2019	178	140	8	30	83%
3Q - Jan – Mar 2020					
4Q - Apr – Jun 2020					

*What are we trying to achieve*

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

*What the result will be*

- 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 to 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 know we are progressing*

- We have water, waste, and sewer systems that are efficient, maintained and environmentally compliant
- Consideration, is given to climate change impacts and potential mitigation
- Programs are implemented to support, the condition of the natural environment
- The road and transport network is well planned and maintained
- The transport network, recreational facilities, and open spaces, reflect community priorities
- Coordinated urban development is, well planned to meet projected population growth
- We successfully preserve local flora and fauna
- Renewable energy options are promoted

We know we are progressing on delivering outcomes to the community against the Delivery Program objectives as achievement highlights can be seen below against specific council services

Highlights by Council Service and Delivery Program Objective**Council Service: Water Supply**

*Delivery Program Objective: 4.1.1 Plan, investigate, design and construct water supply assets ensuring health, safety, environmental protection and security of supply for the future growth of the region*

- Construction of the Sancrox Reservoir to Area 13 Thrumster truck main has the design phase complete with construction to continue into 2020-2021
- Area 14 reclaimed Outlet trunk main construction at Bonny Hills is complete
- Thrumster reclaimed water supply rising main to the reservoir has designs complete and the construction tender planned to be advertised in early 2020
- Construction of the Beechwood Rosewood Reservoir is complete

*Delivery Program Objective: 4.1.2 Develop and implement annual maintenance and preventative works program for water supply assets*

- Water asset replacement and renewal program is ongoing
- Annual chemical dosing system upgrades are ongoing

**Council Service: Sewerage**

*Delivery Program Objective: 4.1.3 Plan, investigate, design and construct sewerage assets ensuring health, safety, environmental protection and the future growth of the region*

- Construction of the Port Macquarie Sewer rising main (PMSP71) has the detailed design complete, construction tender advertised in December 2019
- Provision of centralised sewerage systems for Comboyne, Long Flat and Telegraph Point as part of the small town sewerage program has construction commenced in October 2018 and is ongoing. Telegraph Point is scheduled for completion in March 2020, Comboyne is scheduled for completion mid-2020 and Long Flat is scheduled for completion in September 2020
- Area 14 reclaimed Inlet trunk main construction at Bonny Hills is complete
- Lakewood/Kew (Area 15) sewerage upgrades to cater for future development is progressing. The project is being delivered in partnership with NSW Public Works and is progressing project management for the detailed design
- Construction of the Area 14 reclaimed Inlet trunk main at Bonny Hills is complete
- Construction of the Sewer Rising Main from Camden Haven Sewer Pump Station to Dunbogan Bridge is complete
- Port Macquarie Sewerage Pumping Station electrical upgrades are complete

*Delivery Program Objective: 4.1.4 Develop and implement annual maintenance and preventative works program for sewerage assets*

- Programmed replacement of sewerage assets including sewer pumps and electrical switchboards is ongoing
- Programmed replacement of Sewer Treatment Plant electrical and mechanical assets including instruments is ongoing
- Sewer assets replacement and maintenance program for odour control installations, sewer rehabilitation renewal and realigning works is ongoing

**Council Service: Stormwater and Drainage**

*Delivery Program Objective: 4.1.5 Work towards planning, investigation, design, construction of stormwater assets*

- Concept designs for stormwater remediation works at Panorama Drive Bonny Hills is complete
- Stormwater remedial works at 741 Beechwood Road has planning/designs commenced and quotes received

*Delivery Program Objective: 4.1.6 Develop and implement annual maintenance and renewal programs for stormwater assets*

- Major canal maintenance and dredging at Settlement Shore canals has works commenced December 2019 following community consultation
- The Stormwater Renewal Program is ongoing with actions including:
  - Planning phase ongoing for stormwater relining works at Longworth Road Dunbogan and 230 Hastings River Drive and
  - Stormwater relining works completed works at Fairmont Gardens, Wauchope and 122 Hibbard Drive Port Macquarie.
- Stormwater flooding mitigation measures at Rodley Street Bonny Hills had construction commenced in May 2019, targeting completion in February 2020

**Service: Waste Management**

*Delivery Program Objective: 4.1.7 Develop and implement effective waste management strategies*

- Expansion works at Kingfisher Waste Depot commenced in October 2019 and are progressing as planned
- The Waste Education Program for primary schools is being implemented
- Development of the Pre-school waste education is underway with implementation planned for early 2020
- Draft waste minimisation and management policy including event requirements was placed on public exhibition during January 2020
- Ensuring effective recycling and recovery of domestic and organic waste through the material recovery facility is ongoing
- Illegal dumping and clean-up programs are being implemented
- Kingfisher Waste Transfer Station - Gas Investigation Risk Analysis has final gas investigation study issued to the EPA for comment
- Dunbogan landfill Site - Gas Investigation Risk Analysis has gas bores installed and the 12 month monitoring program commenced
- Projects identified and commenced for 'Better Waste and Recycling' initiatives
- Cairncross Waste Depot facility upgrade and expansion has development consent received

**Council Service: Natural Resource Management**

*Delivery Program Objective: 4.2.1 Develop and implement Coastal, Estuary, Floodplain, and Bushfire Management Plans*

- Inspection of fire trails on Council land are ongoing in line with legislation and on ground works are underway
- 43 Asset Protection Zones (APZ) inspected during the second quarter in Laurieton, Lake Cathie, Bonny Hills, Wauchope and Port Macquarie
- The Draft North Brother Local Catchment Flood Study had a working draft options report submitted in December, addressing the flood modelled in the Flood Study phase. Community consultation to occur in February/March 2020



- Undertaking a review of the Lake Cathie Opening Strategy has consultation commenced with key stakeholders

**Council Service: Development Assessment**

*Delivery Program Objective: 4.3.1 Undertake transparent and efficient development assessment in accordance with relevant legislation*

- Development Assessment, Building Certification and Subdivision Certification activities were undertaken in accordance with legislation with the number of applications and processing times as follows:
  - 407 Development Applications, average processing time of 41 days;
  - 81 Development Application modifications, average processing time 40 days;
  - 217 Building Construction Certificates, average processing time of  
○ days and
  - 41 Complying Development Certificates, average processing time of 7 days.
- No successful legal appeals were recorded in relation to processing errors for development applications during the first half of 2019-2020

**Council Service: Roads, Bridges and Transports**

*Delivery Program Objective: 4.4.1 Plan, investigate, design and construct transport assets which address pedestrians, cyclist and vehicular needs to cater for the future growth of the region*

- The footpath and bus shelter program commenced December 2019 in accordance with the project plan
- Improved pedestrian amenity for Wauchope Main Street – Stage 1 is complete
- Substructure rehabilitation works on the Dunbogan Bridge - Reid Street has construction works underway targeting completion in early 2020
- Kindee Bridge structural repairs and bridge replacement optioneering has initial repairs and detailed investigations complete
- Diamond Head Road/The Boulevard Flood Access Stage 1A is expected to have construction commenced in January 2020
- Corridor planning - Kendall Road - Ocean Drive - Hastings River Drive regional road corridor has traffic counts undertaken. Tender documents being prepared
- Kew Main Street upgrade is currently on the design phase with community consultation being undertaken on the initial concept design
- The 2019-2020 Road Rehabilitation and Reseal Programme is currently in the planning and delivery phase, proposed projects include:
  - Planning Phase (Road Resurfacing and Rehabilitation):
  - Ocean Drive, Laurieton (Kew Road to Henry Kendall) and
  - Widderson Street, Port Macquarie (Oxley Hwy to Hastings River Drv).
- The 2019-2020 Road Resealing Programme is underway. Completed projects include:
  - Matthew Flinders Drive, Port Macquarie;
  - Bago Road, Herons Creek (Milligans Road to Pacific Hwy).
  - Projects planned include:
  - Lighthouse Beach Local Roads Port Macquarie;
  - Long Flat Local Roads, Long Flat, Kindee, Forbes River;
  - Captain Cook Bicentennial Drive, Laurieton and

- Ocean Drive, North Haven to Bonny Hills.
- John Oxley Drive upgrade has Hopkins Consulting engaged to undertake the detailed design and environmental approval works. The design phase is expected to continue into 2020-2021
- Planning for new bus shelters across the region as per the Community Passenger Transport Infrastructure Grant Scheme is in the planning phase
- Beach to Beach shared path at Camden Haven has final section of path installation pending environmental approval
- Detailed designs for the Gordon/Horton Street intersection upgrade are underway
- Lighthouse Road Tourism Connectivity Project - Lighthouse Road east upgrades - Matthew Flinders Drive to The Lighthouse is complete
- Slipping of Settlement Point Ferry is complete
- Detailed designs for the Gordon/Horton Street intersection upgrade has designs underway with appointed consultant
- Preconstruction planning is underway for Bago Road Rehabilitation (Milligans Road to Blue Water Cres)
- Preconstruction planning is underway for the reconstruction of The Ruins Way Port Macquarie (Major Innes Road and Sitella Street)
- Project design planning has commenced for Pembroke Road - Stoney Creek Bridge and Scrubby Creek Bridge
- Detailed designs for Scrubby Creek Bridge has project design commenced
- Tender process for the Orbital Strategic Business Case is complete and consultants have been engaged
- Pedestrian Refuge at Hayward Street - west of Horton Street - is complete
- Pedestrian Refuge - Gordon Street and Hollingsworth Street - west of Horton Street has project planning complete and current design being reviewed
- Pedestrian Safety upgrades at Telegraph Point have Stage 1 works completed, with Stage 2 works commenced
- Road safety improvements at Pembroke Road and Rawdon Island have project planning commenced

*Delivery Program Objective: 4.4.3 Develop and implement traffic and road safety programs*

- Implementation of the Road Safety Action Plan includes delivery of two projects:
  - Speed on Country Roads and
  - Shared Path Education Campaign.
- Installation and maintenance of street lights including upgrade investigations, designs and delivery are being undertaken in accordance with the program

**Council Service: Strategy (Land Use Planning)**

*Delivery Program Objective: 4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development*

- Local Environmental Plan (LEP) and Development Control Plan (DCP) amendments for the proposed Yippin Creek urban release area to the west of Wauchope has Bushfire Hazard Assessment Report completed by consultants. Draft ecological assessment is complete with the final report to be received by mid-February 2020. Stormwater/Flooding studies underway
- Planning for the Port Macquarie Health and Education Precinct had the Master Plan adopted at the September 2019 Ordinary Council Meeting

- The review of the Port Macquarie-Hastings Development Control Plan had a report on proposed amendments presented to the Ordinary Council Meeting in November 2019 with the public exhibition period held during January 2020
- Review of LEP and DCP provisions to promote appropriate housing choice options has consultants preparing a Local Housing Strategy. Stakeholder engagement planned for quarter three of 2019-2020

*Delivery Program Objective: 4.5.2 Plan for infrastructure that supports population growth*

- A review of the draft works program for the Major Road Contributions Plan has planning commenced to produce interim plans

**Council Service: Environmental Services**

*Delivery Program Objective: 4.6.1 Develop and implement a range of programs for the environmental management of lands within the local government area*

- Implementation of the Strategic Biosecurity (Weed Management) Program to restore and conserve that natural environment has seen:
  - Over 649km of roadside weeds treated;
  - Over 30km of riparian zones managed for invasive weeds;
  - Over 90ha of coastal dune systems managed for Bitou Bush;
  - Over 483ha of Council assets managed for invasive weeds and
  - Over 91 properties larger than 1ha, inspected for invasive weeds.
- Management of riparian land for aquatic weed invasion is ongoing
- Implementation of Bushland Regeneration Management Program is ongoing
- 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 642 customer requests for tree management regarding public and private matters have been handled for the July to December 2019 period including illegal tree works
- Implementation of identified actions from the Koala Population Recovery Strategy is ongoing
- The Koala Plan of Management (KPoM) for coastal areas had a report presented to the Ordinary Council Meeting in November 2019. The final draft of the plan is scheduled to be presented to Council in early 2020

**Council Service: Building Maintenance and Asset Management**

*Delivery Program Objective: 4.7.1 Promote renewable energy outcomes within Council*

- LED lighting upgrades for Council buildings is ongoing
- Wauchope, Laurieton and Kendall Pools were identified as existing Council facilities that were suitable to install solar energy systems. Preliminary works completed with procurement process to be undertaken
- Implementation of the Long Term Energy Strategy actions is ongoing. A six monthly update report was presented to the Ordinary Council Meeting in November 2019 The next update report is scheduled for May 2020

**Council Service: Water Supply**

*Delivery Program Objective: 4.8.1 Ensure all Council operations comply with environmental standards and regulations*

- Operating and maintaining water treatment plants in accordance with adopted maintenance programs is ongoing
- Operating the water supply network to ensure public health and safety is ongoing
- Operating and maintaining storage dams in accordance within the set guidelines is ongoing

**Council Service: Sewerage**

*Delivery Program Objective: 4.8.1 Ensure all Council operations comply with environmental standards and regulations*

- Operating and maintaining sewerage treatment plants in accordance with environmental licences, adopted maintenance programs and safety requirements is ongoing
- Operating the sewerage network to ensure public health and safety has been undertaken with all defects identified through waste trade inspections undertaken and complaints/requests dealt with in line with service standards

**Council Service: Environmental Services**

*Delivery Program Objective: 4.8.2 Increase community awareness and enable access to the natural environment*

- Delivering bushfire preparedness and planning programs to the community has been undertaken with all community enquires responded to within the seven days service standard

**Council Service: Environmental Services**

*Delivery Program Objective: 4.8.3 Promote Biodiversity Programs*

- The Biodiversity Strategy has implementations of actions underway and progressing as planned

**Options**

It is a statutory requirement under Integrated Planning and Reporting legislation to report on what has been delivered against the Delivery Program on a six monthly basis.

**Community Engagement & Internal Consultation**

Internal consultation was undertaken with the:

- Integrated Planning and Reporting Development Officer
- Group Manager Organisational Performance
- General Manager, Directors, Group Managers and staff reporting against the annual 2019-2020 Operational Plan

**Planning & Policy Implications**

This report is aligned with legislative obligations under the Local Government Act and the requirements of the NSW Integrated Planning and Reporting Framework

**Financial & Economic Implications**

There are no direct financial implications from this report. Quarterly budget review statements (QBRs) align with the reporting period referenced in this report.



**Attachments**

1. [2017-2021 Delivery Program and 2019-2020 Operational Plan - Exception Report as at 31 December 2019](#)
2. [2017-2021 Delivery Program and 2019-2020 Operational Plan Six Monthly Progress Report as at 31 December 2019](#)

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**Item: 10.15**

**Subject: INVESTMENTS - DECEMBER 2019**

**Presented by: Corporate Performance, Rebecca Olsen**

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### **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 December 2019.**

#### **Executive Summary**

- Total funds invested as at 31 December equals \$305,927,077.
- Interest for the month of December was \$688,249.
- The year-to-date investment income of \$4,089,694 represents 49% of the total annual investment income budget of \$8,395,000.
- Council's total investment portfolio performance for the financial year to date was 1.76% above the benchmark (2.80% against 1.04%), benchmark being the Bank Bill reference rate as at 31 December 2019.

The following outlines the significant points outlined in the attached Monthly Report (Attachment 1), as provided by Council's investment advisors:

- Council's portfolio has met compliance requirements and outperformed benchmarks during the month.
- Over the past 12 months, the portfolio has returned +2.90% p.a., outperforming bank bills by 1.40% p.a. and more than double the official cash rate of 1.16%. This has been very strong given deposit rates reached their all-time lows and margins have generally contracted over the past 3 years.
- Further interest rate cuts are on the horizon in the first half of 2020, therefore the priority should be to lock in any attractive medium-longer dated fixed deposits that may still be available.
- Should credit securities become more attractive relative to deposits, it is recommended to consider increasing the allocation to liquid senior floating rate notes.

#### **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 (Attachment 2) 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. 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.

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 31 December 2019, comply with this Act.

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

As at 31 December 2019, the investments held by Council totalled \$305,927,077 and were attributed to the following funds:

General Fund	124,405,246
Waste Fund	19,952,564
Water Fund	108,588,816
Sewer Fund	51,444,697
Sanctuary Springs Fund	39,771
Broadwater	1,495,983
	<hr/>
	<b>305,927,077</b>

Whilst the current level of investments remains 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.

It is noted that there is a minor variance between the total investments held as per this report, (\$305,927,077), and total investments held as per Imperium's attached monthly report (\$305,926,801). This is due to the fact that Council's accounting policy treatment means that floating rate notes (FRNs) are held at amortised cost, whereas they are included at fair value in Imperium's report. This variance is not expected to be material.

### **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. Council obtains regular updates regarding market activities positions from various institutions

### **Planning & Policy Implications**

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

### **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 the financial year to date is 1.76% above the benchmark (2.80% against 1.04%) and year to-date income is 49% 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 were 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.

*Nicole Spencer*  
*Responsible Accounting Officer*

#### **Attachments**

1. [Port Macquarie-Hastings Council Monthly Report - December 2019](#)
2. [Port Macquarie-Hastings Council Portfolio as at 31 December 2019](#)

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**Item: 10.16**

**Subject: INVESTMENTS - JANUARY 2019**

**Presented by: Corporate Performance, Rebecca Olsen**

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### **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 January 2020.**

#### **Executive Summary**

- Total funds invested as at 31 January equals \$303,942,997.
- Interest for the month of January was \$667,240.
- The year-to-date investment income of \$4,756,934 represents 57% of the total annual investment income budget of \$8,395,000.
- Council's total investment portfolio performance for the financial year to date was 1.74% above the benchmark (2.77% against 1.03%), benchmark being the Bank Bill reference rate as at 31 January 2020.

The following outlines the significant points outlined in the attached Monthly Report (Attachment 1), as provided by Council's investment advisors:

- Council's portfolio has met compliance requirements and outperformed benchmarks during the month.
- Over the past 12 months, the portfolio has returned +2.87% p.a., outperforming bank bills by 1.47% p.a. and more than 2.5 times the official cash rate of 1.10%. This has been very strong given deposit rates reached their all-time lows and margins have generally contracted over the past 3 years.
- Further interest rate cuts are on the horizon in the first half of 2020, therefore the priority should be to lock in any attractive medium-longer dated fixed deposits that may still be available.
- Should credit securities become more attractive relative to deposits, it is recommended to consider increasing the allocation to liquid senior floating rate notes.

#### **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 (Attachment 2) 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. 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.

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|cddb291-68a4-4d81-8aee-b3733958e5ca|bd0c62-3134-4e81-9f7e-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 31 January 2020, comply with this Act.



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

As at 31 January 2020, the investments held by Council totalled \$303,942,997 and were attributed to the following funds:

General Fund	124,115,123
Waste Fund	19,291,262
Water Fund	109,407,321
Sewer Fund	49,588,300
Sanctuary Springs Fund	39,513
Broadwater	1,501,478
	<b>303,942,997</b>

Whilst the current level of investments remains 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.

It is noted that there is a minor variance between the total investments held as per this report, (\$303,942,997), and total investments held as per Imperium's attached monthly report (\$303,944,911). This is due to the fact that Council's accounting policy treatment means that floating rate notes (FRNs) are held at amortised cost, whereas they are included at fair value in Imperium's report. This variance is not expected to be material.

It is further noted that at the Ordinary Council meeting held on 11<sup>th</sup> December 2019, Council resolved as follows:

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#### **10.06 INVESTMENTS - NOVEMBER 2019**

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*Mr Mick Lyons addressed Council in support of the recommendation and answered questions from Councillors.*

**RESOLVED:** *Intemann/Hawkins*

*That Council:*

- 1. Note the Investment Report for the month of November 2019.*
- 2. Write to the parties with which it has investments asking each party to advise its position with respect to investment in fossil fuel projects and enterprises and investment in projects that ensure a low carbon emissions future, with a reply to Council requested by 28 January 2020.*
- 3. Refer the investments issues raised in the public address to the Audit, Risk and Improvement Committee for its information and comment.*



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*CARRIED: 5/2*  
*FOR: Alley, Hawkins, Intemann, Pinson and Turner*  
*AGAINST: Griffiths and Levido*

In relation to Resolution 2 above, these letters were written as per the Council resolution and forwarded in December 2019 to the following financial institutions:

- a) AMP;
- b) Auswide Bank;
- c) Bendigo Bank;
- d) Bank of Queensland;
- e) ICBC Sydney;
- f) ING;
- g) ME Bank;
- h) NAB;
- i) Newcastle Permanent;
- j) Rabobank;
- k) Westpac.

To date we have received responses from:

- a) Bendigo Bank;
- b) Bank of Queensland;
- c) ING;
- d) NAB;
- e) Newcastle Permanent.

These responses are attached for reference.

In relation to Resolution 3 above, at the time of writing this report, a report has been prepared for the Audit, Risk and Improvement Committee to be held on 13<sup>th</sup> February 2020.

### **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. Council obtains regular updates regarding market activities positions from various institutions

### **Planning & Policy Implications**

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

**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 the financial year to date is 1.74% above the benchmark (2.77% against 1.03%) and year to-date income is 57% 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 were 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.

*Nicole Spencer*  
*Responsible Accounting Officer*

**Attachments**

1.  Port Macquarie-Hastings Council Monthly Report - January 2020
2.  Port Macquarie-Hastings Council Portfolio as at 31 January 2020
3.  Responses from Financial Institutions

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**Item: 10.17**

**Subject: QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2019**

**Presented by: Corporate Performance, Rebecca Olsen**

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### **Alignment with Delivery Program**

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

### **RECOMMENDATION**

**That Council note the Quarterly Budget Review Statement for the December 2019 Quarter.**

### **Executive Summary**

This report will detail Council's progress against the original and revised 2019-2020 budget as at the end of the second quarter being 31 December 2019.

### **Discussion**

The Quarterly Budget Review Statement (QBRs) is a statutory report prepared in accordance with sections 202 and 203 of the *Local Government (General) Regulation 2005* ('Regulations').

The QBRs presents a summary of Council's financial position at the end of the first, second and third quarter of the financial year. It is a mechanism whereby the Councillors and the community are informed of Council's progress against its current adopted budget.

Whilst the Regulations require the Council, as a minimum, to prepare quarterly revised estimates of income and expenditure through the QBRs, Port Macquarie-Hastings Council adopts budget variations on a monthly basis.

Attached to this report (Attachment 1) are the mandated components of the QBRs as prescribed in the 'NSW Local Government Code of Accounting Practice and Financial Reporting'. Those components include:

1. Budget Review Income and Expenditure (Consolidated);
2. Budget Review Capital Budget;
3. Budget Review Cash and Investment;
4. Budget Review Key Performance Indicators;
5. Budget Review Contracts and Other expenses; and
6. Statement by the Responsible Accounting Officer.

Also attached is a confidential attachment (Attachment 2) 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

*Confidential Attachment 2 titled "Confidential - December 2019 Quarterly Budget Review - Consultancy Engagements" provides information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting for proposes to conduct business. Local Government Act 1993 - Section 10A(2)(c).*

### Budget Progress Commentary

The variances listed below should be read in conjunction with **Attachment 1** (December 2019 Quarterly Budget Review Statement).

#### Income and Expenses – QBRs Page 1

##### Rates and Annual Charges

YTD Budget	YTD Actual	Budget Variance	% Received
\$96.437m	\$96.937m	+\$0.500m	100.5%
<p><i>Major budget variances include:</i></p> <ul style="list-style-type: none"> <li>- Annual Charges: +\$0.688m</li> <li>- Rates: -\$0.188m</li> </ul> <p><i>The variance is mainly due to an increase in annual charges which is driven by an increase in the volume of domestic waste charges processed coinciding with the completion of new homes.</i></p>			

##### User Fees and Charges

YTD Budget	YTD Actual	Budget Variance	% Received
\$17.120m	\$16.097m	-\$1.023m	94.0%
<p><i>Major budget variances include:</i></p> <ul style="list-style-type: none"> <li>- Water Supply Usage Charges: -\$0.591m</li> <li>- Planning Fees: -\$0.231m</li> <li>- Waste Management Charges: -\$0.202m</li> </ul> <p><i>Two factors have caused a decrease in usage charges for water supply; the general decreased water usage due to current water restrictions and the tourism impact of the recent bushfires resulting in higher holiday vacancy rates across the region. Variances in the planning fees are due to the level of planning activity for the quarter being slightly less than budgeted. Waste management charges are</i></p>			

*lower than budgeted due to a decrease in usage and tipping fees collected at waste facilities particularly at Cairncross and Port Macquarie.*

#### Interest and Investment Income

YTD Budget	YTD Actual	Budget Variance	% Received
\$4.248m	\$4.126m	-\$0.122m	97.1%
<i>This minor variance is due to slightly lower than predicted reserve balances available for investment in the first half of the year.</i>			

#### Other Revenues

YTD Budget	YTD Actual	Budget Variance	% Received
\$2.729m	\$2.979m	+\$0.250m	109.2%
<p><i>Major budget variances include:</i></p> <ul style="list-style-type: none"> <li>- Sale of Steel: +\$0.143m</li> <li>- Safety, Health &amp; Wellbeing Incentive: +\$0.130m</li> <li>-</li> </ul> <p><i>Steel has been sold from the Cairncross, Port Macquarie and Wauchope waste depots in the current financial year. Consideration received is in excess of budget. In December a \$130K Safety, Health &amp; Wellbeing Incentive was received from StateCover which was not budgeted for. This incentive is to support Council's safety initiatives.</i></p>			

#### Operating Grants & Contributions

YTD Budget	YTD Actual	Budget Variance	% Received
\$6.933m	\$5.854m	-\$1.079m	84.4%
<p><i>Major budget variances include:</i></p> <ul style="list-style-type: none"> <li>- Roads to Recovery Grant: -\$1.282m</li> <li>- Library Subsidy: +\$0.203</li> </ul> <p><i>A variance due to the timing of receipt of the Roads to Recovery Grant has been offset partially offset by the earlier than budgeted receipt of the Library Subsidy.</i></p>			

#### Capital Grants & Contributions

YTD Budget	YTD Actual	Budget Variance	% Received
\$13.360m	\$12.848m	-\$0.512m	96.2%
<p><i>Major budget variances include:</i></p> <ul style="list-style-type: none"> <li>- Section 7.11 Contributions (sewer): -\$0.768m</li> <li>- Section 64 Contributions: -\$0.754m</li> <li>- Sporting Field Grants: - \$0.936m</li> <li>- Small Towns Grant: +\$2.477</li> <li>- Housing and Community Grants: -\$0.385m</li> </ul> <p><i>Grants for the Small Towns Sewerage Project are above budget due to the timing of milestones for grant funding falling into the current financial year. This has been offset by lower than budgeted capital grants received to date in the sporting field area compared to the original budget, due to a shift in the timing of the works.</i></p>			



*Developer contributions are also below budget due to a lower level of activity in the development environment for the first half of the year.*

#### Employee Costs

YTD Budget	YTD Actual	Budget Variance	% Expended
\$27.854m	\$25.614m	-\$2.240m	92.0%
<i>The favourable variation is due to the timing of employees taking leave, vacancies across the organisation and the level of capitalised labour.</i>			

#### Borrowing Costs

YTD Budget	YTD Actual	Budget Variance	% Expended
\$1.253m	\$1.253m	+\$0.0m	100.0%
<i>There are no material budget variances.</i>			

#### Materials & Contracts

YTD Budget	YTD Actual	Budget Variance	% Expended
\$20.318	\$16.930m	-\$3.338m	83.3%
<p><i>Major budget variances include:</i></p> <ul style="list-style-type: none"> <li>- Transport &amp; Traffic: -\$1.793m</li> <li>- Waste Management: -\$0.506m</li> <li>- Drainage: -\$0.316m</li> </ul> <p><i>The major variance is in Transport and Traffic within in the areas of sealed and unsealed road maintenance. Levels of road maintenance is weather dependent with the greatest need arising in wet weather conditions. The current drought conditions have reduced the availability of water to complete unsealed road maintenance, but also reduced the rate of degradation of sealed roads reducing YTD spend. The timing of the roads program is also generally in the second half of the year, which is not necessarily reflected in the phasing of the budget.</i></p>			

#### Depreciation

YTD Budget	YTD Actual	Budget Variance	% Expended
\$24.568m	\$25.086m	+\$0.518m	102.1%
<i>Depreciation is impacted by the timing of project completion and capitalisation, disposals and contributed assets capitalised.</i>			

#### Other Expenses

YTD Budget	YTD Actual	Budget Variance	% Expended
\$7.409m	\$6.803m	-\$0.606m	91.8%
<p><i>Major budget variances include:</i></p> <ul style="list-style-type: none"> <li>- Insurances: -\$0.268m</li> <li>- Electricity: -\$0.241m</li> </ul> <p><i>Electricity is below budget predominately in the water supply area. This is due to drought conditions not allowing for bulk pumping from the Hastings River.</i></p>			



*Variances in insurances are predominately in the public risk and professional indemnity due to tender prices coming in below budget.*

#### Asset Disposal

YTD Budget	YTD Actual	Budget Variance	% Expended
\$0.0m	\$1.114m	+\$1.114m	
<i>Variance to due to all asset disposals being budgeted for in Quarter 4.</i>			

#### Capital Expenditure – QBRs Page 2

YTD Budget	YTD Actual	Budget Variance	% Expended
\$59.821m	\$27.315m	-\$32.506m	45.7%
<p><i>The timing of completion of many projects has moved out in this financial year. With a high level of carry-over projects taken up in 2019/20, the projects which were budgeted to start early in the year are now being forecast to begin later, as carry-over projects are completed as priority. Projects with budgets that are materially different to actuals include:</i></p> <ul style="list-style-type: none"> <li>-</li> <li>- <b>Small Village Sewer Scheme: -\$5.445m</b> <ul style="list-style-type: none"> <li>- <i>The project continues from previous financial years, with construction completion of all three towns due by August 2020. Variance to budget is due to the timing of contractor progress claims. This project will form part of the 20/21 carry-overs.</i></li> <li>-</li> </ul> </li> <li>- <b>Dunbogan Bridge Rehabilitation: -\$2.015m</b> <ul style="list-style-type: none"> <li>- <i>Works underway on Dunbogan bridge, targeting completion in 2020. Variance is due to timing.</i></li> <li>-</li> </ul> </li> <li>- <b>Annual Sewer Allocations: -\$1.552m</b> <ul style="list-style-type: none"> <li>- <i>Annual allocation. Timing.</i></li> <li>-</li> </ul> </li> <li>- <b>Area 15 Sewerage Upgrade: -\$1.446m</b> <ul style="list-style-type: none"> <li>- <i>Flagged as a project which will carry over to 2020/21.</i></li> </ul> </li> <li>- <b>Road Resealing - Capital: -\$1.300m</b> <ul style="list-style-type: none"> <li>- <i>Delays in commencement of the capital Road Resealing Program.</i></li> <li>-</li> </ul> </li> <li>- <b>Plant Purchases: -\$1.250m</b> <ul style="list-style-type: none"> <li>- <i>Timing of capital plant purchases.</i></li> </ul> </li> <li>- <b>Stuart Park - Regional Sporting Complex: -\$0.951m</b> <ul style="list-style-type: none"> <li>- <i>Building construction is slightly behind programme, variance is timing only.</i></li> <li>-</li> </ul> </li> <li>- <b>Kingfisher Waste Depot Upgrade: -\$0.864m</b> <ul style="list-style-type: none"> <li>- <i>Construction works have commenced with project completion due Sept 2020. Variance is timing only.</i></li> <li>-</li> </ul> </li> <li>- <b>Computer Capital Projects: -\$0.818m</b> <ul style="list-style-type: none"> <li>- <i>Timing. All works may not be completed this year and funds returned to reserves.</i></li> <li>-</li> </ul> </li> <li>- <b>High Traffic Road Resurfacing: -\$0.754m</b> <ul style="list-style-type: none"> <li>- <i>Projects ongoing. Variance due to timing.</i></li> <li>-</li> </ul> </li> </ul>			

- *Illaroo Rd Stormwater Remediation: -\$0.597m*
  - *Project deferred and being carried forward to 20/21.*
- *Diamond Head Rd Flood Access: -\$0.578m*
  - *Projects ongoing. Variance due to timing only, with completion due June 2020.*
  -
- *New Works Depot: -\$0.572m*
  - *Land purchased. Variance due to timing.*
- *Rainbow Beach Sporting Fields: -\$0.550m*
  - *Property acquisition to occur in 2019/20, with early works in 20/21. Major expenditure moved out to 21/22. Taken up as a carry-over in January monthly report.*
  -
- *Telegraph Point Pedestrian Safety Upgrades: -\$0.467m*
  - *Stage 1 construction complete. Stage 2 construction underway. Variance is timing only.*
  -
- *Port Macquarie Coastal Walk: -\$0.427m*
  - *On track. Timing only.*
  -
- *Hastings Regional Sporting Complex: -\$0.364m*
  - *Delays with land acquisition and design. Variance is timing.*
  -

*There are also a large number of smaller projects from various areas of Council which are also currently underspent when comparing their actual expenditure to year to date budgets. An exercise has been undertaken in identifying projects which will be carried forward in to 2020/21 and is included in the January Monthly Budget Review.*

*The actual expenditure does not necessarily reflect the amount of funds that have been committed to particular projects through the raising of purchase orders. For capital projects, progress against their budgets may not necessarily reflect their progress in relation to physical completion.*

*Progress details for particular capital projects can be found in the report "2019-2020 Operational Plan Quarterly Progress Report as at 31 December 2019" which is also on the agenda of the Ordinary Council Meeting for February 2020 and contained within the business paper.*

#### Cash and Investments – QBRs Page 3

The return on Council's investment portfolio for the financial year as at 31 December 2019 was 2.80% which was 1.76% above the benchmark of 1.04%.

#### Key Performance Ratios – QBRs Page 4

The budget variations and carry-overs that have been adopted throughout the financial year (July-November) have not had a detrimental or material impact on a number of the forecasted T-Corp ratios set out in the adopted original budget.

The forecast Operating Performance Ratio has decreased from the original budget due to the increase in operating expenses associated with the carrying over of

operational projects from 2018/19 which have been only partially offset with an increase in operating revenues.

The Building and Infrastructure Renewals Ratio has significantly improved also as a result of the adoption of the carry overs which are significant.

The Unrestricted Current Ratio has decreased due a shift in the investment portfolio where Council has invested in longer term investments during the period.

Contracts and Other Expenses – QBRs Page 5-7

There were no unbudgeted contracts entered into during the second quarter of the financial year. There was no expenditure incurred for consultancy or legal expenses that was not budgeted for during this quarter.

Statement by Responsible Accounting Officer

Below is a statement made by Council's Responsible Accounting Officer made in pursuant to section 203(2) of the Regulations:

**Responsible Accounting Officer Statement**

It is my opinion that the Quarterly Budget Review Statement for Port Macquarie-Hastings Council for the quarter ended 31 December 2019 indicates that Council's projected financial position at 30 June 20 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

At the end of each quarter this financial year budget review meetings will be undertaken with all Managers to ensure any budget deficit is addressed.



**Nicole Spencer**

December 31, 2019

Responsible Accounting Officer - Port Macquarie-Hastings Council

**Options**

Council may adopt the recommendation or amend as required.

**Community Engagement & Internal Consultation**

Not applicable


**Planning & Policy Implications**

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

**Financial & Economic Implications**

As indicated in the QBRS, the projected operating result for Council on a consolidated basis, as at 30 June 2020, is a surplus of \$0.613m and this result is satisfactory. However, there continues to be a budget deficit for the 2019/2020 financial year which will need to be remedied during the remainder of the year through favourable budget variations.

**Attachments**

1.  December 2019 Quarterly Budget Review Statement
2. Confidential - December 2019 Quarterly Budget Review - Consultancy Engagements (Confidential)

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**Item: 10.18**

**Subject: MONTHLY BUDGET REVIEW - JANUARY 2020**

**Presented by: Corporate Performance, Rebecca Olsen**

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### **Alignment with Delivery Program**

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

### **RECOMMENDATION**

**That Council:**

- 1. Adopt the adjustments in the "January 2020 Adjustments" section of the Monthly Budget Review – January 2020.**
- 2. Adopt the adjustments in the "2019-2020 Works Program Review" as they relate to the 2019-2020 financial year.**
- 3. Amend the 2019-2020 Operational Plan to include all budget adjustments approved in this report.**
- 4. Consider the projects listed in the "2019-2020 Works Program Review" section of this report for inclusion in the 2020-2021 draft budget or outer years as indicated.**

### **Executive Summary**

This report details monthly budget adjustments recommended to be made for the month of January 2020.

The Council adopted 2019-2020 budget position as at 30 November 2019 was a shortfall of \$834,938. The budget adjustments contained in this report reduce this shortfall to \$605,693 for the month of January.

In addition to the standard monthly review, a comprehensive review of the current year capital works program and likely delivery timetable has been undertaken, and hence it is recommended to move the included detailed list of projects (or components of) from the current 2019-2020 Operational Plan and consider inclusion in the draft 2020-2021 Operational Plan which is currently under development. Some projects (or part thereof) may require consideration in outer years' Operational Plans.

### **Discussion**

Each month, Council's budgets are reviewed by Group 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 2019-2020 budget position along with the proposed movement of funds to accommodate any changes.



Any budget variations which are greater than \$50,000 and 2% of the project budget are reviewed and approved by the Executive Group in their function to oversee operational activities and approve operational actions.

#### Monthly Budget Review Summary

<b>Original Budget as at 1 July 2019</b>	<b>Shortfall</b>	<b>(\$975,198)</b>
Plus adjustments:		
July Review	Balanced	\$0
August Review	Surplus	\$125,477
September Review	Surplus	\$14,783
October Review	Balanced	\$0
November Review	Balanced	\$0
December Review	Balanced	\$0
January Review	Surplus	\$229,245
<b>Forecast Budget Position for 30 June 2020</b>	<b>Shortfall</b>	<b>(\$605,693)</b>

#### January 2020 Adjustments

A review of Corporate Performance salary and wages budgets has been undertaken this month. The following adjustments reflect the budget adjustments included in this report that impact Council's budget position:

Item	Surplus/ Shortfall	Amount	Comment
Review of salaries & wages budgets	Surplus	\$229,245	A review of salaries and wages budgets has been undertaken across a number of areas resulting in a budget adjustment, arising largely from vacancies during the period.
<b>Total</b>	<b>Surplus</b>	<b>\$229,245</b>	

A review of the other Divisional wages and salary budgets is underway with forecasted savings (if any) to be reported to the March 2020 Council meeting.

The following adjustments reflect budget movements as a result of grant funding received, reserve movements, new project bids, movements between projects and budget variance requests which have no impact on the budget position (for example additional income has an associated expenditure budget):

Description	Notes	Funding Source	Amount
Grant Funding	1	Grants	\$1,239,114
Reserve Movements	2	Reserve	\$10,000
New Project Bids	3	Grants/Reserve	\$500,000
Movement between Projects	4	Revenue	\$5,000
Budget Variation Requests	5	Reserve	\$694,929
<b>Total</b>			<b>\$2,449,043</b>



1. Grant Funding

Council Project	Grant Provider	Grant Funding	Other Funding*	Comment
Bushfire Disaster Management	Dept of Planning, Industry & Environment	\$1,000,000	\$0	Council has received a grant for bushfire disaster management actions
Blair Reserve	NSW Govt Planning & Environment	\$50,000	\$85,750	Everyone Can Play initiative
Illaroo Rd Revetment Wall	Dept of Planning, industry & Environment	\$9,900	\$0	Funding under the Coastal & Estuary Program
Library Local Priority Grant	NSW State Library	\$59,468	\$0	The annual Local Library Priority Grant
Cycling Safety & Speed Project	RMS	\$8,000	\$0	Funding under the RMS Road Safety Behavioural Program
Better Waste Recycling Fund	Environmental Protection Authority	\$111,746	\$0	Better Waste & Recycling Fund grant receipt
<b>Total Grant Funding</b>		<b>\$1,239,114</b>		

\* Other funding already contained within existing budgets

2. Reserve Movements

Transfer from	Transfer To	Amount	Comments
Flynns Beach Seawall	Working Capital Reserve	\$10,000	Transfer to undertake offset planting at Flynns Beach in 2020-2021
<b>Reserve Movements</b>		<b>\$10,000</b>	

3. *New Project Bids*

Project Name	Funding Source	Amount	Comments
Water Supply Security - Emergency Actions	Reserve/Grant	\$500,000	Project to maintain water supply to the LGA by considering an Emergency Desal Plant and the upgrade of the Wauchope WTP
<b>Total Approved Budget Variations</b>		<b>\$500,000</b>	

4. *Movement between Projects*

Transfer from	Transfer To	Amount	Comments
Camden Haven Building Maintenance	Rainbow Beach Amenities Repair	\$5,000	Transfer to fund insurance excess for the rebuild of the Rainbow Beach amenities
<b>Total Movements between Projects</b>		<b>\$5,000</b>	

5. *Budget Variation Requests (approved by Executive)*

Project Name	Funding Source	Amount	Comments
Town Green Upgrade (Central and West)	Reserve	\$158,326	Funding to complete the design and environmental approvals
Cairncross Facility Upgrade and Expansion Approvals	Reserve	\$115,000	Additional funding to complete the Cairncross Upgrade and Approvals
Port Macquarie Sewer Rising Main 71	Reserve	\$421,603	Budget variance to proceed to construction phase
<b>Total Approved Budget Variations</b>		<b>\$694,929</b>	

Current year capital works program review

As part of the development of the 2020-2021 Operational Plan, a review of the 2019-2020 works program has been conducted. This review has focused on the current and projected status of projects in light of a variety of factors and has identified a number of projects which need to be re-prioritised to future years. As such these projects will be considered for incorporation into the 2020-2021 Operational Plan or later years as indicated.

The delivery of some of these projects within the 2019-2020 Operational Plan has been delayed due to impacts associated with the North Coast bushfires and Water Supply Security (including Water Restrictions Activity), noting the bushfire activity in our LGA which commenced in July 2019 with the Lindfield Park fire. Council staff's direct involvement in operational responses to fire and water security activity has been necessary to support the immediate needs of the community in regards to these unprecedented unplanned events across our LGA in 2019-2020. This has impacted the timing of projects originally scheduled in 2019-2020.

In addition to the above and also as part of the development of the 2020-2021 Operational Plan, a detailed review of the phasing of expenditure in relation to projects which are multi-year has been undertaken. This has identified a number of projects which will be delivered over a number of years, for which the project budget has been included in 2019-2020 Operational Plan. For such projects, the portions of expenditure which relate to those subsequent years has been reallocated to better align projected expenditure with the timing of works.

For both the current 2019-2020 Operational Plan, and the development of the draft 2020-2021 Operational Plan, the approach has been to ensure that with consideration of the above factors, that the capital works program for each year is achievable and realistic.

A summary of the projects identified for re-prioritisation is below and a detailed project listing is attached to this report.

#### 2019-2020 Works Program Review

Section	Source of Funds	Amount
Airport	Grant	\$405,000
Aquatic Facilities	Reserve	\$430,000
Digital Technology	Reserve	\$1,500,000
Fleet Management	Reserve	\$1,900,000
Stormwater & Drainage	Reserve	\$497,501
Natural Resources	Reserve/Grant	\$560,000
Parks, Recreation & Buildings	Grant/Reserve/ Section 7.11 Contributions/ Revenue	\$5,995,000
Port Macquarie TCMP	Reserve	\$500,000
Sewerage Services	Reserve	\$14,136,000
Strategic Planning	Reserve	\$67,000
Strategic Property Investments	Reserve	\$260,000
Transport & Traffic	Grant/Reserve/ Section 7.11 Contributions/ Revenue/Loan	\$6,061,176
Waste Disposal	Reserve	\$240,000
Water Supply	Reserve	\$2,800,000
<b>Total</b>		<b>\$35,351,677</b>

As detailed in the attached project listing (Attachment 2), of the total to be reallocated from the current year program, it is intended to include \$28,151,677 in the draft 2020-2021 Operational Plan currently under development, and the balance of \$7,200,000 in outer years in the long term financial plan.

#### Options

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

**Community Engagement & Internal Consultation**

Not applicable.

**Planning & Policy Implications**

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

**Financial & Economic Implications**

Attachment 1 to this report contains information of each individual budget adjustment by Division and Section. The budget movements within this report decrease the budget position at a shortfall of \$605,693.

Attachment 2 to this report contains information of each project included in the 2019-2020 works program which has been identified for re-prioritisation into the 2020-2021 works program or outer years. In this instance and given that the projects are still expected to occur, the monies currently allocated in 2019-20 will be placed into reserve. When the funding is required in the future years, these reserves will then be drawn on to meet the expenditure requirements of the projects.

**Statement by Responsible Accounting Officer**

*“The adopted original budget result for 2019-2020 was a shortfall of \$975,198. As of 31 January 2020, this shortfall position is \$605,693. This position is considered an unsatisfactory result for the year. As such, all budgets will need to be closely monitored with the view to reduce this shortfall position”.*

**Attachments**

- 1. [January 2020 Budget Review](#)
- 2. [2019-2020 Works Program Review](#)

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**Item: 10.19**

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

**Presented by: Development and Environment, Melissa Watkins**

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### **Alignment with Delivery Program**

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

### **RECOMMENDATION**

#### **That Council:**

- 1. Note the Development Activity and Assessment System Performance report for the second quarter of 2019-2020.**
- 2. Note the determination made by staff under Clause 4.6 of the Port Macquarie-Hastings Local Environmental Plan 2011 for the quarter.**

### **Executive Summary**

This report provides a summary of development assessment, building certification and subdivision certification activities for the October to December 2019 quarter. Data on the number of applications and processing times, together with a commentary on development trends is provided for the information of Council.

The report also includes details of determinations made by Council staff under Clause 4.6 of the Port Macquarie-Hastings Local Environmental Plan 2011.

### **Discussion**

#### **1. Development Activity and Assessment System Performance**

The following table provides data on the volume of applications received and determined over the quarter relative to the yearly average and monthly average of the preceding four years.

The monthly average number of Development Applications (DAs) received for 2019-2020 is 81, which is down from 91 in 2018-2019. A similar reduction in the monthly averages of applications received is also evident for Plumbing and Drainage and Roads Act applications. Other application types and building inspection volumes remain largely consistent with the 2018-2019 monthly averages. As noted in previous development activity reports to Council, the data would suggest a slight correction in current market conditions.

The table has also been expanded to include development applications that were withdrawn or refused during the quarter as well as the volume of Planning Certificates being processed by Council.



	2015-16 Monthly Average	2016-17 Monthly Average	2017-18 Monthly Average	2018-19 Monthly Average	2019-20 Monthly Average	2019 - 20 TOTAL	Oct-19	Nov-19	Dec-19
<b>Applications Received and Determined</b>									
Development Application Received	85	89	89	91	81	486	103	81	76
Development Application Approved	79	80	86	89	69	412	82	64	49
Development Application Refused/Withdrawn/Rejected					4	25	3	2	5
DA Modifications Received	17	15	16	16	14	82	12	20	6
DA Modifications Determined	15	15	15	15	14	81	18	7	15
Complying Development Certificates Received (Council)	7	9	8	9	11	65	5	15	11
Complying Development Certificates Determined (Council)	7	16	8	8	7	44	6	7	6
Complying Development Certificates Determined (Private Certifier)	21	19	30	21	15	92	21	12	8
Construction Certificates - Building Work Received (Council)	41	42	41	45	41	248	50	47	34
Construction Certificates - Building Work Determined (Council)	38	38	42	44	36	216	43	23	40
Construction Certificates - Building Work Determined (Private Certifier)	29	23	34	39	24	141	25	32	6
Plumbing & Drainage Received	80	99	92	82	72	430	87	73	59
Plumbing & Drainage Determined	72	87	91	81	58	350	56	51	57
Works Certificates Received	9	13	13	11	9	56	7	12	12
Works Certificates Determined	9	8	12	12	8	48	6	10	10
Subdivision Certificates Received	11	12	12	8	7	40	10	10	7
Subdivision Certificates Determined	10	11	10	8	6	37	3	7	5
Strata Certificates Received	2	2	3	5	5	31	4	5	3
Strata Certificates Determined	2	2	3	4	5	32	9	8	1
Roads Act Applications Received	54	56	52	47	40	241	53	46	40
Roads Act Applications Determined	49	49	52	44	34	203	38	48	26
Planning Certificates Issued					249	1492	292	238	191
Building Inspections Undertaken	407	455	494	484	500	3000	568	491	381

The following table outlines the estimated value of works per development type approved during the quarter along with the year to date value and value of the preceding 2 years. With two quarters worth of data now obtained for 2019-2020, it is likely that the total value of work for 2019-2020 will be less than the preceding two years.



Value of Works DA	Oct-19	Nov-19	Dec-19	Total to date 2019 - 2020	Total 2018-2019	Total 2017 - 2018
Ancillary DA	\$766,401	\$474,132	\$670,080	\$4,483,441	\$8,630,779	\$8,649,369
Ancillary CDC	\$387,359	\$155,155	\$123,423	\$1,790,401	\$4,461,919	\$5,750,178
Commercial DA	\$2,362,120	\$625,000	\$2,445,000	\$8,210,498	\$50,335,092	\$17,415,409
Commercial CDC	\$165,000	\$1,700,758	\$0	\$10,506,213	\$1,015,474	\$2,380,814
Community DA	\$184,702	\$0	\$17,888,000	\$18,548,702	\$36,258,032	\$13,111,186
Community CDC	\$0	\$154,983	\$0	\$154,983	\$345,078	\$692,872
Industrial DA	\$1,159,200	\$680,000	\$250,000	\$8,114,755	\$18,414,595	\$13,919,469
Industrial CDC	\$0	\$180,000	\$0	\$180,000	\$8,187,481	\$757,727
Residential DA	\$7,848,223	\$17,705,232	\$26,817,983	\$87,027,607	\$227,592,925	\$266,406,644
Residential CDC	\$2,811,532	\$2,463,447	\$2,734,848	\$12,413,199	\$37,815,194	\$51,975,736
Rural DA	\$265,655	\$632,600	\$420,000	\$1,623,255	\$9,693,549	\$9,718,464
Rural CDC	\$0	\$0	\$0	\$65,980	\$1,145,009	\$1,638,082
Subdivision DA	\$1,500,000	\$0	\$15,000	\$3,055,000	\$30,759,000	\$18,137,000
Tourist DA	\$5,000	\$0	\$500,000	\$855,000	\$3,395,692	\$14,777,822
Tourist CDC	\$0	\$0	\$0	\$0	\$0	\$1,225,000
<b>Total</b>	<b>\$17,455,192</b>	<b>\$24,771,307</b>	<b>\$51,864,334</b>	<b>\$157,029,034</b>	<b>\$438,049,819</b>	<b>\$426,555,772</b>

Application processing data and longer-term trends for the various application types is provided in the table below. For DAs, monthly gross average processing times for 2019-2020 is currently 59 days compared to 61 days during 2018-2019. The 2019-2020 monthly gross average processing days for works certificates (formerly called 'infrastructure construction certificates') is 80 days, compared to 77 days in 2018-2019. There has been a significant improvement in the 2019-2020 monthly gross average processing days for subdivision certificates with a current average of 53 days, compared to 91 days in 2018-2019.

Application Processing Performance	PMHC 2015-16 Monthly Average	PMHC 2016-17 Monthly Average	PMHC 2017-18 Monthly Average	PMHC 2018 - 19 Monthly Average	PMHC 2019 - 20 Monthly Average	Oct-19	Nov-19	Dec-19
Development Application								
Net Median Days	30	31	38	37	32	29	36	38
Development Application								
Net Average Days	34	26	46	42	42	38	40	48
Development Application								
Gross Average Days	58	55	64	61	59	54	63	64
Complying Development								
Net Average Days	6	6	7	13	9	8	9	12
Complying Development								
Gross Average Days	7	8	7	15	12	18	13	12
Building Construction Certificate								
Net Average Days	9	9	9	9	7	12	10	8
Building Construction Certificate								
Gross Average Days	51	52	66	66	71	92	82	86
Plumbing and Drainage								
Net Average Days	16	15	21	18	19	25	20	30
Plumbing & Drainage								
Gross Average Days	51	47	52	53	47	53	26	69
Works Certificates								
Net Average Days	54	39	53	39	50	90	35	24
Works Certificates								
Gross Average Days	94	77	109	77	80	144	46	49
Subdivision and Strata Certificates								
Net Average Days	42	40	49	44	43	56	20	53
Subdivision and Strata Certificates								
Gross Average Days	97	60	63	91	53	56	33	59
Roads Act								
Net Average Days	17	19	17	13	18	27	33	13
Roads Act								
Gross Average Days	43	48	43	39	43	37	52	28

2. Applications determined under delegation including Clause 4.6 - Exceptions to Development Standards

The following table lists DAs that have been determined during the quarter which have included a Clause 4.6 exception to a development standard under the Port Macquarie Hastings Local Environmental Plan 2011. Senior staff have delegation to determine applications involving a Clause 4.6 objection where the variation is no greater than 10% of the development standard.

Application	Property	Extent of Variation
DA2019 - 802.1	14 Ngamba Place, Bonny Hills	6.94%

This information is provided for notation by Council in accordance with the Department of Planning and Environment Circular PS 08-003.

### Options

This is an information report.

### Community Engagement & Internal Consultation

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

Ongoing 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 or 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

Nil

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**Item: 10.20**

**Subject: GRANT APPLICATIONS BIENNIAL REPORT**

**Presented by: Strategy and Growth, Jeffery Sharp**

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### **Alignment with Delivery Program**

1.2.1 Promote Council participation and build linkages in local, state and federal initiatives, forums and opportunities to support Council's continued planning for the growth of the region.

### **RECOMMENDATION**

**That Council note the biannual Grant Application Report, providing an update on grants that Council applied for, or obtained, for the 2018-2019 and current 2019-2020 financial year.**

### **Executive Summary**

Grants from State and Federal Government support the delivery of a range of Council services and infrastructure for our community. This report provides an update on Council's grant applications and outcomes since July 2018.

This report is the fourth update to Council and follows the 21 August 2019 Ordinary Council report consideration and resolution that the Council grant reporting frequency be changed from quarterly to a six-monthly basis, in February and August each year.

### **Discussion**

Every year, Council applies for, or obtains, a significant number of grants to support the delivery of a range of services and infrastructure for our community.

The Council Grant Application Register (Attachment 1 and 2) details grants applications made, successfully, unsuccessfully, or outcome unknown for the 2018-2019 and the 2019-2020 financial year to 31 January 2020.

Also noted at the bottom of the Register are funding commitments made during the 2019 State and Federal election caretaker periods.

During the first six months of the 2019-2020 financial year (1 June - 31 December 2019), Council has applied for 23 grants totalling over \$30million. These include applications for:

- \$45,000 Emergency Operations Centre Port Macquarie communications upgrade;
- \$200,000 Town Beach Playground;
- \$1,110,000 Bago Road Wauchope rehabilitation works;
- \$3,500,000 to construct a parallel taxiway at the airport; and

- \$5,000,000 to construct Stage 1 of the Wauchope Regional Sporting Complex, including three sporting fields, amenities, car park, playground, access road and linking footpaths.
- \$17,000,000 for the upgrade of Maria River road in partnership with Kempsey Shire Council

2019-2020	\$ Grant Amount Applied For	\$ Grant Amount Received	\$ Yet to be Advised
1 <sup>st</sup> quarter	\$ 2,748,650.00	\$ 70,000.00	\$ 2,678,650.00
2 <sup>nd</sup> quarter	\$ 34,674,498.00	\$ 354,468.00	\$ 34,320,030.00

Whilst most grant outcomes for applications made this year are not yet known, Council has been advised of the success of two recent grant applications:

- \$70,000 Glasshouse annual gallery program from Create NSW; and
- \$59,468 Library Priority Grant from NSW State Library.

The hiatus in state and federal grant outcome announcements has likely been because of the Christmas closure period and the significant bush fire activity placing unprecedented demands on agencies and departments at all levels of Government.

Bush fire recovery grant funding has been announced from both the State and Federal government. The NSW Government has committed \$13.2m for the Economic Recovery and Community Resilience Grants Program, with \$4m for Mid North Coast Councils. We are still awaiting further information on the receipt and criteria for use of these funds (approx. \$660k per Council if distributed evenly). The Prime Minister announced on 9 January 2020 that \$1million will be paid to 42 Councils, including Port Macquarie-Hastings Council as part of the Natural Disaster Category 'C' declaration for Bush Fire Recovery. Further information on the criterial and planning around this grant can be found in the Bushfire Disaster Recovery report to this meeting.

A barrier to Council applications has been our exclusion from the Federal list of 128 'drought-affected' Councils. Listed Councils have a priority gateway to apply for some grants including the *Building Better Regions Funding* or exclusive invitation only access to some grants such as the *Communities combating pest and weed impacts*. The Commonwealth has classified 'drought-affected' as a criteria of Bureau of Meteorology data when 50% of an LGA has experienced the lowest 5% of rainfall in the LGA since 1900.

Also during the period, Council received advice it was unsuccessful in its application for \$4,818,500 under the NSW Government Growing Local Economies - Regional Growth Fund. This application, which proceeded through an expression of interest commencing in August 2018, and required a full business case process to be presented via an application in March 2019, was for the Port Macquarie West Sewer Development Project - providing infrastructure which would have unlocked approximately 63 industrial land lots plus service 845 potential new residential sites. The grant application received strong support from local land owners and businesses associated with the precinct and was developed using expertise from NSW Public Works Advisory.



Council was advised in Dec 2019 that the application was unsuccessful. Taking up an offer for further information, staff sought feedback from the Department of Premier & Cabinet Grant Management Team and the Investment Economic Appraisal Unit. This indicated that the application met three of the four criteria - strategic alignment, affordability and Council capacity to deliver the project.

Where it did not meet requirements was the economic criteria, in that the benefit-cost ratio (BCR) was fairly substantially below 1.0, indicating the project's costs outweigh the benefits. Effectively, to get it over a BCR of one, Council would need to re-scope to reduce capital costs; or provide more evidence/examples of potential tenant businesses to justify the forecast additional economy benefit from the project; or modelling around a real local business in an "engine of growth" industry that is expanding and could hypothetically re-locate to this land in the future. The Department acknowledged the difficulty in providing hard evidence of likely of business expansion or relocation two to three year in the future.

It is understood that the Growing Local Economies Fund (GLE) is now in 'pause and review' phase and effectively closed to enable the NSW Government to deal with the backlog and re-assess its future. Effectively this means that Council has not received any money directly from the GLE, and given the current over subscription and review underway, it remains to be seen if any further opportunities will exist in the GLE.

In the interim, staff will develop a register to keep a record of market demand for industrial/commercial land for future funding opportunities, as well as continue to look for other programs which may help fund this project in the future.

To allow some future comparison of grant applications, the following table (collated from Attachment 2) includes the total value of applications and the money obtained from successful grants for the 2018-2019 financial year. It should be noted that grants to the value of \$38,255 remain yet to be determined.

Year	\$ Grant Amount Applied For	\$ Grant Amount Received
2018-2019	\$ 26,168,283	\$10,562,810

### Options

1. That Council notes the information contained in the "Grant Application Biannual Report" and; or
2. That Council requests additional information.

### Community Engagement & Internal Consultation

All staff making grant applications were consulted in finalising the Grants Register at Attachment 1 and 2.

The Council has a commitment to support community group grant applications by assisting them with information/data, and letters of support, where applicable. These community-based grants are not included in this report.

**Planning & Policy Implications**

There are no planning and policy implications in relation to this report. It is noted, however, that the timing of grants received and project implementation/delivery can have implications for Council's Operational Program delivery.

**Financial & Economic Implications**

There are no direct economic implications in relation to this report. It is noted that if successful in receiving grants, often there is a requirement for Council to provide matched funding and further resources are required to not only implement the grant funded project, but also to complete an acquittal at the end of the project term and for many projects, to provide regular progress reports as the grant funds are expended.

Grants from various sources are an important source of funding for a wide variety of Council activities.

**Attachments**

1. [2018-2019 All Council Grant Funding Applications Register](#)
2. [2019-2020 All Council Grant Funding Applications Register](#)



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**Item: 10.21**

**Subject: BUSHFIRE RECOVERY - RECENT ACTIVITY AND FUNDING**

**Presented by: Strategy and Growth, Jeffery Sharp**

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#### **Alignment with Delivery Program**

4.2.1 Develop and implement coastal, estuary, floodplain, and bushfire management plans.

#### **RECOMMENDATION**

##### **That Council:**

1. **Note the recent activities undertaken by Council in support of bushfire recovery across our community, including the business community.**
2. **Note the receipt in January 2020, of a \$1million Federal Government grant for the purpose of supporting the local community and businesses in their recovery from the recent bushfires.**
3. **Note the recent funding announcement from the NSW Government of a grant of \$250,000 for the purpose of supporting the local community and businesses in their recovery from the recent bushfires.**
4. **Note that Council staff are currently in the process of engaging with bushfire impacted parts of our community on how best to utilise the current Federal and State Government funding mentioned in 2 and 3 above.**
5. **Note that an action plan on how Council intends to expend the \$1million Federal Government grant is required to be provided to the NSW Office of Local Government within three months of receipt of the grant funding, with expenditure to take place within 12 months of receipt of the funding.**
6. **Request the General Manager keep Councillors informed of proposed projects to be included in the action plan via Councillor briefings as required.**
7. **Request the General Manager table a report at the May 2020 and September 2020 Council meetings, detailing the projects that have been funded under the grant funds mentioned in 2 and 3 above.**

#### **Executive Summary**

In the months since the devastating November 2019 bushfires, Council staff have undertaken a range of work with our community and other levels of government to support bushfire recovery. These efforts continue and will do so for many months to come. This report outlines activity to date and anticipated, as well as those in the planning stage.

The activity to date has primarily been supported by existing staff and operational budgets, however, our focus now is also on the program of works and activities that will be implemented using the \$1million lump sum payment from the Federal

Government, and up to \$250,000 from the NSW Government under the Bushfire Community Resilience and Economic Recovery Funds: Phase 1.

**Discussion****Bushfire recovery - recent focus**

The November 2019 bushfires have caused devastation to some of our smaller communities, national parks, local flora and fauna. In terms of public asset damage, Council was very fortunate, with the loss of only one bridge, the Pappinbarra Right Arm bridge. Temporary access measures were put in place following the fires and planning is underway for the bridge reconstruction. The major impact from the fires has been on some of our rural communities who have lost homes, outbuildings and private infrastructure. In addition, local businesses across the region have felt both the direct and indirect impact - primarily around loss of trade.

In the months since the bushfires, we have had a strong focus on engaging with our community and local business, to understand the impact of the fires, support recovery efforts and identify and plan what else might be done in this regard in coming months.

Council facilitated two Community Recovery Meetings at the Wauchope showgrounds on 28 November and 16 December 2019. A large number of government and not for profit agencies attended to offer disaster relief support and information to affected residents, individuals and landholders.

The Blaze Aid organisation was one of the many groups in attendance who reached out to residents and landowners in regards to the rebuilding of fences and structures damaged or destroyed by fires. Council's Volunteer Coordinator has worked with Blaze Aid to establish a Blaze Aid 'Camp' at the Wauchope showground. Some 50 ADF members are also now in our region supporting recovery efforts, including Blaze Aid.

Organisations including Blaze Aid, Life Line and the Red Cross also attended a community barbeque organised by the Pappinbarra Community Group at the Hollisdale Hall on 17 January. Council was invited to attend and address the community in regards to localised issues including the damages at the Upper Pappinbarra recreational area and bridge and sought feedback on community needs.

Council is hosting community 'Get Togethers' across the region in the coming months to check in with community members and discuss their needs. In early February these will be with the Bellangry, Beechwood and Long Flat communities.

In terms of the business impact, a broad range of somewhat mixed feedback has been received from local businesses, with tourism-related businesses appearing to have been most impacted. Many have indicated to Council that sales in some months since the fire period has been down 50 per cent. Council has and continues to work to support local business by encouraging locals to support local (right across the LGA) and those further afield to book a visit to our region. Some of the activity to date has included:

- Encouraging locals to explore our backyard and support local - campaign activity via Council communication channels over December and January, and delivery of our *Eat See Do* visitor guide to each household in early December;
- Our '*Unique Boutique*' radio and social media campaign focused on supporting Wauchope businesses during December (this is part of the wrap up to the Main St project) and was planned with the Wauchope Chamber of Commerce;
- A tourism social media campaign since early December - painting the picture of what things are like here and now and encouraging people to visit, explore our whole region and plan their visit;
- A range of PR activities, particularly focused on attracting travel and lifestyle writers and digital content developers. Recent highlights (both published stories and pending) include *Yahoo News*, *Holidays with Kids*, *Nine's Traveller* (wildlife round up), *OK! Magazine*, *The Carousel*, *Escape* website, *Huffington Post*.
- Working with Destination NSW, we are supporting the *Today Show* filming from Port Macquarie (weather) on Wednesday 12 February 2020.
- Council, with our destination PR contractors, Gate 7, has been providing the Port Macquarie Koala Hospital with on-the-ground media and PR liaison, development of key messaging, facilitating interviews and filming and managing media requests from Australian and international media. With significant interest generated around the Koala Hospital in the wake of the bushfires, providing extra support to the Koala Hospital through these activities has allowed us to leverage key destination recovery and visitation messaging.

#### Federal and State Government Funding to support bushfire recovery efforts

The Prime Minister announced on 9 January 2020 that the Commonwealth Government has advanced to the NSW Government, under Category D of the Disaster Recovery Funding Arrangements a base payment of \$1 million to 42 of the most severely bushfire affected councils to help quickly rebuild vital infrastructure and strengthen community resilience. Port Macquarie-Hastings Council has received the \$1 million lump sum payment. The only condition the Commonwealth placed on councils is that they develop a 'Program of Works' within three months and a report on how the funding was spent in 12 months time.

Councils are able to spend the \$1 million payment on projects and activities that they deem essential for the recovery and renewal of their communities, including:

1. Rebuilding damaged or destroyed council assets such as key local roads, bridges, and community facilities;
2. Employing additional local staff to take on specialist recovery or planning roles to help coordinate and plan the rebuilding effort;
3. Hosting new public activities and events to bring communities together and attract visitors back to affected regions; and
4. Immediate maintenance and repairs to relief and evacuation centres.

As noted previously, with very little loss of Council infrastructure, our focus for the expenditure of the \$1m will be on activities and projects relating to points 2-4 above. A 12-month program of works to allocate the \$1 million funding is current being

developed and has been informed by engagement with affected communities and business. At this point it is anticipated it will include things such as:

- Improvements to emergency-related facilities and evacuation points;
- Improvements to facilities/infrastructure for fire affected communities;
- Communities activities to support recovery and wellbeing;
- A community 'thank-you' event for the Rural Fire Service and other agencies/groups;
- Destination marketing and PR to encourage visitation and dispersal of visitors across our entire LGA; and
- Engagement of a 12 month Recovery and Planning Coordinator;

On 4 February, we received from the NSW Government, a letter outlining the requirements for Phase 1 of the Bushfire Community Resilience and Economic Recovery Fund. For our Council, this provides up to \$250,000 for:

1. *Economic Recovery* - events or initiatives to support local business recover, such as business support events and industry recovery plans, etc.
2. *Community Resilience* - events or initiatives to support community recovery and wellbeing, such as BBQ's, shows, concerts, etc.

Applications for this funding must be submitted by 31 March 2020 (with planning currently in progress), with projects being completed by 30 June 2020 - a very tight timeframe for delivery.

In addition to projects which may be a focus under the Federal or State Government funding, it is also acknowledged that the recovery issues/ideas discussed with staff in recent community and business engagement include:

- Matters that may require a longer term fix via advocacy/lobbying to other agencies and/or State/Commonwealth Government.
- Matters that may be part of Council's normal business as usual but may require some prioritisation.
- Matters that may result in being candidate projects potentially for access to other State/Commonwealth funding programs.

This will mean that the recovery effort is likely to play a significant role in our work with our community for months, even years to come.

### Options

Council may choose to note the report or request further information.

### Community Engagement & Internal Consultation

Engagement regarding our local community needs and bushfire recovery priorities has occurred at a local level and also with regional, State and Federal representatives.

Council has been listening to the Community and engagement has occurred at meetings/gatherings including:

- Wauchope Community Recovery meetings;
- Pappinbarra Community Group meeting;
- 'Get Togethers' with affected communities;
- Council and Community Action Teams;



- Local Chambers of Commerce;
- Greater Port Macquarie Tourism Association;

Further consultation with various groups including the Bunyah and Birpai LALC's and RFS will be undertaken prior to finalising the priorities will also occur.

**Planning & Policy Implications**

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

**Financial & Economic Implications**

The \$1 million Commonwealth Government Funding for Disaster Recovery has been received and must be expended within 12 months. The State Government funding of up to \$250,000 must be expended by 30 June 2020. There will be a requirement for Council staff to support project management of planned recovery activities in addition to existing Council operational and works program requirements. It is acknowledged that this work is critical to the well-being of our communities as they work to recover from the November 2019 bushfires, and our local businesses and broader economy.

**Attachments**

Nil



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Item: 10.22

Subject: RESPONSE TO DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT (DPIE) ON TIMING OF LOCAL STRATEGIC PLANNING STATEMENT (LSPS)

Presented by: Strategy and Growth, Jeffery Sharp

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#### Alignment with Delivery Program

1.3.1 Provide effective leadership and equity.

#### RECOMMENDATION

That Council:

1. Note the response received by the Department of Planning, Industry & Environment (DPIE) which did not support Council's request for an extension of time to complete the development of Council's first Local Strategic Planning Statement (LSPS).
2. Reaffirm its previous commitment to comprehensively engage with our community to deliver a considered Community Strategic Plan by the end of December 2021, together with an evidence-based Local Strategic Planning Statement that is in line with the regional vision, goals and actionable priorities of the North Coast Regional Plan 2036, relevant State strategies and Sector Agency recommendations.
3. Request the General Manager write to the Minister for Planning and Public Spaces, advising of Port Macquarie-Hastings Council's decision.
4. Request the General Manager to table six-monthly progress reports on preparation of the Local Strategic Planning Statement for Port Macquarie-Hastings Local Government area.

#### Executive Summary

At the Ordinary Meeting held on 20 November 2019, Council considered a report outlining an approach for development of the first Local Strategic Planning Statement (LSPS) for the Port Macquarie-Hastings Local Government Area. A copy of the report is included as Attachment 1. The report advised:

- The requirement for all NSW Councils to prepare a **Local Strategic Planning Statement before 1 July 2020 to establish** line of-sight alignment between key planning priorities identified at the State and regional scale with finer-grained planning at the local level.
- A limited timeline in which to prepare and engage with our community in relation to their recommendations for an LSPS for the Port Macquarie-Hastings Local Government area to meet the government's timeline.
- An alternative approach to the government's timeline to allow Council to develop its initial LSPS in conjunction with the required timeline for a new **Community Strategic Plan (CSP) by end June 2021**.

- Council's objective of comprehensively engaging with our community, in order to deliver a considered Community Strategic Plan together with an evidence-based LSPS that is **in line with the North Coast Regional Plan 2036, State Strategies and Sector Agency recommendations**.
- The positive community benefit from alignment and delivery of an LSPS and a new Community Strategic Plan.
- The risks associated with any resulting LSPS prepared to meet the Government's July 2020 deadline, including not standing up to public scrutiny and perceived lack of genuine commitment by Council to community involvement in the development of their aspirations and agreed priorities over the next two decades.
- Factors, which make the achievement of 1 July 2020, deadline for completion of our LSPS unattainable.

Council endorsed its support for the alternative recommended approach set out in the November 2019 report and resolved to request the General Manager write to the Minister for Planning and Public Spaces seeking a 12 month extension of the statutory deadline for delivery of the LSPS. A copy of Council's request is attached for reference. (Attachment 2).

A response to Council's request letter has now been received. The response, received following the Christmas - New Year close down, advises that an extension of the timeframe is not approved. (A copy is included at Attachment 3).

The Government's rejection of Council's approach for preparation of an LSPS, also requests that Council complete and return by 31 January, a timeline setting out key milestones to achieve its 1 July 2020 deadline. Council staff have thanked the Minister's Office for their response and advised that a formal response will be provided following a report to Council in February 2020 considering the Government's decision to not approve an extended timeframe for completion of an LSPS.

The purpose of this report is to address the Government's response, consider potential options and next steps, and determine an agreed approach for delivery of Port Macquarie-Hastings Council's first LSPS.

### Discussion

At the Ordinary Meeting held 20 November 2019, Council resolved:

*RESOLVED: Intemann/Turner*

*That Council:*

1. *Endorse the recommended approach for development of the first Local Strategic Planning Statement for the Port Macquarie-Hastings Local Government Area as detailed in this report.*
2. *Request the General Manager write to the Minister for Planning and Public Spaces, seeking a 12-month extension to the statutory timeline for making of a Local Strategic Planning Statement by Port Macquarie-Hastings Council.*

*CARRIED: 8/0*

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

*AGAINST: Nil*

Consistent with Council's resolution, Council staff wrote to the Minister for Planning and Public Spaces on the 26 November 2019, respectfully seeking a 12 month extension of the deadline to deliver an LSPS.

A letter of response signed by Tim Hurst, Secretary Local Government, Planning and Policy and dated 19 December 2019, was received on 6 January 2019.

The response acknowledges Council's desire to integrate the development of the LSPS with a planned review and update of its Community Strategic Plan in 2020-2021. Nonetheless, the response declines to approve an extension, reminding Council of the statutory timeline and the need to prioritise the completion of its LSPS to "set out its land use planning vision, planning priorities and actions for the area".

The response further states that it will be the role of the new incoming Council (2020) to set the new Community Strategic Plan, and that any LSPS prepared to meet the Government's 1 July 2020 deadline is open to review and update after the new Community Strategic Plan is prepared.

In response to the other issues raised in Council's request, the Secretary notes that:

- it remains the Department of Planning, Industry and Environment's view that the Port Macquarie-Hastings Urban Growth Management Strategy 2036 can form the substantial basis of the LSPS (should Council wish to take that approach);
- the Department has no formal endorsement process of Council's LSPS under the Environmental Planning and Assessment Act 1979;
- the statements will give effect to regional plans and inform local statutory plans and development controls. The LSPS will act as a unifying document, drawing together and summarising planning priorities identified through State, regional and local strategic work.

In conclusion, the Secretary offers the assistance of the Department's regional team to help Council develop its LSPS, including considering agency advice and the key matters to be addressed.

Council staff have reviewed the Secretary's response, and the matters raised in the correspondence, particularly those in relation to Council's adopted Urban Growth Management Strategy (UGMS), the requirements for preparation of an LSPS, minimum timeframes for community and agency engagement, Council reporting deadlines, and the remaining working days to 1 July 2020.

The review reaffirms the staff position reported to Council in November 2019, that it will not be possible for Council to achieve the 1 July 2020 deadline to make an LSPS which achieves legislative consistency, NSW Government's and Council's objectives, and stands up to public scrutiny. Importantly, there is now a very limited timeframe in which to complete an LSPS that is informed by strategic and community planning work that is consistent with the Government's statutory and guideline requirements for preparation of an LSPS.

Also noted is the Government's advice that the Port Macquarie-Hastings Urban Growth Management Strategy (UGMS) 2036 can form the substantial basis of our LSPS. This advice misrepresents the current situation and Government's own policy requirements specifically that the LSPS should set out:

- the 20-year vision for all land use in the local area;
- the shared community values that are to be maintained and enhanced;
- how development and change will be managed into the future; and
- the special values and characteristics which contribute to local identity.

An analysis of the Strategy against the North Coast Regional Plan 2036 regional priorities and the legislative criteria for LSPSs identifies important gaps in the UGMS - some of which are:

- Key inconsistencies with the North Coast Regional Plan;
- Urban-only focus;
- Limited representation from key communities;
- Local character and agreed local priorities;
- Heritage review (in particular Aboriginal and cultural heritage);

In order to address the above requirements, there is a substantial and important body of work not yet commenced or not yet substantially progressed to inform the priorities for our LSPS including a Housing Strategy, Rural Strategy, the Integrated Water Cycle Management Strategy (IWCMS), Regional Infrastructure Transport Strategy (RITS) and remaining Community Plans.

One of the primary goals of the recently introduced organisational structure was to recognise the broader political, strategic and future planning focus required to drive Council forward. The introduction of a dedicated Strategy function will see the development of a holistic policy and planning framework which will provide Council and the community with consistency across all of our key informing strategies.

The LSPS is a key long-term planning document within this framework and it is important that Council remains true to its strategic and community-focused intent and does not allow an ad-hoc and ill-informed approach driven by external requirements (i.e. State Government performance timeframes) to detract from Council delivering the best policy and planning outcomes for its community.

It is important that the community is given every opportunity to provide input into both the Community Strategic Plan and the LSPS. The success of our local community's social and economic future depends on both the consistency between these two documents and the partnership approach taken by Council in developing the plans and priorities **with** (rather than **for**) the community.

There is therefore substantial reputational risk to Council if we were to undertake the development of a hastily developed LSPS based on Volume 1 of the UGMS as suggested by the Department.

### Options

Further to the discussion and analysis provided above, the following option is considered the only reasonable option for Council to pursue that is both practical within the timeframe now available and consistent with the intent of the LSPS framework that requires that the Statement be informed by strategic and community planning work:



1. Continue to develop a LSPS informed by a comprehensive engagement program in conjunction with the CSP engagement and key supporting strategies and plans. Completion date by 30 June 2021 (as resolved at the 20 November 2019 Ordinary Council meeting and restated below) noting that this would not meet the Government's statutory timeframes.

The previously proposed milestones and timeframe are outlined below:

Activity/Milestone	Dates
Community Engagement for CSP and LSPS	Dec 2019 - end May 2020
Develop Draft LSPS	June 2020 - September 2020
Review draft LSPS with new Council body	October 2020
Prepare Council report to recommend LSPS to go on Public Exhibition	November 2020
LSPS on Public Exhibition with draft CSP	November 2020 - March 2021
Review and amend LSPS	April - May 2021
Prepare Council report to recommend LSPS to be endorsed	June 2021
LSPS published on Planning Portal	By 1 July 2021

Pursuing the Department's recommended approach is not achievable within the 18 weeks that remain between the February 2020 Ordinary Council Meeting and the statutory requirement for publishing of the Statement on the NSW Legislation website - taking into account:

- Minimum community engagement requirement (preliminary and review);
- Preparation of a draft LSPS;
- Council's Ordinary Meeting and reporting cycle;
- State Government review and feedback prior to publishing; and
- Drafting and publishing timeframes.

Even if Council were to immediately proceed as proposed by the Secretary, it is not considered possible to deliver a completed LSPS by 1 July 2020, and under any reasonable assessment, Council would be in breach of the statutory timelines. It would remain with the Department as to how any breach might be resolved.

### Community Engagement & Internal Consultation

This report has been developed in consultation with the Group Manager, Community Engagement; the Group Manager, Strategy; the Director, Strategy & Growth; and the Director, Development & Environment.

Consultation has also been undertaken with three Councils across the Mid- and North Coast region in relation to their progress in preparation of their individual LSPSs. They have indicated that they too are experiencing difficulties in meeting the Department's timelines.



### Planning & Policy Implications

As previously reported, once adopted, the LSPS has statutory recognition. The LSPS will translate strategic planning work into local priorities and actions that inform the review and development of future strategic plans at the regional level. This feedback cycle from local to regional planning ensures that the line of-sight between the different levels of spatial planning works both ways. It provides an opportunity for our community to work with Council to shape the future direction and strategic priorities for planning and managing the sustainable use of land across our LGA. The LSPS must also identify the basis on which Council will monitor and report on the implementation of strategic planning priorities and actions.

Fig 1. Strategic-led Planning Framework



All Local Strategic Planning Statements must be published on the NSW Planning Portal, and consistent with section 11A of the *Environment Planning & Assessment (Savings and Transition and Other Provisions) Regulation 2017*. All regional councils are required to make their first LSPS before 1 July 2020.

Following adoption of the LSPS, a comprehensive review of Council's key strategies will be required to ensure any changes in strategic direction, priorities and/or actions are incorporated.

### Financial & Economic Implications

In itself there are no financial implications in relation to the development of the LSPS, however commitment to resourcing will be required to meet the proposed timeframes.

This initiative is not included in the current 2019-2020 Operational Plan of Council. Facilitating the community discussions with the planned engagement on the Community Strategic Plan will have the least significant additional impact on operational activities.

Additionally, once complete, the LSPS will identify important actions that will identify Council's commitments to the community over the short, medium and long term. Each of these actions will need to be appropriately prioritised, funded and incorporated into Council's future work programs.

**Attachments**

1. Attachment 1 - December 2019 Council Report - Local Strategic Planning Statement
2. Attachment 2 - Response to DPIE re LSPS Timeline
3. Attachment 3 - Government Response to Council Request for Time Extension for LSPS

# 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

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**Item: 11.01****Subject: REFUND OF APPLICATION FEES - PORT MACQUARIE CROQUET CLUB****Presented by: General Manager, Craig Swift-McNair**

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**Alignment with Delivery Program**

2.2.1 Support and advocate for all community sectors.

**RECOMMENDATION**

**That Council refund \$546 of application fees paid by the Port Macquarie Croquet Club for the installation of a recycled water storage tank under DA2020-4.**

**Executive Summary**

Council has received a request by the Port Macquarie Croquet Club to refund application fees totally \$546 associated with the installation of a recycled water storage tank under DA2020-4.

It is recommended that the refund be granted.

**Discussion**

The Port Macquarie Croquet Club has recently lodged DA2020-4 to install a recycled water storage tank at their facility on Buller Street, Port Macquarie. The development will enable the club to utilise Council's recycled water network to irrigate croquet greens.

The Club has made a request to Council (Attachment 1) to refund the \$546 of application fees paid. The Club is a registered association with the NSW Office of Fair Trading and has a 'not for profit' status.

The General Manager would ordinarily consider application refund requests made by not for profit groups having regard for the principles of Council's Providing Funding and Support to the Community Policy. However, as the Mayor is a listed patron of the Club it is considered appropriate for the Council to consider this request so as to maintain transparency.

Noting the not for profit status of the Club and the community benefit provided by the Club's activities, it is recommended that the refund request be granted in full.

**Options**

Council could opt to grant the refund request in part or full or decline to refund the application fees.

**Community Engagement & Internal Consultation**

Consultation has been undertaken with Development and Environment and Governance staff.

**Planning & Policy Implications**

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

**Financial & Economic Implications**

Supporting the refund request would involve the refunding of \$546 of application fees paid to Council.

**Attachments**

- 1 [🔗](#) Request for Refund of Application Fees - Port Macquarie Croquet Club



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Item: 11.02

Subject: NOTICE OF MOTION - POLL ON FLUORIDATION OF COUNCIL'S  
WATER SUPPLY

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Mayor Pinson has given notice of her intention to move the following motion:

### RECOMMENDATION

**That the General Manager be requested to report to Council in March 2020 regarding the process, cost and proposed wording to conduct a Poll in conjunction with the September 2020 Local Government Election that provides for the community to indicate whether they would like Council to continue to add fluoride to the water supply or otherwise.**

### Comments by Mayor Pinson

Council has been providing fluoridated water to the residents of the local government area by adding fluoride to the water during the treatment process in accordance with the *Fluoridation of Public Water Supplies Act 1957* and the *NSW Code of Practice for Fluoridation of Public Water Supplies 2011* since February 2012.

The addition of fluoride to water supplies throughout the world has come under scrutiny in recent times with many studies detailing the positive effects of adding fluoride to water for the community while other studies indicate negative health impacts throughout the community as a result of the addition of fluoride.

Council sought, and received, detailed legal advice in April 2019 regarding the legality of adding fluoride to the local government area's water supply. This advice suggested that the addition of fluoride to water supply reticulation schemes had been illegal since the introduction of the Therapeutic Goods Act in 1989. The advice as initiated by Port Macquarie-Hastings Council and the wide publicity that followed prompted the federal government to exclude fluoridated reticulated drinking water as a therapeutic good from the Therapeutic Goods Act's list of therapeutic goods, thus making the supply of fluoridated water legal.

Council has an opportunity in the upcoming Local Government elections in September 2020 to conduct a poll to determine the community's position with respect to adding fluoride to the water supply. That is, does the community wish for Council to add fluoride to its water supply, or otherwise? A poll of electors was conducted by the former Port Macquarie Council in 1991 coinciding with the Local Government elections held that year. The result of this poll was that 71% of the electors that participated in the poll did not want fluoride added to the water supply which was accepted by the Council. It is noted that a poll is not compulsory for electors to participate in and the outcome of the poll is not binding to the Council.

I would like to propose that the General Manager be requested to report to Council March 2020 and detail the approximate costs, process and proposed wording of such poll asking whether Council should be adding fluoride to the water supply, or not.

## AGENDA

ORDINARY COUNCIL  
19/02/2020

### Attachments

Nil

YOUR COMMUNITY  
LIFE

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**Item: 11.03**

**Subject: CULTURAL STEERING GROUP CHARTER AND NEW MEMBERSHIP**

**Presented by: Strategy and Growth, Jeffery Sharp**

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### **Alignment with Delivery Program**

2.5.1 Support cultural activities within the community.

### **RECOMMENDATION**

**That Council:**

- 1. Adopt the amended Cultural Steering Group Charter to encourage a diverse membership, including representatives from the Birpai and Bunyah Local Aboriginal Land Councils.**
- 2. Note Expressions of Interest for new members of the Group will commence shortly with a recommended membership to be presented to the 15 April 2020 Council meeting.**

### **Executive Summary**

Council's Cultural Steering Group is nearing completion of its first term of membership. As such, the Charter has been reviewed to ensure it reflects the intent and activity of the Group and will continue to support their positive work in supporting local cultural and creative outcomes. This report seeks Council endorsement of amendments to the Charter and also provides advice on the upcoming Expression of Interest process that will be conducted to invite new members to the Group.

### **Discussion**

The Cultural Steering Group was established in May 2017 to:

- provide a forum in which Local Government and community leaders can discuss and debate, plan and progress local and regionally significant cultural and creative outcomes that continue the growth of our community and our places in the Port Macquarie Hastings Local Government Area.
- be an interactive group that provides a forum for developing the strategic community arts, culture and active spaces direction for the Local Government Area. The Steering Group is committed to collaboration, innovation and development of a 'whole-of-place' approach for the purpose of promoting community capacity building that will ensure the wellbeing of our community while developing a clear sense of and connection to our place.

And with the objectives of:

Assisting Council in the implementation and review of the Cultural Plan 2018-2021.

- Assisting Council in monitoring the success of the Plan against established criteria.

- Engaging with and provide input to Council on other Arts and Cultural matters which are relevant to the Local Government Area.
- Providing and receiving two-way feedback from the community.

The Steering Group meets monthly and has good community representation in its membership from sectors such as the arts, performing arts, business, tourism, events, and education. The two-year term of the Group was extended by 12 months in May 2019, with a view to seeking new members in early 2020. The purpose of the extended tenure was to allow the Group to maintain momentum in overseeing the implementation of Council's 2018-2021 Cultural Plan, which has occurred. Staff will seek expressions of interest for new members of the Group during Feb-March 2020, with recommendations on membership for the next term to be made to the 15 April 2020 Council meeting.

With the Group now having operated for almost three years, it was also considered timely to review the Charter to ensure it reflects the intent and activity of the Group, and will continue to support their positive work in supporting local cultural and creative outcomes. It was proposed by the Group that we add representation from the Birpai and Bunyah communities to ensure they are part of the planning and delivery of the Cultural Plan 2018-2021 and future plans. Further, it is recommended that the Charter be amended to remove reference to the Aboriginal Advisory Group (which has not been established and will be overtaken by Land Council representation on the Group) and Youth Advisory Council (which is proposed as a focus under Council's draft Community Inclusion Plan and Committee, rather than the Cultural Steering Group).

Attachment 1 presents an amended Charter (with proposed changes tracked), for Council consideration.

### **Options**

Council may choose to adopt the amended Charter, or not, or request further consideration and information from staff.

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

The Cultural Steering Group was consulted on the proposed changes to the Charter and the Bunyah and Birpai Local Aboriginal Land Councils were advised of the desire for them to be involved in the Group.

### **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.  Amended Draft Cultural Steering Group Charter - Feb 2020

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**Item:** 11.04

**Subject:** 30TH ANNIVERSARY OF SISTER CITY RELATIONSHIP BETWEEN  
PORT MACQUARIE-HASTINGS COUNCIL AND HANDA CITY  
COUNCIL - VISIT TO JAPAN 2020

**Presented by:** Strategy and Growth, Jeffery Sharp

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#### **Alignment with Delivery Program**

2.5.1 Support cultural activities within the community.

#### **RECOMMENDATION**

##### **That Council:**

1. **Note the January discussions with Handa Sister City Working Group and stakeholders regarding the value, cost and future direction of the Sister City relationship with Handa;**
2. **Note that up to six Council delegates have been invited to attend the 30<sup>th</sup> Anniversary celebrations of the Sister City Relationship between Port Macquarie-Hastings Council and Handa City Council, Japan from 17-21 April 2020.**
3. **Determine if any, and which Councillor(s) will attend the 30<sup>th</sup> Anniversary Celebrations.**
4. **Agree that the Mayor extend an invitation to the Mayor of Handa for a reciprocal visit to Port Macquarie, also in 2020.**

#### **Executive Summary**

Council received an invitation from the Mayor of Handa City Council, Japan inviting up to six representatives from Port Macquarie-Hastings Council to travel to Handa from 17-21 April 2020 to mark the 30<sup>th</sup> anniversary of the Handa-Port Macquarie Sister City Agreement.

This report responds to December 2019 Ordinary Council Meeting resolution that the General Manager convene a meeting in January 2020, inviting relevant local parties, relevant staff and interested Councillors to discuss the value, cost and future direction of the Sister City relationship with Handa, and especially the planned and proposed exchange events in 2020.

#### **Discussion**

At the 20 November 2019 Council meeting, it was resolved (Griffiths/Alley):

##### *That Council:*

1. *Note that the 30th Anniversary of the Handa, Japan Sister City relationship with Port Macquarie-Hastings Council will take place in Handa, Japan from 17-21 April 2020.*
2. *Note that up to six Council delegates have been invited to attend the 30th Anniversary celebrations by Handa City, Japan.*



3. *Note that two Port Macquarie-Hastings Council Handa Working Group members have confirmed they will be attending the celebrations in Handa.*
  4. *Request the General Manager provide a report to the December Council Meeting outlining the potential costs, community benefits and budget allocation to enable Council to determine Mayoral and Councillor involvement in attending the celebration.*
- CARRIED: 8/0 FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner AGAINST: Nil*

Subsequently, at the 11 December 2019 meeting, Council resolved (Intemann/Turner):

*That Council:*

1. *Note the information regarding potential costs, community benefits and budget allocation that would be associated with Mayoral and Councillor attendance at events to mark the April 2020 30th Anniversary of Sister City Relationship between Port Macquarie-Hastings Council and Handa City, in Handa Japan.*
  2. *Note that up to six Council delegates have been invited to attend the 30th Anniversary celebrations by Handa City, Japan.*
  3. *Request the General Manager to convene a meeting in January 2020, inviting relevant local parties, relevant staff and interested Councillors to discuss the value, cost and future direction of the Sister City relationship with Handa, and especially the planned and proposed exchange events in 2020.*
  4. *Request the General Manager to report back to the February 2020 Council meeting on the above matters.*
- CARRIED: 7/0 FOR: Alley, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner AGAINST: Nil*

This report addresses points 3 and 4 of the December 2019 Council meeting resolution.

On Thursday 30 January 2020, a meeting was held to discuss the value, cost and future direction of the Sister City relationship with Handa, and especially the planned and proposed exchange events in 2020. In attendance were the Mayor, Deputy Mayor, Councillors Alley, Hawkins, and Turner, Council staff, members of the Handa Sister City Working Group and associated stakeholders.

At the meeting, Working Group members and stakeholders noted:

- Their frustration around the perceived 'downgrading' of the Handa Sister City Committee to a Working Group, and subsequent irregularity in meetings;
- Concern that the Working Group has lacked direction and is not receiving any clear guidance from Council;
- That the Mayor and Councillor leadership and visit representation is vitally important to the relationship;
- Concern that the time taken to respond to the Mayor's invitation will damage our relationship with Handa;
- The strong cultural value from the relationship - particularly, student and band exchanges to date;

- The economic injection of spending associated with Handa visits to Port Macquarie.

When feedback was sought on the potential future direction of the relationship, discussion focused around the view that there is potential for further trade and tourism value from the relationship, should time be invested in this. It was noted that opportunities had been tested during conversations at the time of the 25<sup>th</sup> Anniversary when a visiting delegation from Handa included members of the Handa Chamber of Commerce. While various local produce was showcased and discussed, there was no business or representative on either side of the relationship who chose to pursue a future trade relationship.

There was some discussion around the fact that neither Council staff nor members of the Handa Sister City Working Group are necessarily best placed to pursue such avenues. In particular, it was noted that the Working Group has been primarily focused on cultural and student exchanges, and that the expertise for developing economic links (and potentially broader trade links in Japan) lie more at a State/Federal government level (Destination NSW and Austrade).

#### Planned and Proposed Events for 2020

The planned and proposed events related to the Sister City Relationship for 2020 are as follows:

- **Charles Sturt University visit to Japan** (early Feb): A small delegation will visit Handa to discuss current research and potential new projects with Nihon Fukushi University. The visit relates to the MOU signed between Nihon Fukushi University and CSU in 2017. A courtesy call will also be made on the Mayor of Handa.
- **6-11 March, Handa Higashi High School Student visit** (6-11 March): Twenty students will complete an education tour of Port Macquarie, accompanied by two teachers. St Agnes Parish Schools will host the students with costs for the visit being borne by Handa Higashi High and Council. The students are undertaking additional study towards becoming teachers and will observe Australian teaching styles and diversity in Australia. This year marks the first year for hosting a group of this number (to date the group has been around 12 students), with this new format having been agreed in 2018.
- **Potential 30<sup>th</sup> Anniversary visit to Handa** (17-21 April): As noted previously, the invitation from Handa City is for up to 6 delegates. Currently, two Handa Working Group members, Mr Bruce Hardy and Ms Patricia Johnston, have indicated they will attend with travel costs to be at their own expense. There is currently no identified Council budget allocation to attend the celebration and although it is acknowledged some elements would be 'hosted' by Handa City, it is anticipated (based on previous visits), that the travel, accommodation, gifts and other elements would total some \$3,500 to \$4,000 per person. Past itineraries have included a visit to City Hall, attendance at a music concert by the Handa City Junior Brass Band and some networking functions. It is difficult to define a broader benefit for our local community from such a visit, other than to continue the Sister City relationship more broadly.
- **Potential reciprocal visit to Port Macquarie** (11-16 July): as is customary, a visit by a Port Macquarie delegation to Handa would require an invitation from our Mayor for a reciprocal visit. We understand the Mayor of Handa has inquired around a delegation of three visiting Port Macquarie in July. Informal advice suggests an additional delegation of Handa citizens (approximately 15

representatives) would also seek to visit in parallel. The cost of this visit would be highly dependent on level of hosting, duration and activities undertaken and is not funded. Consideration would need to be given to an additional budget allocation in the 2020-2021 draft budget. A similar visit for the 25<sup>th</sup> Anniversary came at a cost to Council of \$12,000 (for a delegation of 17 people).

It is acknowledged that the Sister City relationship with Handa provides the opportunity for cultural exchanges and has developed some business and education opportunities. These are now well established connections. At this point, no stakeholder has been able to clearly articulate the future direction of the relationship, other than to express a desire to see current cultural and educational exchanges continue on the same basis.

### Options

Council may choose to:

1. Nominate Mayor and/or Councillor attendance for the 30<sup>th</sup> Anniversary celebrations in Handa and allocate an appropriate budget, noting that the Mayor/Councillors may choose to personally fund part of their costs.
2. Decline the offer from the Mayor of Handa, to visit and celebrate the 30<sup>th</sup> Anniversary Event.

### Community Engagement & Internal Consultation

As noted, discussion has taken place with the members of the Handa Working Group and associated stakeholders. In attendance also were the Mayor, Deputy Mayor, Councillors Alley, Hawkins and Turner, the Director Strategy and Growth, Group Manager Economic and Cultural Development and other relevant Council staff.

### Planning & Policy Implications

Under Council's Policy "*Payment of Expenses and Provision of Facilities to Councillors*", the following clause applies in relation to overseas travel:

#### *Overseas Travel*

*Overseas travel for any purpose which is considered to be relevant to Council related business and/or of particular benefit to the local community must be approved in an open session of a Council Meeting.*

*Detailed proposals of overseas travel and the purpose for the travel will be approved on an individual Councillor basis. Such a proposal shall include the nomination of the Councillor undertaking the trip, the purpose of the trip and any expected benefits (including class of travel). The duration, itinerary and approximate total cost of the trip must also be provided.*

*The use of a Mayoral Minute (which may not be included in the Council Agenda) to obtain Council approval for travel is not considered appropriate as it is not consistent with principles of openness and transparency.*

*After returning from overseas, Councillors or an accompanying member of Council staff will provide a detailed written report to Council on the aspects of the trip relevant to*

Council related business and the local community. Further, the report is also required to comply within the **Reporting Requirements** section of this Policy.

Retrospective approval for overseas travel is not permitted.

<b>Expense Type</b>	<b>Refund Basis</b>	<b>Limit</b>
Travel – Air	Actual	Nil
Travel – Rail	Actual	Nil
Travel – Taxi	Actual	Nil
Travel – Bus	Actual	Nil
Travel – Parking	Actual	\$40.00 per day

#### **Insurance Expenses and Obligations**

Councillors while on Council related business shall receive the benefit of insurance cover for:

- Personal Accident (including sickness and journey/travel).
- Public Liability.
- Professional Indemnity.
- Councillor and Officers Liability.

#### **Financial & Economic Implications**

In the 15 years since 2005, Council has expended \$171,000 in the relationship. Whilst this has been partially offset by reimbursements of \$72,000, these figures do not include the costs of administration which have been funded by general rates. As noted, it is anticipated (based on previous visits and current pricing), that the travel, accommodation and other elements for Mayor/Councillor attendance at the 30<sup>th</sup> Anniversary would total some \$3,500 to \$4,000 per person.

Until the final itinerary is received from Handa City Council, a final cost of all expenses associated with each delegate's attendance would prove difficult to establish at this point in time.

#### **Attachments**

1. [Handa Sister City Agreement Activity Summary 1990-2019](#)

# 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



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**Item: 12.01**

**Subject: NOTICE OF MOTION - WAUCHOPE RSL CLUB SENIOR HOUSING DEVELOPMENT**

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Mayor Pinson has given notice of her intention to move the following motion:

**RECOMMENDATION**

**That Council:**

- 1. Note that the Wauchope RSL Club repaid Council's loan to purchase the Bransdon Street carpark site in 1967, being Lots 4, 5, and 6 in DP 236079.**
- 2. Note the purpose for repaying the loan on behalf of Council was to provide additional parking space for Wauchope RSL and the community at that time.**
- 3. Note the original agreement provided for Wauchope RSL to have first right of refusal should Council wish to sell the carpark site.**
- 4. Waive the payment of carparking contributions levied under Section 7.11 of the Environmental Planning and Assessment Act 1979 on DA2018 - 562, for seniors housing at Lot 1 DP 390610, Lot 1 DP: 782560, Lots 10, 11, 12, 13 DP 861177, Lots 3 and 4 DP 347796, Lot 1 DP 151300, Lot 1 DP 795534, Lot 1 DP 1053812 and Lot 1 DP 393967. The amount waived is 18 car parking spaces, which is currently \$6,434 per space under Council's Contribution Plan 1993 - Part C - Car Parking, totalling \$115,812.**
- 5. Invite the Wauchope RSL Club to lodge an application to modify DA2018 - 652 to delete reference to the payment of car parking contributions.**

**Comments by Mayor Pinson (if provided)**

Nil.

**Attachments**

Nil

# 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



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**Item: 13.01**

**Subject: NOTICE OF MOTION - OCEAN TIDAL POOL IN PORT MACQUARIE**

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

### RECOMMENDATION

**That Council request the General Manager advise whether the Department of Industry Crown Lands has advised Council as to the Crown's position regarding the construction of new ocean tidal pools and the information required for consideration of landowner's consent, as per Council's resolution from May 2018.**

**Comments by Councillor** (if provided)

Additional information:

- Recent media reported that Council was the named recipient of a Federal Government grant for \$4.77M for the construction of an ocean tidal pool in May 2019
- It was also reported that the naming of PMHC as the grant recipient was an "administrative error" with the grant now being re-assigned to the Port Macquarie Tidal Pool Committee Inc
- It was also reported that according to Patrick Conaghan, the Member for Cowper, a feasibility study funded by the NSW Government is already complete, with the next step to be preparation of a DA
- Motion from Ordinary Council Meeting 16 May 2018:

*RESOLVED: Turner/Cusato*

*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 2018 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.*

6. *Noting that as any development of an Ocean 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 the Crown's position regarding the construction of new ocean tidal pools and what information the Crown would require in order to be able to consider giving land owner's consent to such a proposal being lodged.*

**Attachments**

Nil

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**Item: 13.02**

**Subject: NOTICE OF MOTION - CLIMATE CHANGE SOLUTIONS**

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Mayor Pinson has given notice of her intention to move the following motion:

**RECOMMENDATION**

**That Council request the General Manager report to the April 2020 Ordinary Council Meeting advising of the total spend by Council on climate change or sustainability solutions.**

**Comments by Councillor** (if provided)

Nil.

**Attachments**

Nil



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**Item: 13.03**

**Subject: WATER RESTRICTIONS UPDATE AND WATER STORAGE LEVELS**

**Presented by: Infrastructure, Dan Bylsma**

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### **Alignment with Delivery Program**

4.1.1 Plan, investigate, design and construct water supply assets ensuring health, safety, environmental protection and security of supply for the future growth of the region.

### **RECOMMENDATION**

#### **That Council:**

- 1. Note the update on water supply and Total Combined Storage (TCS) since the implementation of Level 4 Severe Water Restrictions on 28 January 2020.**
- 2. Move from Level 4 to Level 3 Water Restrictions only once the TCS increases above 48%.**

#### **Executive Summary**

At the Extraordinary Council meeting on 22 January 2020, Council resolved to introduce Level 4 Severe Water Restrictions on 28 January for residents, and a delayed commencement until 25 February 2020 for commercial users.

*RESOLVED: Pinson/Hawkins*

*That Council:*

- 1. Implement Level 4 Severe Water Restrictions in response to continuing intense drought conditions, for residential use on 28 January 2020.*
- 2. Noting the potential significant impacts of Level 4 Severe Water Restrictions on commercial users, delay implementation of Level 4 Severe Water Restrictions on commercial users until 25 February 2020, allowing time for engagement to take place between Council and commercial users on water saving measures that will assist to minimise the economic impact of these water restrictions on businesses.*
- 3. Note that for definition purposes, a commercial user (as referred to in the second point above), is a registered business that relies on the use of water as part of their business activities to produce an income. For businesses who do not rely on water to produce an income, residential water restrictions apply.*
- 4. Request the General Manager provide a report to the 19 February 2020 Council meeting for the purpose of providing an update on the combined water storage levels and any other relevant information relating to the implementation of Level 4 water restrictions.*
- 5. Request the General Manager include in the proposed February 2020 Report on Water Security, specific details as to exactly what Council is required to do under current NSW Government Acts, Policies and Regulations, in order to enable Port Macquarie-Hastings Council to add recycled water to the existing drinking water storage supply.*

*CARRIED: 8/0**FOR: Alley, Dixon, Griffiths, Hawkins, Intemann, Levido, Pinson and Turner**AGAINST: Nil*

Since moving into Level 3 Water Restrictions on 25 November 2019 and further moving onto Level 4 Severe Water Restrictions on 28 January 2020 there has been a 16% reduction in total water demand for the summer period to date in comparison to the same time period last year when there were no water restrictions in place.

The recent rainfall and above average rainfall for the start of February 2020 has improved our immediate water security situation. Rainfall in the catchment has resulted in the opportunity for river extraction and commencement of water transfer to the storage dam for a 7-day period, where a total of 478 mega litres (ML) has been transferred into Cowarra Dam. Extraction ceased on 7 February 2020 due to poor river water quality relating to rain events. This extraction and dam transfer has increased our water storage in Cowarra Dam by around 3%, which is currently at 32.7 %. The level in Port Macquarie Dam is 74.3% resulting in a TCS increase from 37.9% to 41% over this 7-days of river extraction.

However, the Bureau of Meteorology is still forecasting uncertain rainfall for the remainder of summer and into autumn, prompting a conservative approach to relaxing Level 4 Water Restrictions prior to the upper Level 3 discretionary trigger of 48% TCS being exceeded.

## **Discussion**

### **Level 4 Water Restrictions**

At the Extraordinary Council meeting on 22 January 2020, Council resolved to introduce Level 4 Severe Water Restrictions on 28 January 2020 for residents, and a delayed commencement until 25 February 2020 for commercial users, as per the above.

At the time of this resolution, the TCS in our regions two storage dams had fallen to 39%, and in an effort to further reduce overall demand and extend the limited water storage levels, Council resolved to move to Level 4 Severe Water Restrictions before reaching the adopted 35% trigger level. The most notable changes relating to Level 4 Water Restrictions are that there is a total ban on all potable outdoor residential water use, and commercial operators are limited to critical use only.

Comparing water consumption for the summer period to date for 2019-2020 and the previous summer of 2018-2019 the total demand for the bulk of the water scheme has reduced by 16%. This indicated that water restrictions during the most recent period are having an impact in reducing overall consumption. It should be noted however that there are other factors for consideration when comparing demand across different years. The following list indicates some other demand factors:

1. Demand during period of low rainfall (eg: January 2019) typically result in increased water demands
2. Demand for water during fires (eg: November and December 2019) typically increase water demands

3. Drought conditions see increase in customers wanting access to the drinking water network (eg: tanker transport and filling of rainwater tanks for rural areas) which increase water demand
4. Occupancy rates for tourist accommodation (eg: Impact from recent fires both locally and across the East Coast resulted in reduced occupancy rates over Summer 2019-2020) reduce water demands

Figure 1 indicates a 16% reduction in total demand for the period 25 November - 4 February 2019-2020 compared with 2018-2019.

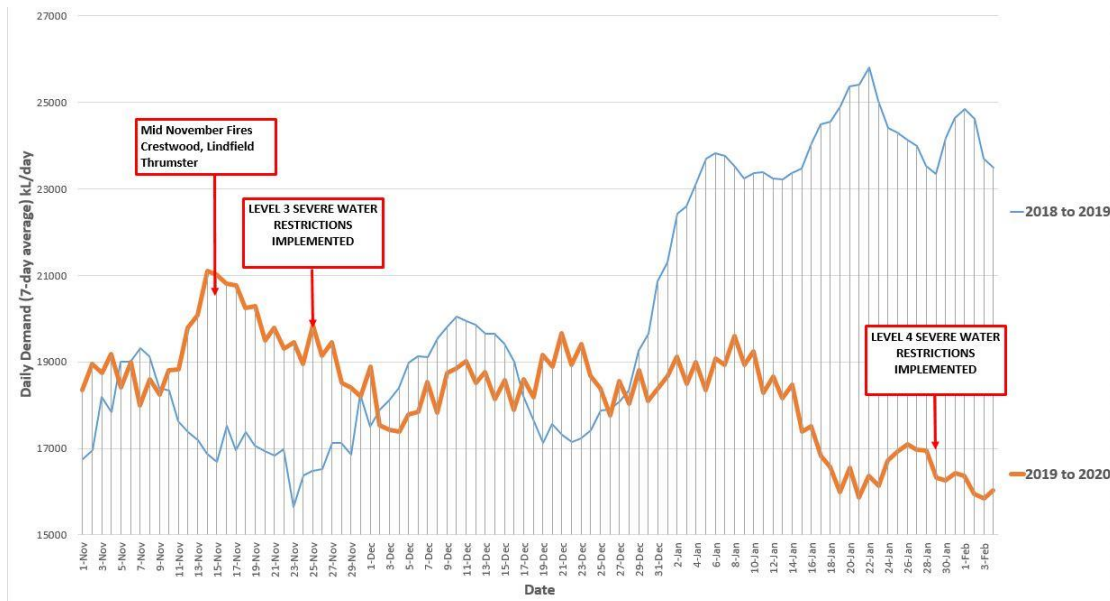


Figure 1 Daily Demand Comparison between 2018-2019 and 2019-2020

### Business Engagement

Under Level 4 Severe Water Restrictions, the outdoor use of water is limited to critical commercial activities and/or public health and safety reasons. Those businesses that rely on water as part of their business activities to produce an income or need to use water for health and safety reasons must apply to Council for an exemption from Level 4 Severe Water Restrictions. Since moving into Level 4 Severe Water Restrictions Council have received 102 applications from businesses requesting a Water Restrictions Exemption. Ninety-one exemptions have been conditionally approved, three declined, one withdrawn and seven currently in the review process.

Council have reviewed the top 50 water users and will be providing them with correspondence regarding what actions they need to take and how they can develop a water saving action plan. Council has also reviewed its own water usage across all areas focusing on minimising water use and encouraging water conservation.

A workshop with the pool industry was conducted on the 6 February 2020, with 18 business representatives from the pool building and servicing industry in attendance. The collaborative session discussed the Level 4 Severe Water Restrictions and the impacts of these restrictions relevant to the pool industry, with a focus on identifying solutions that both encourage water conservation and minimise business impacts. A number of outcomes resulted from this workshop including; a shared understanding

of water restrictions and how this impacts the pool industry, an alternative option to fill pools via an exemption where a pool blanket is in use, feedback for Council staff, and support from the group that Council explore options for recycled water to be allowable for pool filling or top up.

#### Water Supply Operations

Over January 2020, the Port Macquarie-Hastings Council (PMHC) Local Government Area (LGA) did receive some much needed rainfall. For January 2020, daily weather observations at Mount Seaview in the upper Hastings Catchment showed a combined total of 344 millimetres (mm) for the month. This rainfall followed a previous 106mm recorded in December 2019.

This has resulted in increased river flows in the Hastings River and on 31 January 2020 both environmental flows and water quality parameters were met that allowed river extraction to commence utilising Council's largest river pumping station. Extraction continued for a 7-day period where a total of 478 mega litres (ML) has been transferred into Cowarra Dam. Extraction ceased on 7 February 2020 due to poor river water quality relating to rain events. Council will resume river extraction should conditions allow, noting these conditions allowing maximum river extraction remain dependant on further above average rainfall, optimum environmental flows and water quality parameters being maintained.

The January 2020 Extraordinary Council report indicated that river flows enabling daily extraction to Cowarra Dam would be required for at least four months to replenish TCS levels above the 45% needed to relax Level 4 Severe Water Restrictions, based on an average pumping flow rate. The recent extraction opportunity however has allowed above average extraction and dam transfer operations. This high volume transfer has the ability to significantly increase storage levels at a rate of up to three times the average pumping.

#### Extension, relaxation or escalation of water restrictions

The recent rainfall and the predicted above average rainfall for the start of February 2020 (at the time of writing this report) has certainly improved our immediate water security situation.

However, the Bureau of Meteorology is still forecasting uncertain rainfall for the remainder of summer and into autumn.

*There is still an equal chance of above or below average rainfall for February to April. Recent rainfall has been beneficial for some drought and fire affected areas. However, several months of above average rainfall are needed to see a recovery from current long-term rainfall deficiencies.*

<http://www.bom.gov.au/climate/outlooks/#/rainfall/summary>

(Accessed 6 February 2020)

In consideration of current Level 4 Severe Water Restrictions, the positive influence of recent rainfall allowing river extraction needs to be balanced with the uncertainty of rainfall for the remainder of summer and into autumn. For this reason, it would be recommended to maintain the current Level 4 Severe Water Restrictions up until the point that the 45% TCS trigger for Level 3 restriction is met, and also exercise the



General Manager's discretion for an additional 3% which would result returning from Level 4 back to Level 3 Water Restrictions at above 48% TCS.

### Current Storage Levels

Cowarra Dam Storage 32.7%, Port Dam Storage 74.3%, TCS 41%

Figure 2 shows Historic Dams levels and total combined storage level  
**Historic Dam Levels (in %)**

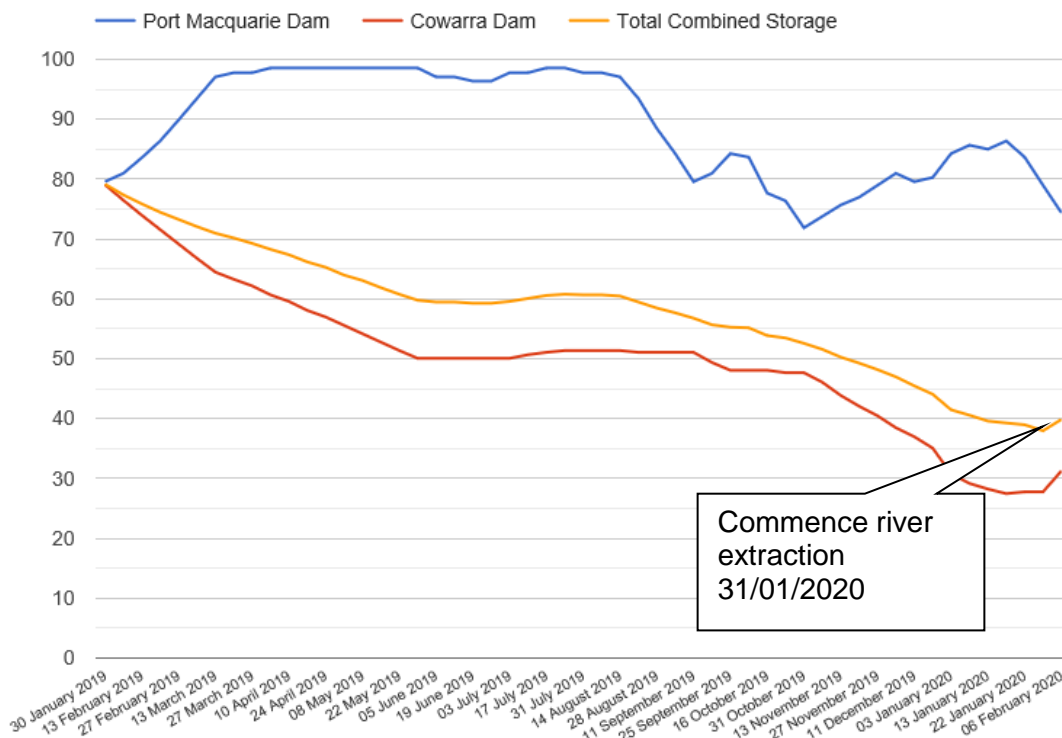


Figure 2 Historic Dam Levels and Total Combine Storage Level as at 6 February 2020

### **Options**

Council can resolve in line with the recommendation included in this report, or resolve in some other manner

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

Council's Engagement, Education and Communications (EEC) Teams are continuing to work with Water Supply staff to undertake engagement activities with both residential and commercial users.

The key objectives of the EEC Plan has been to:

- Communicate that Level 4 Severe Water Restrictions are in place.



- Educate and inform the community of Level 4 Severe Water Restriction requirements.
- Educate and inform the community about responsible water use and everyone's responsibility in conserving our precious water resource i.e. encouraging behaviour change.

This communications activity has included outdoor/community pop-ups, face-to-face meetings and/or direct mail with industry and community groups; school workshops and education resources.

An online portal (Water Hub) including a range of resources and tools e.g. Frequently Asked Questions (FAQs), water updates, videos, water saving tips and Water Savings Action Plan is also available to support residents and commercial customers.

Extensive internal consultation has taken place throughout the Water Restrictions period with the following people:

General Manager  
Director Development and Environment  
Director Corporate Performance  
Director Strategy and Growth  
Director Infrastructure  
Group Manager Infrastructure Planning  
Group Manager Infrastructure Operations  
Group Manager Customer Experience and Communications  
Group Manager Economic and Cultural Development  
Group Manager Community Engagement

### **Planning & Policy Implications**

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

### **Financial & Economic Implications**

Council staff have been proactively working with local businesses to implement measures that will reduce their water consumption. Key efforts include a rolling triage, audit and engagement with the region's largest commercial water users, alongside implementation of Water Savings Action Plans for key industries. Exemptions have been granted for necessary outdoor use of water for core business - noting many local industries are also recovering from the indirect impact of the recent serious bushfires.

Any reduction in water usage will result in a reduction of water revenue from water consumption charges Tier 1 and Tier 2. Further details on the usage charges are contained within the Water Supply Policy 2015 (further amended 4 December 2018) and in the Schedule of Fees and Charges 2019-2020

### **Attachments**

Nil

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Item: 13.04

Subject: WATER SUPPLY SECURITY UPDATE

Presented by: Infrastructure, Dan Bylsma

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#### Alignment with Delivery Program

4.1.1 Plan, investigate, design and construct water supply assets ensuring health, safety, environmental protection and security of supply for the future growth of the region.

#### RECOMMENDATION

That Council:

1. Note the information included in the Water Supply Security Update report.
2. Pursuant to Section 55(3)(a) of the *Local Government Act 1993*, note the direct engagement of a Consultant, through Local Government Procurement Professional Services panel LGP1208-3, to undertake the feasibility and investigation works for a seawater reverse osmosis desalination plant.
3. Pursuant to Section 55(3)(a) of the *Local Government Act 1993*, resolve to not invite open tender and endorse the procurement strategy to seek quotes from consultants under Local Government Procurement Professional Services panel LGP1208-3 for the Design and Technical support for the seawater reverse osmosis desalination plant project.
4. Pursuant to Section 55(3)(i) of the *Local Government Act 1993*, endorse the direct engagement of the required suppliers, fabricators and installers due to the water supply security risks outlined in this report resulting in extenuating circumstances for the upgrade of the Wauchope Water Treatment Plant, with DuPont (Australia) Pty Ltd and Membrane Systems Australia Pty Ltd being the two main suppliers.
5. Note that a further report will be tabled (for information only) detailing the outcomes of the procurement strategy for each of the projects.
6. Request the General Manager write to the NSW Minister for Water, Hon. Melinda Pavey MP and Minister for Health, Hon. Brad Hazzard MP, asking for information on the NSW Government's policy direction relating to supplementing drinking water supplies with recycled water.
7. Request the General Manager write to the NSW Water Directorate requesting the latest research and information on supplementing drinking water supplies with recycled water.
8. Request the General Manager report back to a future Council meeting outlining the outcomes of the detailed design and approvals process and for a decision on whether to proceed to construction of a seawater reverse osmosis desalination plant.

**Executive Summary**

At the 20 November 2019 Ordinary Council meeting Council resolved to implement Level 3 Very High Water Restrictions:

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*RESOLVED: Intemann/Dixon*

*That Council:*

- 1. Note that the Port Macquarie-Hastings Council LGA is currently recognised as being in "Intense Drought" by the NSW Department of Primary Industry.*
- 2. Note the recent increase in water usage associated with the recent fire activity across the LGA which is likely to continue over the summer period.*
- 3. In response to being in "Intense Drought" and with the likely ongoing fire activity, implement a temporary variation to the current adopted water restriction trigger levels by early implementation of Level 3 water restrictions on 25 November 2019 as follows:*

*For Residential Use*

*What days can I water? If your house is an even number you can water on even dates (2nd, 4th, 6th etc.) and if your house is an odd number, you can water on odd dates (1st, 3rd, 5th etc). There is to be no residential outside water use on the 31st of the month.*

- ☐ *Handheld hoses, fitted with a water cut-off trigger or control nozzle can be used for up to 10 minutes before 9am OR after 4pm.*
- ☐ *Watering cans, buckets and tank water can be used at any time.*
- ☐ *Car or boat washing: on a lawn area by bucket only at any time.*
- ☐ *Boat motor flushing: on a lawn area for 5 minutes only at any time.*
- ☐ *Topping up of pools and spas handheld hoses only before 9am OR after 4pm.*
- ☐ *Cleaning windows, walls, roofs and gutters: BANNED.*
- ☐ *Cleaning driveways, paths and hardstand areas: for health and safety reasons only.*
- ☐ *No exemptions for establishing new turf are available from Council.*

*For Public Areas*

- ☐ *Sporting fields: only recycled water can be used.*
- ☐ *Community gardens: only recycled or tank water can be used.*
- ☐ *Fountains and garden ponds: handheld hose can be used for up to 10 minutes before 9am OR after 4pm.*

*For Commercial and Industrial Use*

- ☐ *Plant nurseries, bowling greens and market gardens: sprinkler systems can be used for a maximum of 1 hour before 9am.*
- ☐ *There are no restrictions on water required for commercial/industrial production.*
- ☐ *All other businesses can use a handheld hose with cut-off trigger or control nozzle for up to 10 minutes before 9am OR after 4pm.*

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☐ *Dust suppression is permitted with recycled water only.*

4. *Request the General Manager to report back to the February 2020 Ordinary Council Meeting with an updated water security situation, including whether there is any improvement in water storage levels, and further recommendations relating to any proposed extension, relaxation or escalation of water restrictions.*

CARRIED: 8/0

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

AGAINST: Nil

Due to the total combined storage levels in the two off-creek storage dams falling below 40% and the uncertain rain forecast for summer at the beginning of 2020, Council held an Extraordinary Council meeting on 22 January 2020 and subsequently resolved to implement Level 4 Severe Water Restrictions:

RESOLVED: Pinson/Hawkins

That Council:

1. *Implement Level 4 Severe Water Restrictions in response to continuing intense drought conditions, for residential use on 28 January 2020.*
2. *Noting the potential significant impacts of Level 4 Severe Water Restrictions on commercial users, delay implementation of Level 4 Severe Water Restrictions on commercial users until 25 February 2020, allowing time for engagement to take place between Council and commercial users on water saving measures that will assist to minimise the economic impact of these water restrictions on businesses.*
3. *Note that for definition purposes, a commercial user (as referred to in the second point above), is a registered business that relies on the use of water as part of their business activities to produce an income. For businesses who do not rely on water to produce an income, residential water restrictions apply.*
4. *Request the General Manager provide a report to the 19 February 2020 Council meeting for the purpose of providing an update on the combined water storage levels and any other relevant information relating to the implementation of Level 4 water restrictions.*
5. *Request the General Manager include in the proposed February 2020 Report on Water Security, specific details as to exactly what Council is required to do under current NSW Government Acts, Policies and Regulations, in order to enable Port Macquarie-Hastings Council to add recycled water to the existing drinking water storage supply.*

CARRIED: 8/0

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

AGAINST: Nil

This update report is in response to point 4 of the 20 November 2019 Council resolution and point 5 from the 22 January 2020 Council Resolution, detailed above. A separate report is being considered at the 19 February 2020 Ordinary Council meeting covering an update on the implementation of Water Restrictions including whether there is any improvement in water storage levels, and further recommendations relating to any proposed extension, relaxation or escalation of water restrictions.



In response to the uncertain water security situation at the end of 2019, the Executive Group approved a Water Supply Security Project that commenced in December 2019 to commence the planning and investigations to ensure Council can continue to deliver water to the community through the unprecedented intense drought period.

The recent heavy rainfall for the start of February has certainly improved our water security situation. However, the Bureau of Meteorology is still forecasting uncertain rainfall for the remainder of summer and into autumn:

*There is still an equal chance of above or below average rainfall for February to April... Recent rainfall has been beneficial for some drought and fire affected areas. However, several months of above average rainfall are needed to see a recovery from current long-term rainfall deficiencies.*

(<http://www.bom.gov.au/climate/outlooks/#/rainfall/summary>, accessed 06 February 2020)

For this reason the planning and implementation of immediate and short-term water security projects is still underway and will be on going regardless of any rainfall in the coming months.

### Discussion

Typically, the Hastings River catchment receives a large proportion of its annual rainfall in the January to April period. There is uncertainty as to whether this will occur in 2020 with current predictions from the Bureau of Meteorology (BoM) indicating that there is equal chance of above or below average rainfall during this period. While the rainfall prediction from the BoM for the start of February is very favourable (at the time of writing this report):

*Rainfall for the week 3-9 February is likely to be above average for parts of eastern NSW, including some of the areas currently affected by bushfire and drought.*

Several months of above average rainfall is needed to recover from current long-term rainfall deficiencies. There are also issues with high intensity rainfall over short periods, as it affects the water quality within the river (high amount of sediment is washed into the river, which increases the turbidity and nutrients levels) and the fact river levels can drop quickly without follow-up rain. These factors reduce the timeframe for water extraction from the river to the storage dams.

With approximately 7 months of storage remaining, even with some rainfall that leads to river extraction early this year, the area may be in a testing position as we approach summer 2020, which has the highest demand on the water supply scheme due to warmer weather and increased population.

Based on these conditions, Council faces the following risks in relation to its current operating bulk water supply network and subsequent water security:

- That insufficient rainfall events through the first half of 2020 (typically highest rainfall period) occurs resulting in the inability to replenish already low storage levels causing an exhaustion of water storages by the end of 2020 / early 2021 with higher summer demands.



- If the above risk eventuates, as dam levels reduce, poor water quantity (algae and turbidity) issues arise resulting in compromised drinking water quality causing the remaining water to be unusable by the end of 2020;
- The predicted high rainfall only occurs in short bursts causing the Hastings River to have poor quality water that is unable to be extracted prior to the river levels dropping, resulting in the inability to replenish already low storage levels causing an exhaustion of water storages by the end of 2020 / early 2021 with higher summer demands.

While the area has experienced good rainfall over recent weeks, limited river extraction has taken place due to the high turbidity and high nutrient levels within the river water. These factors enabled river extraction to commence on 31 January 2020 however only lasted for a 7-day period due to further heavy rainfall in the catchment resulting in elevated turbidity and nutrient levels.

Turbidity can be described as a loss of transparency due to the presence of suspended particles. This has been exacerbated by the recent bushfires within the Hastings River catchment with little vegetation growth to reduce surface water runoff and ease erosion.

Similar to the river water, as the water level within Cowarra Dam reduces, it exposes unvegetated banks which increase turbidity of the dam following localised rain events. Turbidity within the dam also increases with shallower banks due to wind impacts.

High nutrient loads (nitrogen and phosphorous) within river water can be caused by numerous factors however the recent bushfires appear to have significantly increased the nutrient levels from increased ash. High phosphorous levels cause an exponential increase in the risk of potentially toxic algae (eg blue green algae) growth within the storage dams and are therefore required to be at a minimum before river extraction can occur.

If nutrients are combined with other factors such as high temperatures and sunlight, algae can increase to excessive levels and form visible 'blooms' which can lead to poor water quality and the potential for toxicity. This combination of factors increases as the dam levels reduce and the lower levels of the dam are increasingly exposed to sunlight causing the water temperature to rise. Increasing the nutrient load within the dam (if river extraction limits were exceeded) would significantly increase this risk

As reported to 11 December 2019 Ordinary Council Meeting, Council is reviewing and updating the Integrated Water Cycle Management (IWCM) Strategy as part of Council's long term strategic planning responsibility. The IWCM Strategy outlines the long-term water security plans and provides an options report for any new water and sewerage infrastructure and water recycling projects over a 30-year horizon considering population increases and changes to the climate. In completing the IWCM, consultation is undertaken with the NSW Government and the broader community and therefore streamlines any subsequent approvals.

In line with abovementioned strategic planning, planning has commenced on a bulk water treatment plant at the Cowarra Dam and this is currently scheduled in the 10-year capital works program. This bulk water treatment plant will allow water extraction from the river to commence earlier during periods of high flow, thus

increasing the overall amount of water supplied to the system to meet demand for an increased population and changing climate. A water treatment plant has not been needed as part of the bulk water scheme to this point, with sufficient average rainfall and limited bushfire activity in river catchments each year allowing for high quality water extraction from the river to meet the demand.

Due to the short-term risks and current situation regarding water storage levels and predicted rainfall outlined above, the following immediate and short-term solutions are being implemented to ensure a secure water supply.

**Project 1: In-dam water treatment - immediate solution**

Council is implementing a system to dose the raw river water with a flocculation product as it enters the dam, in order to bind the nutrient and sediment into large particles, causing them to settle to the bottom of the dam and prevent algae growth. This in-dam treatment process will enable the relaxation of the water quality extraction limits to allow river water extraction to commence earlier following high rainfall, prior to the current water quality limits being met. This will allow more water to be extracted when the river is flowing while minimising the risk of algal growth (associated with introducing nutrients) and dirty water getting into the reticulation system.

Flocculation is the process of binding non-settling particles (in the current situation phosphorous and suspended sediments) together into larger, heavier masses of solids called floc, which then can settle out of the water column.

There are a number of commercial products currently being investigated, with a proposed methodology to be finalised by 14 February 2020 with the system expected to be operational the week commencing 17 February 2020. This is a low-cost (\$150,000 to \$200,000) immediate solution to minimise our short and long-term water quality risks to Cowarra Dam without a suitable large scale treatment plant.

This system will be used to bulk in raw water to Cowarra Dam during the next 3 months when the catchment typically receives its highest rainfall to taking advantage of water in the river to increase storage levels. This system will still have extraction water quality limits on it to ensure any particle build-up on the bottom of the dam is limited.

Once current extraction water quality limits are reached, this flocculent dosing process will cease and untreated clean river water will continue to be extracted into the dam.

**Project 2: Upgrade of the Wauchope Water Treatment Plant - short-term solution**

The Wauchope Water Treatment Plant (WWTP) located at Rosewood west of Wauchope was constructed in 2005 - 2006. The plant was designed and constructed with an ultimate capacity of 21 Mega Litres per day (ML/day). Only the first stage of treatment equipment, with a capacity of 6 ML/day, was installed in 2006. Further upgrades were undertaken 2015 increasing the capacity to 7 ML/day. The intent being this plant would be progressively upgrade over a 20 to 30 year horizon as Wauchope and the surrounds expanded. The next stage of upgrades, taking the capacity to 14ML/day, are currently planned for the next 5 years.

In order to mitigate the risk of not being able to treat poor water quality with high turbidity and nutrient levels for the current demand, implementation of the complete upgrade of the WWTP to the full 21ML/day capacity with additional treatment processes to treat algae toxins, should they occur, has commenced. As a large amount of the site infrastructure, including in-ground pipework is already in place to handle the full capacity, this upgrade can be fast tracked to be completed in 4 to 6 months. Based on current planning it is estimated that this upgrade will cost in the order of \$5 Million, which is likely to be funded through a combination of water fund reserves and possible Government funding.

Once this plant is operational, the above in-dam treatment process will no longer be used to eliminate any risks with the long term build-up of sediment on the floor of the dam.

Following legal advice, the current water supply security situation with low storage levels and risks of not having the plant upgraded as quickly as possible have been determined to be extenuating circumstances under Section 55(3)(i) of the *Local Government Act 1993*. Therefore, the procurement strategy for this project is to directly engage the required suppliers and contractors to upgrade the plant, many of which were involved in the original fabrication and installation, without calling tenders.

This plant will then operate as the main bulk water treatment plant until the larger bulk water treatment plant (40 - 65 ML/day) at Cowarra Dam is operational. The investigation and planning project for this larger plant is in the 2019-2020 Operational Plan with design and approvals being completed over the following 3 years with commissioning in 2027-2028. Once the larger plant is operational, the increased capacity WWTP will provide backup treatment capacity should it be needed for scheduled and unscheduled outages on the larger plant.

The intent of the large bulk water treatment plant is to allow more water to be extracted from the river during periods of high flow, which increases the overall yield and thus security of the supply system in the long term. It has additional benefits of having a completely filtered water supply which improves water quality for the community and reduces maintenance costs by removing the chance of any sediment build up in the pipes.

### **Project 3: Seawater desalination plant - medium-term solution**

As outlined above the bulk water supply for the Port Macquarie-Hastings area is completely reliant on flows in the Hastings River with two off-creek storage dams in reserve, which provide approximately 625 to 730 days of storage when at full capacity.

In order to have an alternative source of water should the predicted rainfall be insufficient to adequately replenish the storage levels before going into another potentially dry summer period, Council has commenced planning for a seawater reverse osmosis, or desalination plant.

In order to meet the required demand under Level 4 Severe Water Restrictions the plant's capacity would have to be at least 15 ML/day. Based on the Environmental Impact Statement currently on public exhibition for the proposed Belmont (south of Newcastle) 15ML/day temporary desalination plant, the capital costs required are in the order of \$90 Million, with detailed design and investigation costs in the order of \$3

Million. While not currently known for the proposed plant, desalination plants in general are known to have high operating costs. For this reason consideration is being given to having temporary key components that can be scaled back (hire type arrangements) when not needed.

Council has directly engaged a specialist consultancy firm, H2O, to commence the feasibility and investigation work for the desalination plant. Council is also working closely with the Department of Planning, Industry and Environment (DPIE) and the Environmental Protection Authority (EPA) on the required environmental approvals process and options to fast track this while minimising the environmental impacts. The intent is to have the required approvals and design work completed in 2020, regardless of the amount of rainfall or storage levels, so construction works can be fast tracked in 2021 should the plant be required. Prior to construction commencing a detailed analysis will be undertaken on the storage levels and weather forecast to determine if construction should commence noting the potential significant capital investment required.

Council is also investigating ground water sources. Based on previous studies there is a potential for a small (approximately 1ML/day) bore to be established in the Camden Haven, which would further reduce the overall demand on the bulk supply system.

The initial investigation work for the desalination plant and groundwater sources is estimated to cost in the order of \$500,000.

#### Recycled water to supplement the drinking water supply

As resolved at the 22 January 2020 Extraordinary Council Meeting the following information provides details as to exactly what Council is required to do under current NSW Government Acts, Policies and Regulations, in order to enable Port Macquarie-Hastings Council to add recycled water to the existing drinking water storage supply.

Under Section 60 of the *Local Government Act 1993*, local water utilities, such as Council, are required to obtain Ministerial approval for water supply and sewerage works including water recycling schemes.

The approvals, facilitated by DPIE as the regulator of such schemes, provide an independent assessment of the proposed works to ensure they are fit for purpose and provide robust, safe, cost-effective and soundly based solutions that protect public health and meet environmental requirements.

To apply for a Section 60 approval for a water-recycling scheme, utilities must:

- undertake initial consultation with DPIE – Water Group
- undertake a comprehensive risk assessment (including holding a risk assessment workshop)
- develop and submit a recycled water management plan.

The set up and use of a recycled water scheme is guided by the NSW Guidelines for Recycled Water Management Systems (NSW Office of Water, May 2015).



While not the approval body, the NSW Department of Health play a significant role in the process providing advice and guidance to DPIE regarding risk to public health with the supply of drinking water.

Based on the current information available it appears that there is no explicit documented NSW Government policy, framework or guidance on the use of recycled water to supplement drinking water supplies. However, the Government information that is available outlines that the risk to public health shall be prevented and therefore the risk of cross contamination of recycled water into a drinking water network or direct ingestion of recycled water must be significantly mitigated. For this reason it is likely that, should Council seek approval for such a scheme it would not be approved. There would likely need to be a change in NSW Government Policy and guidelines adopted for Council to get approval to supplement our drinking supply with recycled water.

Of note is the fact the Australian Government adopted the Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) — Augmentation of Drinking Water Supplies in 2008. These guidelines outline several principles for the augmentation of drinking water with recycled water, being:

- Protection of public health
  - Protection of public health is of paramount importance and should never be compromised;
- Community acceptance and support
  - Drinking water augmentation requires community acceptance and support;
- Institutional capability
  - Institutional capacity is required;
- Multiple barriers
  - Recycled water systems need to include and continuously maintain robust and reliable multiple barriers;
- Skills and training
  - Designers, operators and managers of schemes must have appropriate skills and training;
  - System operators must be able to respond quickly and effectively to adverse monitoring signals;
  - System operators must maintain a personal sense of responsibility and be dedicated to providing consumers with safe water;
- Management of industrial waste
  - Industrial waste management programs need to be established and maintained;
- Regulatory surveillance
  - All schemes must be subject to regulatory surveillance;



- Additional principles identified in the Australian Drinking Water Guidelines (NHMRC–NRMMC 2004) are given below because they apply equally to augmentation of drinking water supplies
  - The greatest risks to consumers of drinking water are pathogenic microorganisms; protection of water sources and treatment are of paramount importance and must never be compromised.
  - Any sudden or extreme change in water quality, flow or environmental conditions (eg extreme rainfall or flooding) needs to arouse suspicion that drinking water might become contaminated.

The Australian guidelines clearly outline that the use of such schemes are the jurisdiction of the relevant State Government Authorities, however have been adopted to provide a nationally recognised approach to such schemes.

It should be noted that the relevant NSW Government websites providing information on the use of recycled water don't reference the Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) — Augmentation of Drinking Water Supplies, with it only listed once in the NSW Guidelines for Recycled Water Management Systems. However the Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1), adopted in 2006, is extensively referenced. This Phase 1 guideline doesn't cover the use of recycled water for supplementing drinking supplies.

### **Options**

The recommendations of this report are made in consideration of our community's water supply security and steps to mitigate known risks based on the current storage levels.

Council can resolve in line with the recommendation included in this report or resolve in some other manner.

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

No community engagement has occurred to date for the projects listed above.

Extensive internal consultation taken place over the last 5 weeks with the following:

General Manager  
Director Infrastructure  
Director Development and Environment  
Director Strategy and Growth  
Director Corporate Performance  
Group Manager Infrastructure Planning  
Group Manager Infrastructure Operations  
Group Manager Project Delivery

Council has consulted and is continuing to consult with the Department of Planning, Industry and Environment and Environment Protection Authority.

### **Planning & Policy Implications**

Lessons learnt and outcomes achieved through the current planning for emergency drought management will be documented in the Integrated Water Cycle Management Plan, drought management section, which is planned to be completed in mid-2021. This information will also be included in the next revision of Council's Water Supply Policy, which will be reviewed in mid-2020.

### Financial & Economic Implications

The initial costs for the planning, investigation and short-term works is in the order of \$5,700,000, with a further \$3,000,000 for the detailed design and approvals for the desalination plant. These amounts can be funded via a combination of existing water supply budgets and via transfer from the water fund reserves.

Council is currently in discussion with DPIE regarding the State Government funding some or all of the \$5,700,000. The Department still requires more information regarding the desalination plant project before considering funding support.

A breakdown of different project costs is:

- **Project 1:** In-dam treatment - \$200,000
- **Project 2:** Upgrade of the Wauchope Water Treatment Plant - \$5,000,000
- **Project 3 - Stage 1:** Initial investigation and planning for desalination plant - \$500,000
- **Project 3 - Stage 2:** Detailed design and environmental approvals for desalination plant - \$3,000,000

There is the potential that the construction costs of a 15ML/day desalination plant will be in the order of \$90,000,000, based on the limited publicly available information for the Belmont desalination plant. The costs for the proposed project will need to be confirmed via detailed investigations and designs.

Further analysis is required regarding the long term financial and economic implications this level of investment would have on Council's water fund reserves, required water usage rates and other future large water infrastructure projects, such as the Cowarra Dam bulk water treatment plant.

Prior to commencing any construction planning following the design phase, a detailed report will be presented to a future Council Meeting for a decision on whether to proceed with the construction noting the potential significant capital cost and high on-going operational costs of such a plant. It should be noted that up to \$3,500,000 might be invested in planning, design and approvals without going to construction.

### Attachments

Nil

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**Item: 13.05****Subject: BEACH TO BEACH PROGRESS UPDATE****Presented by: Infrastructure, Dan Bylsma**

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**Alignment with Delivery Program**

4.4.1 Plan, investigate, design and construct transport assets which address pedestrians, cyclist and vehicular needs to cater for the future growth of the region.

**RECOMMENDATION**

**That the Council note the information contained in the Beach to Beach Progress Update report.**

**Executive Summary**

At the Ordinary Council meeting of 16 October 2019 it was resolved that the General Manager report to the 19 February 2020 Ordinary Council Meeting on the progress of the Environmental Impact Statement (EIS) and Detailed Design of the Beach to Beach project.

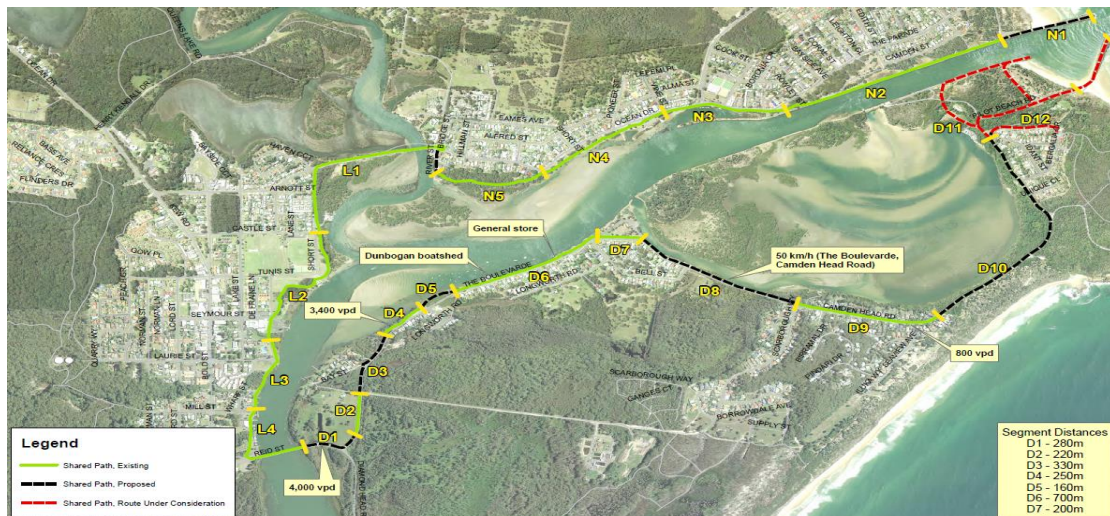
**Discussion**

The Beach to Beach Shared Path is a community based project that aims to deliver 11km of un-interrupted footpath/cycleway between North Haven Beach and Pilot Beach in Dunbogan.

The path follows the banks of the local river system, creating a scenic route that begins in North Haven, loops through Laurieton and ends on Pilot Beach adjacent to the starting point (Refer to Overall Plan map below).

The stages shown in green are sections of pathway that have already been constructed. The stages shown in black are missing links that require further design and environmental assessment.





This is a community-oriented project, aimed at creating a positive environment within the local community. Port Macquarie-Hastings Council has previously received funding for this project from the Roads and Maritime Service (RMS), of which approximately \$118,000 of grant funding remains.

The project was separated into 19 distinct stages to allow for a staggered construction approach, with engineering design works beginning prior to the 2013/14 Financial Year.

Currently, 13 stages (N2, N3, N4, N5, L1, L2, L3, L4, D2, D4, D6, D7 and D9 - see above map) are complete, with stage D1 currently under construction as part of the Dunbogan Flood Access road upgrade. This accounts for approximately 5.68km of the total 11km path, and an additional 280m underway as part of stage D1.

The remaining 8 stages of the project (N1, N6 (un-named in Figure 1), D3, D5, D8, D10, D11 and D12) have proven to be challenging and require further alignment studies to review both environmental and construction related constraints prior to progressing with construction.

Council resolved at the 16 October 2019 Ordinary Council meeting to:

1. Note the importance of the following projects and prioritise them for planning and design:
  - d) Carry out further works with respect to the “Beach 2 Beach” project from North Haven to Dunbogan, with reference to the proposed Strategic Alignment Study and in consultation with the Beach 2 Beach local committee

At the 11 December 2019 Ordinary Council meeting the following was resolved:

*Item 15.05 T-19-60 Beach to Beach Detailed Design & EIS*

*Pursuant to Section 55(3)(a) of the Local Government Act 1993, resolve to not invite open tender and endorse the procurement strategy to seek quotes from consultants under Local Government Procurement Professional Services panel LGP1208-3 for the Beach to Beach Pathway Project Design and EIS.*

Subsequent to these resolutions, a Request for Quotation (RFQ) for the Detailed Design and EIS was requested through Local Government Procurement on 30 January 2020. The closing date for the RFQ is 27 February 2020, allowing for a

four-week quotation period with a mandatory briefing programmed for 7 February 2020. It is anticipated that the evaluation process and preparation of contract award documentation will take approximately four weeks from the RFQ closure date.

A copy of the RFQ document has been requested for information purposes by the Beach to Beach Committee. A confidentiality agreement form has been supplied to the Committee and a copy of the RFQ will be supplied once this is signed and returned by the interested members of the Committee.

A submission has been received from Mr Phil Bowman representing the Camden Haven Cruising Yacht Club requesting consideration of the needs of the Dunbogan Dinghy Dock area associated with any new path. Information provided by Mr Bowman has been incorporated into the tender package and the feasibility of this group's proposed alignment will be considered as part of the design process.

The detailed design and environmental approvals process is anticipated to take 12 months from contract award. The duration of the contract will be determined as part of the RFQ and forms part of the evaluation criteria.

**Options**

Report provided for noting.

**Community Engagement & Internal Consultation**

Copy of the RFQ documents are to be provided to the Beach to Beach Committee on receipt of signed confidentiality agreement. Further community engagement will be undertaken as part of the EIS/Detailed Design process.

**Planning & Policy Implications**

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

**Financial & Economic Implications**

There are no direct financial and economic implications in relation to this report beyond those already identified.

**Attachments**

Nil



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**Item: 13.06**

**Subject: THRUMSTER TOWN CENTRE WATERMAIN WORKS**

**Presented by: Strategy and Growth, Jeffery Sharp**

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### **Alignment with Delivery Program**

4.5.2 Plan for infrastructure that supports population growth.

### **RECOMMENDATION**

#### **That Council:**

- 1. Approve the request by Lewis Developments Pty Ltd to offset the cost of upsizing the watermain works, as described in the report, to a maximum of \$92,941, subject to the developer entering into a Works in Kind Agreement.**
- 2. Delegate authority to the General Manager to execute the agreement in item 1 above.**

### **Executive Summary**

Council has received a request from Hopkins Consultants on behalf of Lewis Developments Pty Ltd (the developer) to offset the cost of watermain works undertaken at the Thrumster town centre at Chancellors Drive.

The developer was required to relocate an existing 300mm watermain that was located within the property to the public road reserve and to provide a larger 450mm main to conform with Council's water supply strategy for the area.

The costs have been verified by Council's Water Supply Planning team and it is recommended that the amount of \$92,941 be offset against the developer's obligation to pay water supply developer charges under the development consent for the commercial premises.

### **Discussion**

Development consent was granted on 30 July 2018 for commercial premises at the new Thrumster town centre site off Chancellors Drive. The consent required the developer to relocate an existing 300mm watermain, located along the John Oxley Drive frontage of the land, to the road reserve. In addition, the replacement watermain was required to be 'upsized' to a larger 450mm main to conform with Council's water supply strategy for the area.

Condition A(19) of the development consent (DA2017-1005) states as follows:

*A(19) John Oxley Drive frontage has a 300mm ductile iron potable water main located in an easement within the property. Arrangements are to be made to relocate this main on to the public road and be replaced with a 450mm main.*

*The pipe upsizing may be subject to contributions offsetting however the relocation costs will not. Details to be clearly illustrated on the plans accompanying the infrastructure construction certificate.*

The developer has requested that the upsizing of the 300mm water main to a 450mm main be considered as works in kind (WIK).

The total cost of the works was \$239,831 (ex GST) including the removal of and disposal of the old pipe. The difference in cost between the 300mm watermain and the 450mm watermain is \$92,941 (ex GST). The costs have been verified by Council's Water Supply Planning team.

The works are identified in Council's Water Supply Development Servicing Plan (DSP). It is noted that the total works value is greater than \$250,000 (incl GST). In this case the developer was required to undertake the works under the development consent to facilitate the development. As such, Council was not in a position to determine to call tenders for the purposes of Section 55 of the Local Government Act 1993.

The developer has paid development contributions in connection with DA2017-1005 including water supply developer charges under the DSP and in accordance with condition B(6) of the development consent.

It is recommended that Council repay the developer the cost of the upsizing of the watermain to a maximum amount of \$92,941 (ex GST). A Works in Kind agreement will need to be executed to formalise the developer's request and the offset of the water supply developer charges in this case.

### **Options**

Council could resolve to approve the request to repay part water supply developer charges in connection with DA2017-1005.

If the application is rejected, no offset of development contributions would apply.

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

The Group Manager Infrastructure Planning has been consulted and supports entering into a WIK agreement in this case.

### **Planning & Policy Implications**

The proposal generally conforms with Council's Works in Kind Policy. It is noted that the works have been constructed, however, the developer's consultant did make a preliminary request to have the matter considered as works in kind prior to finalisation of work.

It is noted that Condition A(19) of the development consent that the developer had a reasonable expectation that a request to offset contributions would be considered by Council.

**Financial & Economic Implications**

The repayment of water supply developer charges under the DSP does not impact on Council's financial position, however, it should be noted that these contributions to the value of \$92,941 will not be collected against the current water supply DSP in lieu of works undertaken by the developer.

The design, assessment and construction of the works is subject to Council's normal procedures for construction and acceptance of public infrastructure.

**Attachments**

Nil

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**Subject: CONFIDENTIAL COMMITTEE OF THE WHOLE**

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**RECOMMENDATION**

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

**Item 15.01 Sale of Innes Gardens Memorial Park Crematorium and Lawn Cemetery**

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

**Item 15.02 T-19-61 Construction of Port Macquarie Sewer Rising Main 71**

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

**Item 15.03 T-19-53 Design of Rainbow Beach Sporting Fields**

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

**Item 15.04 T-19-55 Construction of Schools to Schools Shared Pathways**

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

**Item 15.05 RFQ-19-22 Kenny Walk Construction Upgrade & RFQ-19-24 Kenny Walk Civil Works Upgrade**

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

**Item 15.06 T-19-56 Broadwater Canal Lighthouse and Gangway Repairs**

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

**Item 15.07 T-19-64 Coastal Walk Boardwalks**

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

**Item 15.08 Stakeholder Negotiations - Site Selection for Water Supply Security Project**

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.

2. That pursuant to Section 10A subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Confidential Committee of the Whole on the basis that the items to be considered are of a confidential nature.
3. That the recommendations made in Confidential Committee of the Whole be made public as soon as practicable.



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

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**RECOMMENDATION**

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

- Item 15.01 Sale of Innes Gardens Memorial Park Crematorium and Lawn Cemetery**

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**RECOMMENDATION**

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**RECOMMENDATION**