

Local Traffic Committee

Business Paper

date of meeting: Thursday 7 May 2020

location: Electronic

time: n/a

Local Traffic Committee

CHARTER

The Local Traffic Committee is formed under the NSW Roads & Traffic Authority – "A Guide to the Delegation to Councils for the Regulation of Traffic (including the operation of Traffic Committees) – November 2006"

Formal (Voting) Members

Port Macquarie-Hastings Council
Roads & Traffic Authority
NSW Police
Member for Port Macquarie
Member for Oxley

Informal (Non-Voting) Advisors

Road Safety Officer
Ministry of Transport
NSW Fire Brigade
NSW Ambulance Service
Local Bus Company/s
Transport Workers Union
Chambers of Commerce

Informal advisors are only required to attend the LTC when items appear on the agenda which affect their area of expertise or responsibility

Quorum

There is no need for a specific quorum to allow a Committee meeting to proceed. The advice of the Roads & Traffic Authority and the NSW Police must be sought to allow Council to exercise its delegated authority.

Convenor

The Committee shall be convened by the Council voting representative. It shall be the responsibility of the convenor to ensure the conduct of the meeting including voting, informal advisor, public and media participation is undertaken in accordance with the RTA Guidelines.

Roles

- To advise Council on traffic related matters referred to the Committee
- To ensure matters referred to the Committee meets current technical guidelines
- To ensure matters referred to the Committee for which Council has delegated authority are voted upon.

Administration

Council's Transport and Stormwater Network Section is responsible for the co-ordination of Committee advice, scheduling of meetings, preparation and circulation of meeting minutes and providing general support services to the Committee. The Section is also responsible for providing advice in relation to the conduct of meetings.

Delegations

Council has delegations to authorise traffic control facilities and devices as prescribed in the Delegations to Councils – Regulation of Traffic October 2001.

Council has sub-delegated its powers in respect of Division 1 of Part 4 of the Road Transport (Safety and Traffic Management) Act 1999 and Division 2 of Part 5 of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999 to the Director of Infrastructure Services and the Technical Services Manager.

Local Traffic Committee
ATTENDANCE REGISTER

Member	31/10/18	24/04/19	26/06/19	16/10/19	20/11/19 held via Electronic
Deputy Mayor Lisa Intemann (Chair)	✓	PV	✓	✓	✓
Councillor Lee Dixon (Deputy Chair)	X	A	X	A	✓
Paul Dilley Daniel Finch Joel Wehlow (NSW Police)	✓	✓	✓	✓ ✓	✓
Greg Aitken Liz Smith (RMS)	✓	✓	PV	PV ✓	✓
Representative of Mrs Leslie Williams (Member for Port Macquarie)	X	X	X	X	✓
Representative of Melinda Pavey MP (Member for Oxley)	X	X	X	X	✓
Non-voting:					
Steve Read Brett Dawson (Port Macquarie Taxis)	A	X	✓	A	✓
Malcolm Britt Mark Lawrence (Busways)	A	A	✓	A	✓ ✓
Dan Bylsma (PMHC Director Infrastructure)				✓	
Cameron Hawkins (PMHC - Group Manager Infrastructure Planning)	✓	✓	✓	A	✓
John Hanlon (PMHC - Transport & Traffic Engineer)	✓	✓	✓	✓	✓
Amanda Foster (PMHC Admin. Officer)	X	✓	✓	✓	✓
Phillip Marshal (Alternate - PMHC Admin. Officer)			✓		✓

Key: ✓ = Present
PV = Proxy Vote
A = Absent With Apology
X = Absent Without Apology

Meeting Dates for 2020

26/02/2020	Committee Room	10:00am
29/04/2020	Committee Room	10:00am
24/06/2020	Committee Room	10:00am
26/08/2020	Committee Room	10:00am
28/10/2020	Committee Room	10:00am
16/12/2020	Committee Room	10:00am

Local Traffic Committee Meeting
Thursday 7 May 2020

Items of Business

Item	Subject	Page
01	Acknowledgement of Country	<u>6</u>
02	Apologies.....	<u>6</u>
03	Confirmation of Minutes	<u>6</u>
04	Disclosures of Interest.....	<u>7</u>
05	Business Arising from Previous Minutes.....	<u>11</u>
06	Bridge Load Limits.....	<u>12</u>
07	General Business	

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

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

Item: 02**Subject: APOLOGIES**

RECOMMENDATION

That the apologies received be accepted.

Item: 03**Subject: CONFIRMATION OF PREVIOUS MINUTES**

RECOMMENDATION

That the Minutes of the Local Traffic Committee Meeting held on 18 December 2019 be confirmed.

Item: 04
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

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

(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:
- your interest, or
 - the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - 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:
- Your "relative" is any of the following:
 - your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - the spouse or de facto partner of a person referred to in paragraphs (i) and (ii)
 - "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)
- if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - 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
 - 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 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
 - 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.
 - 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.
 - 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
 - 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
 - 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:
- 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
 - 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.*

By <i>[insert full name of councillor]</i>	
In the matter of <i>[insert name of environmental planning instrument]</i>	
Which is to be considered at a meeting of the <i>[insert name of meeting]</i>	
Held on <i>[insert date of meeting]</i>	
PECUNIARY INTEREST	
Address of the affected principal place of residence of the councillor or an associated person, company or body <i>(the identified land)</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.
MATTER GIVING RISE TO PECUNIARY INTEREST¹	
Nature of land that is subject to a change in zone/planning control by proposed LEP <i>(the subject land²)</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.

¹ 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.

² 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

Item: 05

Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

Item: 06

Subject: BRIDGE LOAD LIMITS

Presented by: Infrastructure, Dan Bylsma

RECOMMENDATION

That it be recommended to the Director of Infrastructure, under sub-delegation, for implementation:

That Council install load limit signs on the following bridges:

- Little Mortons Creek Bridge, Mortons Creek Road
- Kindee Bridge, Kindee Road
- Donkins Flat Bridge, Wingham Road
- Logans Crossing Bridge, Logans Crossing Road
- Bridge on The Cedars Road, The Cedars Road
- Tipperary Bridge, Tipperary Road
- Old School Road Bridge, Old School Road
- Myhills Bridge, Upper Rollands Plains
- Bril Bril Bridge, Upper Rollands Plains Road
- Bridge on Scotts Plains Road, Scotts Plains Road
- Bridge on Fernbank Creek Road, Fernbank Creek Road
- Bridge on Foxs Road, Foxs Road
- Bridge on Bril Bril Road (Bottlebrush No 1), Bril Bril Road
- Bridge on Stoney Creek Road, Stoney Creek Road
- Bridge on Thone River Road, Thone River Road

Discussion

Council recently undertook detailed structural inspections of bridges throughout the Local Government Area (LGA). The key purpose was to assess the safety, reliability, and load carrying capacity of each bridge.

It was found that several bridges, in their current condition, are not capable of handling the required loads of general access heavy vehicles. Under the national mass and loading arrangements, these are vehicles with unrestricted access to the road system, except where a road or bridge is signposted otherwise.

Bridge load limit signs (as per AS 1742.2) will be introduced at the following 15 bridges:

- Little Mortons Creek Bridge, Mortons Creek Road
- Kindee Bridge, Kindee Road
- Donkins Flat Bridge, Wingham Road

- Logans Crossing Bridge, Logans Crossing Road
- Bridge on The Cedars Road, The Cedars Road
- Tipperary Bridge, Tipperary Road
- Old School Road Bridge, Old School Road
- Myhills Bridge, Upper Rollands Plains
- Bril Bril Bridge, Upper Rollands Plains Road
- Bridge on Scotts Plains Road, Scotts Plains Road
- Bridge on Fernbank Creek Road, Fernbank Creek Road
- Bridge on Foxs Road, Foxs Road
- Bridge on Bril Bril Road (Bottlebrush No 1), Bril Bril Road
- Bridge on Stoney Creek Road, Stoney Creek Road
- Bridge on Thone River Road, Thone River Road

The location of each bridge is shown in Attachment 1. The load limit signs to be installed at each bridge is shown in Attachment 2.

Detour signs, as per AS 1742.2 (Clause 4.6.6.1(d)), will also be installed at appropriate locations to divert overweight vehicles in advance of each bridge.

The respective load limits will remain in place until structural repairs or bridge replacements occur.

Consultation

The load limit signs are required in the interest of public safety.

The community will be informed of the new bridge load limits via the following:

- Letters sent to directly affected residents
- Emails sent to affected stakeholders
- Council website update
- Council media release
- Council Facebook posts

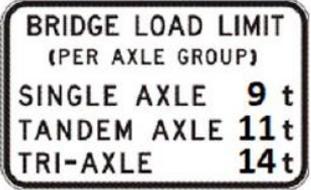
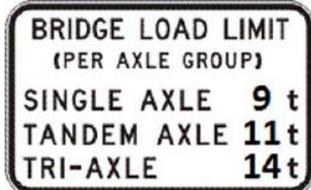
Recommendation

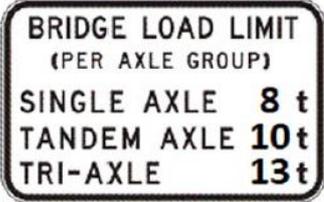
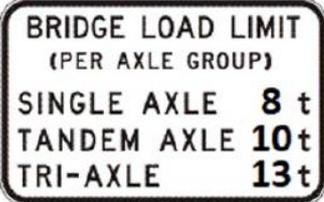
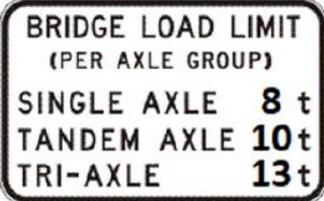
It is proposed to install load limit signs at 15 bridges at the locations shown in Attachment 1.

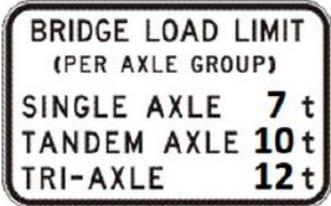
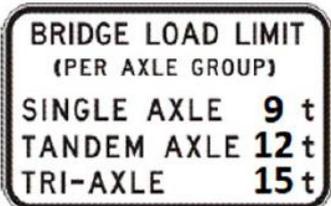
The cost of the installation will be funded by Council.

Attachments

- 1 [↓](#). Bridge Load Limits - Location Map
- 2 [↓](#). Bridge Load Limits - Information Sheet

Load limits on Bridges in the Port Macquarie-Hastings Region 		
Bridge	Visual Reference	Load Limit Signage
Little Mortons Creek Bridge Mortons Creek Road Map reference 1 Bridge No 2		
Kindee Bridge Kindee Road Map reference 2 Bridge No 8		
Donkins Flat Bridge Wingham Road Map Reference 3 Bridge No 10		
Logans Crossing Bridge Logans Crossing Road Map Reference 4 Bridge No 29		
Crowe Roads Bridge Bellangry Road Map Reference 5 Bridge No 44		
Bridge on The Cedars Road The Cedars Road Map Reference 6 Bridge No 70		

Load limits on Bridges in the Port Macquarie-Hastings Region 		
Bridge	Visual Reference	Load Limit Signage
Tipperary Bridge Tipperary Road Map reference 7 Bridge No 77		
Old School Road Bridge Old School Road Map reference 8 Bridge No 87		
Thompsons Bridge Upper Rollands Plains Road Map Reference 9 Bridge No 113		
Myhills Bridge Upper Rollands Plains Road Map Reference 10 Bridge No 115		
Bril Bril Bridge Upper Rollands Plains Road Map Reference 11 Bridge No 116		
Bridge on Scotts Plains Road Scotts Plains Road Map Reference 12 Bridge No 118		

Load limits on Bridges in the Port Macquarie-Hastings Region 		
Bridge	Visual Reference	Load Limit Signage
Bridge on Fernbank Creek Road Fernbank Creek Road Map Reference 13 Bridge No 119		
Bridge on Foxs Road Foxs Road Map Reference 14 Bridge No 169		
Bridge on Bril Bril Road (Bottlebrush No 1) Bril Bril Road Map Reference 15 Bridge No 172		
Bridge on Stoney Creek Road Stoney Creek Road Map Reference 16 Bridge No 183		
Bridge on Thone River Road Thone River Road Map Reference 17 Bridge No 25623		